



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

█  
Docket No. 7855-22  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER █, USN,  
XXX-XX-█

Ref: (a) 10 U.S.C. § 1552  
(b) 10 U.S.C. 654 (Repeal)  
(c) UNSECDEF Memo of 20 Sep 11 (Correction of Military Records Following Repeal of 10 U.S.C. 654)

Encl: (1) DD Form 149 with 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 her naval record be corrected by changing her narrative reason for separation, reentry code, and separation code on her Certificate of Release or Discharge from Active Duty (DD Form 214).

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 23 January 2023 and, pursuant to its regulations, determined 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.

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 regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits.

c. Petitioner enlisted in the Navy and began a period of active duty on 14 November 1989. On 17 September 1990, Petitioner was notified of the initiation of administrative separation proceedings by reason of homosexuality admission, at which point, she elected to waive her procedural rights. On 18 September 1990, the Petitioner's commanding officer recommended

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that she be administratively separated from the Navy with a General (Under Honorable Conditions) discharge characterization of service by reason of homosexual admission. On 20 September 1990, the separation authority approved the recommendation and directed Petitioner's discharge. On 24 September 1990, Petitioner was discharged with a General (Under Honorable Conditions) discharge characterization by reason of homosexuality. On 30 March 1990, this Board approved the Petitioner's request for an Honorable discharge characterization upgrade.

d. Petitioner is requesting that her Narrative Reason for Separation be change to "Secretarial Authority," Separation Code to "JFF," and Reentry Code to "RE-1." Petitioner is also asking not to include any remarks on her DD Form 214 indicating that it was corrected. Petitioner claims her discharge was unjust because the sole reason for it was her admission that she engaged in homosexual acts and there were no aggravating factors. Additionally, the Petitioner states her record indicate high trait marks while in service.

e. Reference (c) sets forth the Department of the Defense's current policies, standards, and procedures for correction of military records following the "don't ask, don't tell" (DADT) repeal of 10 U.S.C. 654. It provides service Discharge Review Boards with guidance to grant requests to change the characterization of service to "Honorable," narrative reason for discharge to "Secretarial Authority," SPD code to "JFF," and reenlistment code to "RE-1J," when the original discharge was based solely on DADT or a similar policy in place prior to enactment of it and there are no aggravating factors in the record, such as misconduct.

#### CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of references (b) through (c), the Board concludes Petitioner's request warrants partial relief. The Board noted Petitioner's record supports that she was solely discharged on the basis of homosexuality admission and her record contains no aggravating factors. In this regard, the Board determined Petitioner is entitled to full relief under reference (c).

Notwithstanding the recommended corrective action below, the Board determined that the remarks on the Petitioner's DD Form 214 are proper as issued and no further change is warranted. The Board did not find that the comments in Block 18 are erroneous or unjust. Absent additional evidence that either condition exists, the Board determined relief was not supported on this issue.

#### RECOMMENDATION:

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

That Petitioner be issued a new DD Form 214 indicating her narrative reason for separation as "Secretarial Authority," separation authority as "MILPERSMAN 3630400", separation code as "JFF", and reentry code as "RE-1J".

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

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

5. 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.

6. 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.

2/12/2023

[REDACTED]

Executive Director

Signed by: [REDACTED]