



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

█  
Docket No. 10697-23  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF █, █,  
USN, █

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 his naval record be corrected consistent with references (b) and (c).

2. The Board, consisting of █, and █, reviewed Petitioner's allegations of error and injustice on 29 January 2024 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 entered of active duty on 17 January 1975. On 5 April 1979, Petitioner submitted his Letter of Resignation from Naval Service. On 10 April 1979, Petitioner admitted to being a homosexual during a medical examination. On 10 May 1979, the Chief of Naval Personnel (CNP) recommended the acceptance of the Petitioner's unqualified resignation with an Honorable discharge characterization and "FKC" as separation code. Ultimately, the Secretary

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of the Navy approved and ordered that Petitioner be separated from the Navy with an Honorable characterization due to homosexual admission. On 20 July 1979, Petitioner was discharged.

d. Petitioner contends homosexuality is no longer a condition for discharge, and he would like his record corrected.

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 narrative reason for discharge to "Secretarial Authority" and the SPD code to "JFF" 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 relief. In the making of this finding, the Board noted Petitioner's record supports that he was solely discharged on the basis of his homosexual admission. Therefore, the Board determined Petitioner is entitled to full relief under reference (c).

#### RECOMMENDATION:

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

That Petitioner be issued a new DD Form 214 indicating his narrative reason for separation as "Secretarial Authority," separation authority as "MILPERSMAN 1910-164," and separation code as "JFF."

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.

2/27/2024

[REDACTED]