



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

█  
Docket No. 6386-23  
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitation and consider your application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 24 October 2023. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application together with all material submitted in support thereof, relevant portions of your naval record, and applicable statutes, regulations, and policies.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

A review of your record shows that you entered active duty in the Navy on 25 July 1989. On 31 August 1989 you were evaluated at Naval Hospital █ nic for eczema on your fingers and hands. On 22 September 1989, you underwent a medical board which diagnosed you with Atopic Dermatitis with Hand Eczema and determined the condition existed prior to your entry into the Navy. The report noted you were treated by a civilian dermatologist for this condition prior to entry and determined upon entry you did not meet the minimum physical standards for enlistment based on your medical history. You were notified of administrative entry level separation (ELS) due to erroneous enlistment and on 26 September 1989, you signed paperwork stating that you did not object to this discharge. You were

subsequently discharged for erroneous enlistment on 11 October 1989 and received an uncharacterized ELS.

In your petition, you request the narrative reason for separation be changed and an honorable characterization of service based on medical grounds vice an ELS. You argue that during boot camp you were exposed to significant stress and cleaning chemicals which led to the skin rash, that “prior to military service [you] had never experienced any skin-related issues,” and that your skin condition only arose during the time of your service.

The Board carefully reviewed your petition and the material that you provided in support of your petition and disagreed with your rationale for relief. In reaching its decision, the Board noted that contrary to your assertion that you never experienced any skin related issues, there are records in your medical file dated 31 August and 1 September 1989 documenting that you told medical personnel you had a life-long history of eczema and that you were treated by civilian dermatologist until the age of 10.

Moreover, the Board found the Naval Military Personnel Manual (MILPERSMAN) Article 3630200, authorizes separation of a member during the first 180 days of service when the member has been found unqualified for further service and Article 3610300 specifies that the separation will be uncharacterized and described as ELS. Article 3610300 further clarifies that for a separation in the first 180 days of active duty to be deemed as honorable there would have to be evidence of unusual circumstances involving personal conduct and performance of naval duty and the Secretary of the Navy would have to approve the characterization on a case-by-case basis. The Board noted that you served on active duty for a total of 2 months and 17 days and there was no evidence in your record demonstrating any exceptional circumstance to warrant an honorable discharge. Finally, the Board noted you were notified of administrative discharge separation due to erroneous enlistment and that you did not submit a rebuttal to object to this discharge. Consequently, the Board determined that your administrative discharge for erroneous enlistment (medical disqualification) was valid.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

11/14/2023

