

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]
[REDACTED]

September 1987, he was discharged with a General (Under Honorable Conditions) (GEN) characterization of service.

d. Petitioner has no history of misconduct in his official naval record.

e. On 12 May 1988, the Naval Discharge Review Board (NDRB) changed Petitioner's GEN characterization of service to "Entry Level Separation (ELS)." The NDRB based its decision on its determination that Petitioner's admission of homosexuality was made prior to 180 days of active service and, therefore, an uncharacterized discharge was appropriate.

f. Petitioner contends he was discharged solely due to an admission of homosexuality.

g. Reference (c) sets forth the Department of the Navy'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 the guidance to normally grant requests to change the characterization of service to "Honorable," narrative reason for discharge to "Secretarial Authority," separation code to "JFF," and reentry 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, the Board concludes Petitioner's request warrants relief. The Board reviewed the application under the guidance provided in references (b) and (c).

The Board noted Petitioner was discharged based solely due to a homosexual admission and found no evidence of aggravating factors in his record. While the Board acknowledged the NDRB determination Petitioner's service fell within the window of ELS, the Board determined it was appropriate to assign Petitioner a characterization of service based on the fact his total active service exceeded 180 days. Therefore, the Board found that it was in the interests of justice to upgrade Petitioner's characterization of discharge to Honorable (HON), and change his narrative reason for separation, separation authority, and reentry code consistent with the guidance provided in reference (c).

RECOMMENDATION

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

That Petitioner be issued a new Certificate of Release from Active Duty (DD Form 214), indicating that he was discharged on 4 September 1987 with a characterization of service of "Honorable," separation code of "JFF2," narrative reason of "Directed by the Secretary of the Navy to correct official records," separation authority of "Paragraph 6012.1g, Marine Corps Separation Manual," and reentry code of "RE-1J."

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

That Petitioner be issued an Honorable Discharge Certificate.

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

4. It is certified a quorum was present at the Board's review and deliberations, and 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.

8/28/2024

[REDACTED]