



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

██████████
Docket No. 5565-23

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) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149 w/ enclosures

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, hereinafter referred to as the Board, requesting a change to her reentry code and upgrade of her characterization of service to Honorable.

2. The Board, consisting of ██████████, ██████████, and ██████████, reviewed Petitioner's allegations of error and injustice on 5 January 2024, 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 reference (b).

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 service on 25 March 1986. Petitioner failed to disclose her dependent upon entry onto active duty. On 12 December 1986, her request to add her dependent for an accompanied overseas tour was approved by her command. On 14 December 1987, Petitioner was counseled regarding her failure to pay just debts. On 28 April 1988, Petitioner received non-judicial punishment for two specifications of making worthless checks by failing to maintain funds.

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XXX-XX-[REDACTED]

d. Subsequently, Petitioner was notified of the initiation of administrative separation proceedings by reason of defective enlistment and induction due to fraudulent entry into naval service. Subsequently, Petitioner waived her procedural rights and was ultimately discharged, on 5 August 1988, with a General (Under Honorable Conditions) characterization of service and assigned an RE-4 reentry code.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concluded there is an injustice in Petitioner's record and her request for correction warrants favorable action.

While the Board noted aggravating factors in Petitioner's record, the Board considered that her separation was not on the basis of the misconduct she committed. In addition, the Board noted Petitioner's command initially retained her in service despite her failure to disclose her dependent and positively endorsed command sponsorship for an accompanied tour overseas. Therefore, the Board determined the initiation of administrative separation proceedings on the basis of fraudulent entry, due to her failure to disclose her dependent, is an injustice and should be corrected. In light of reference (b), the Board determined it was in the interests of justice to upgrade her characterization of service to Honorable, change her basis for separation to Secretarial Authority, and assign her a corresponding reentry code.

RECOMMENDATION:

Petitioner be issued a new DD Form 214 and new discharge certificate indicating a characterization of service of "Honorable," narrative reason for separation of "Secretarial Authority," separation code of "JFF," separation authority of "MILPERSMAN 1910-164", and reentry code of "RE-1J."

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

A copy of this report of proceedings 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 Regulation, 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.

1/29/2024

[REDACTED]