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**UNITED STATES AIR FORCE
BOARD FOR CORRECTION OF MILITARY RECORDS**

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2025-00178

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COUNSEL: NONE

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HEARING REQUESTED: YES

APPLICANT'S REQUEST

The deceased member's under other than honorable conditions (UOTHC) discharge be upgraded to honorable, based on the repeal of Title 10, U.S.C., Section 654.

APPLICANT'S CONTENTIONS

The applicant, on behalf of her father, is requesting a discharge upgrade. Under the 2010 "Don't Ask Don't Tell" Repeal Act, homosexuals are no longer barred from the military. Her father was discharged for being homosexual and was greatly impacted by the level of his discharge. He felt extremely shamed throughout his life as a result of his discharge.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The deceased member is a former Air Force airman second class.

On 22 Jul 57, the deceased member submitted a response to the discharge recommendation acknowledging his commander's intent and stating legal counsel was made available to him. He waived his rights to a hearing and requested a discharge without the benefits of a board hearing with the understanding he would be discharged with an under other than honorable discharge if approved.

On 2 Oct 57, the deceased member received a under other than honorable conditions discharge. His narrative reason for separation is annotated as special designator number (SDN) 257 which denotes unfitness-waiver of board-class II homosexual. He was credited with 2 years, 3 months, and 16 days of total active service.

On 4 Aug 63, the deceased member submitted a request to the Air Force Discharge Review Board (AFDRB) for an upgrade to his discharge.

AFBCMR Docket Number BC-2025-00178

Work-Product

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CUI Categories: *Work-Product*
Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil

On 8 Nov 63, the AFDRB concluded a change in the type or nature of his discharge was not warranted.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit D.

APPLICABLE AUTHORITY/GUIDANCE

On 20 Sep 11, with the repeal of the law commonly known as "Don't Ask, Don't Tell" (DADT), 10 U.S.C. Section 654, the Department of Defense (DoD) issued supplemental policy guidance on correcting military records of former service members who had been discharged under that law or a precursor. The guidance applied to the following types of requests: changing the narrative reason for a discharge; re-characterizing service as honorable; changing a reentry code to one allowing immediate eligibility to reenter service. The guidance directed that such requests should normally be granted when both of the following conditions are true: (1) the original discharge was based solely on DADT or a similar policy in place prior to enactment of DADT; and (2) there were no aggravating factors in the record, such as misconduct. For meritorious cases, the guidance further directed the use of "Secretarial Authority" as the new narrative reason for separation, with Separation Program Designator (SPD) code "JFF" and reentry code "1J." In addition, the guidance noted that while each request must be evaluated individually, an honorable or under honorable conditions (general) discharge should normally be considered to indicate the absence of aggravating factors. Finally, the issuance of a discharge under DADT or the taking of an action pursuant to DoD regulations related to a discharge under DADT should not by itself be considered to constitute an error or injustice that would invalidate an otherwise proper action taken pursuant to DADT and applicable DoD policy. Thus, remedies such as correcting a record to reflect continued service with no discharge, restoration to a previous grade or position, credit for time lost, or an increase from no separation pay to half or full separation pay or from half separation to full separation pay, would not normally be appropriate.

The complete DoD policy is at Exhibit C.

AIR FORCE EVALUATION

AFPC/JA recommends granting the application correcting the deceased member's narrative reason for separation to "Secretarial Authority" and the service characterization to honorable. The deceased member was discharged pursuant to AFR 35-66, *Homosexual Acts or Tendencies*. The discharge was after the deceased member had the benefit of counsel and his unconditional offer to waive a discharge board. His separation processing appears to have been conducted in accordance with the law and appropriate guidance in effect at the time. However, based on the lack of records maintained in his personnel file, this cannot be confirmed. On 20 Sep 11, the DADT policy was repealed, and the Under Secretary of Defense (USecDef) prescribed parameters for discharged service members to petition their Service Discharge Review Board (DRB) or Service Board for Correction of Military Records (BCMR) to upgrade their discharge service characterization. Both of the following conditions must be met: 1) the discharge was based solely on DADT or a similar

policy; and 2) there were no aggravating factors in the member's record. Here, the deceased member was discharged based on a policy similar to DADT and there are no aggravating factors in his personnel record.

The complete advisory opinion is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 26 Mar 25 for comment (Exhibit E) but received no response.

FINDINGS AND CONCLUSION

1. The application was not timely filed but the untimeliness is waived because it is in the interest of justice to do so. Therefore, the Board declines to assert the three-year limitation period established by 10 U.S.C. Section 1552(b).
2. The applicant exhausted all other available administrative remedies before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the deceased member is the victim of an error or injustice. The Board agrees with the rational and recommendation of AFPC/JA and recommends relief based on the repeal of 10 U.S.C. Section 654. The Board finds no aggravating factors in the deceased member's record and therefore finds the case meets the criteria of the DoD policy on records correction following the repeal of DADT. Therefore, the Board recommends correcting the records as indicated below.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to DECEASED MEMBER be corrected to show the DD Form 214, *Certificate of Release from Active Duty*, issued on 2 Oct 57, be amended to reflect he was discharged with service characterized as honorable, a Separation Code of JFF, a Narrative Reason for Separation of Secretarial Authority, and a Reentry code of 1J.

CERTIFICATION

The following quorum of the Board, as defined in Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2025-00178 in Executive Session on 20 Nov 25:

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Panel Chair

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Panel Member

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Panel Member

All members voted to correct the record. The panel considered the following:

Exhibit A: Application, DD Form 149, w/atchs, dated 4 Dec 24.

Exhibit B: Documentary Evidence, including relevant excerpts from official records.

Exhibit C: Letter (DoD Policy on Correcting Military Records after Repeal of DADT),
SAF/MRBC to Applicant, dated 17 Mar 25.

Exhibit D: Advisory Opinion, AFPC/JA, dated 25 Mar 25.

Exhibit E: Notification of Advisory, SAF/MRBC to Applicant, dated 26 Mar 25.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

1/4/2026

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Board Operations Manager, AFBCMR

Signed by: USAF

AFBCMR Docket Number BC-2025-00178

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