

DEPARTMENT OF THE NAVY

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

> Docket No: 7374-22 Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF

Ref: (a) 10 U.S.C. §1552

(b) SECDEF memo, "Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations," of 25 July 2018

Encl: (1) DD Form 149 w/attachments

(2) Case summary

- 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 naval record be corrected by changing his separation reason, reentry code, and separation authority.
- 2. The Board, consisting of ton, reviewed Petitioner's allegations of error and injustice on 2 November 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, and applicable statutes, regulations, and policies, and reference (b), the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice, or clemency determinations (Wilkie Memo).
- 3. The Board, having reviewed all the facts of record pertaining to the subject former member's allegations of error and injustice, finds as follows:
- a. Before applying to this Board, the Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.
- b. The Petitioner commenced an enlistment in the Navy on 16 August 2011. He served without incident, and reenlisted on 31 January 2017 for a period of four years. Petitioner's final Evaluation Report & Counseling Record, notes he was separated with an Honorable character of service. He received a final trait of 3.0 and was recommended for retention.
 - c. Petitioner's Certificate of Release of Discharge from Active Duty (DD Form 214) reflects

the following: Block 25: Separation Authority MILSPERMAN 1910-130, Block 26: Separation code-GFC, Block 27: Reentry Code-RE-3E, and Block 28: Narrative reason for separation-Erroneous entry.

d. Petitioner believes his separation reason, reentry code, and separation authority were inputted in error, as they do not accurately reflect his basis for separation. Petitioner contends this error is preventing him from accessing his eductation benefits.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board determined that there exists an error which requires relief. The Board found that Petitioner's record does not support a separation reason of erroneous entry. Specifically, the Board noted Petitioner was able to reenlist and his final evaluation documents that he was recommended for retention. Accordingly, the Board voted unanimously to provide relief and to correct the administrative errors, in the form of changing his narrative reason for separation to completion of required active service along with associated changes consistent with this basis for separation.

Accordingly, based on a careful review of all of the facts presented, the Board concludes that Petitioner is entitled to relief as follows.

RECOMMENDATION

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

That Petitioner be issued a Correction to DD Form 214, Certificate of Release or Discharge form Active Duty (DD Form 215), for the period ending on 30 January 2021, indicating his narrative reason for separation be changed to completion of required active service, separation authority to MILPERSMAN 1910-104, separation code to KBK, and reentry code to RE-1.

That no further changes be made to Petitioner's record.

A copy of this report of proceedings shall be filed in Petitioner's naval record.

- 4. It is certified that a 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

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corrective action, taken under the authority of the reference, has been approved by the Board on behalf of the Secretary of the Navy.

