



**DEPARTMENT OF THE NAVY**  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

█  
Docket No: 6434-22

Ref: Signature Date

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER █  
XXX XX █ USMC

Ref: (a) Title 10 U.S.C. §1552  
(b) SECDEF Memo of 3 Sep 14 (Hagel Memo)  
(c) PDUSD Memo of 24 Feb 16 (Carson Memo)  
(d) USD Memo of 25 Aug 17 (Kurta Memo)  
(e) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149 w/attachments  
(2) Naval record (excerpts)

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board) requesting that his Certificate of Release or Discharge from Active Duty (DD Form 214) narrative reason for separation be changed to reflect "PTSD."

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 5 December 2022 and, pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, applicable statutes, regulations, and policies, to include the 3 September 2014 guidance from the Secretary of Defense regarding discharge upgrade requests by Veterans claiming post-traumatic stress disorder (PTSD)(Hagel Memo), the 25 August 2017 guidance from the Office of the Under Secretary of Defense for Personnel and Readiness (Kurta Memo), and the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice, or clemency determinations (Wilkie Memo) regarding equity, injustice, or clemency determinations. Additionally, the Board also considered the advisory opinion (AO) furnished by a qualified mental health professional, dated 21 October 2022, which was previously provided to Petitioner. Although Petitioner was afforded an opportunity to submit a rebuttal, he chose not to do so.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulation within the Department of the Navy. Although enclosure (1)

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED]  
XXX XX [REDACTED] USMC

was not filed in a timely manner, the statute of limitation was waived in accordance with the Kurta Memo.

b. During Petitioner's enlistment processing, he disclosed a history of marijuana use and alcohol abuse and was granted an enlistment waiver. Petitioner enlisted in the U.S. Marine Corps and began a period of active duty on 13 November 2001. On 23 September 2003, a division psychiatrist recommended Petitioner be discharged for borderline personality disorder which existed prior to enlistment (EPTE).

c. On 10 October 2003, Petitioner was notified that he was being recommended for administrative separation by reason of Convenience of the Government (COG)/Personality Disorder and advised of, and waived his procedural right, to consult with military counsel and to present his case to an administrative discharge board (ADB).

d. On 22 October 2003, Petitioner's commanding officer (CO) forwarded his administrative separation package to the separation authority (SA) recommending Petitioner's administrative discharge from the USMC by reason of COG with an Honorable (HON) characterization of service. On 20 December 2003, the SA agreed with Petitioner's CO and directed he be discharged with an HON for COG/Personality Disorder. On 14 January 2004, Petitioner was so discharged.

e. Petitioner contends he suffered from mental health concerns (PTSD) during military service and was discharged as a result but his narrative reason for separation has led to negative opinions of him by those reading the document.

f. As part of the Board's review, a qualified mental health professional reviewed Petitioner's request and provided the Board with an advisory opinion (AO). The AO stated in pertinent part:

There is evidence that the Petitioner was diagnosed with mental health concerns (Adjustment Disorder, Depression, and PTSD) as well as with a Personality Disorder. He was appropriately referred for psychological evaluation during his enlistment and properly evaluated over several encounters, including a referral to group therapy. His diagnosis was based on observed behaviors and performance during his period of service, the information he chose to disclose, and the psychological evaluations performed by mental health clinicians as documented in his service record.

The AO concluded, "it is my considered clinical opinion there is insufficient evidence that the reasons for his medical separation (Personality Disorder) are in error."

## CONCLUSION

The Board reviewed Petitioner's application under the guidance provided in references (b) through (e). Upon review and consideration of all the evidence of record, the Board concluded, that the Petitioner's request warrants favorable action in the form of partial relief.

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED]  
XXX XX [REDACTED] USMC

In keeping with the letter and spirit of the Hagel, Kurta, and Wilkie Memos, the Board determined that it would be an injustice to label one's discharge as being for a diagnosed character and behavior and/or adjustment disorder. Describing Petitioner's service in this manner attaches a considerable negative and unnecessary stigma, and fundamental fairness and medical privacy concerns dictate a change. Accordingly, the Board concluded that Petitioner's discharge should not be labeled as being for a mental health-related condition and that certain remedial administrative changes are warranted to the DD Form 214.

Notwithstanding the below recommended corrective action, the Board concluded Petitioner's request to change his narrative reason for separation to "PTSD" lacks merit. First, the Board concurred with the AO that there is insufficient evidence that the reasons for Petitioner's Personality Disorder discharge are in error. Second, the Board found insufficient evidence that he suffered from PTSD while on active duty or that such a condition was unfitting for continued naval service. The Board found that Petitioner's record clearly demonstrates he was processed for administrative separation based on his long-standing personality disorder that existed prior to his entry into the Marine Corps.

Additionally, based on Petitioner's diagnosed personality disorder, the Board determined his reentry code remains appropriate based on a finding that he remain unsuitable for further military service.

RECOMMENDATION:

In view of the above, the Board directs the following corrective action:

Petitioner be issued a new DD Form 214 indicating the narrative reason for separation as "Secretarial Authority," the separation authority as "MARCORSEPMAN 6214," and the separation code as "JFF1."

That no further action be granted.

That a copy of this report of proceedings be filed in Petitioner's naval record.

4. It is certified that quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

1/5/2023

