



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

Docket No. 10173-24  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]  
USN, XXX-XX-[REDACTED]

Ref: (a) 10 U.S.C. § 1552  
(b) Official Military Personnel File (OMPF)  
(c) MILPERSMAN 1910-120

Encl: (1) DD Form 149 w/enclosures  
(2) Medical Board Report, [REDACTED]  
(3) NAVMED 6100/3, Medical Board Certificate Relative to a PEB Hearing, 17 Apr 02  
(4) NAVPERS 1070/613, Administrative Remarks, 19 Jul 02  
(5) Petitioner's Memo, subj: Request for Separation Based on Physical or Behavioral Condition(s) Not Amounting to a Disability, 19 Jul 02  
(6) Administrative Separation Processing Notice – Notification Procedure, 22 Jul 02  
(7) Commander, Fleet Activities, [REDACTED] 1910 Ser C003B/[REDACTED] Memo, subj: Administrative Discharge, 25 Jul 02  
(8) Certificate of Release or Discharge from Active Duty (DD Form 214), 14 Aug 02  
(9) Commander, Fleet Activities, [REDACTED], 1910 Ser C003B/[REDACTED] Memo, subj: [Petitioner] Recommendation for Administrative Separation, 25 Jul 02  
(10) COMNAVPERSCOM message, subj: Admin Separation ICO [Petitioner], 011200Z OCT 02

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 the separation code on his Certificate of Release or Discharge from Active Duty (DD Form 214) be changed from "GFX" to "MEB."

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 12 December 2024, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of naval records, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all of the evidence of record pertaining to Petitioner's allegations of error or injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulation within the Department of the Navy. Although Petitioner's

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]  
USN, XXX-XX [REDACTED]

application was not filed in a timely manner, the Board, in the interest of justice, waived the statute of limitations and considered the case on its merits.

b. A review of reference (b), Petitioner's OMPF, reveals Petitioner enlisted in the Navy and entered active duty on 30 July 1999. Prior to his arrival at his new duty station in [REDACTED] in March 2001, he was diagnosed with alcohol dependence, received Level II treatment, and transitioned to continuing care.

c. In April 2002, Petitioner presented to his ship's medical department after being escorted there by the command chaplain after confiding to the chaplain of his progressively deteriorating mood and fleeting thoughts to end his life. Following evaluation by ship's medical and the Mental Health Clinic, Petitioner appeared before a Medical Board as an outpatient in the Department of Psychiatry of the [REDACTED], on 11 April 2002 with a primary diagnosis of Major Depressive Disorder, single episode, severe; Dysthymic Disorder, early onset; Occupational Problem; and Alcohol Dependence in partial remission. The Medical Board found that Petitioner suffered from a psychiatric disorder of such proportion which significantly interfered with his ability to reasonably fulfill the purpose of his employment on active duty. Further, the Medical Board determined the disability existed prior to enlistment and was considered to have neither incurred in nor to have been aggravated by a period of active duty. The Medical Board was also of the opinion Petitioner failed to fulfill the minimal standards of enlistment and recommended Petitioner's discharge due to erroneous enlistment. On 17 April 2002, Petitioner indicated he did not desire to submit a statement in rebuttal to the Medical Board findings and certified that he was being processed for separation. Additionally, he "with full knowledge of the findings of the Medical Board and with knowledge of [his] rights," waived his right to have his case forwarded to the Physical Evaluation Board (PEB) and instead requested administrative discharge from the naval service as soon as possible. Enclosures (2) and (3).

d. On 19 July 2002, Petitioner was issued an Administrative Remarks (Page 13) counseling/warning after his diagnosis with a psychiatric disorder which significantly interfered with his ability to reasonably fulfill the purpose of his employment on active duty. He was warned that discharge "may be pending under MILPERSMAN 1910-120, as a result of a deficiency, if alternative accommodations cannot be found." By his signature on 19 July 2002, Petitioner acknowledged receipt of the Page 13 and indicated he did not desire to make a statement. Enclosure (4).

e. On 19 July 2002, in accordance with reference (c), Petitioner submitted a request for separation "based on the medical condition which [he] and [his] attending physician believe[d] exist[ed], but [did] not amount to a disability per current Navy guidance." Petitioner stated he was requesting the administrative separation due to the fact he suffered from a psychiatric disorder of such proportion that it significantly interfered with his ability to fulfill his purpose of employment on active duty in any capacity. Enclosure (5).

f. On 22 July 2022, Commander, Fleet Activities, [REDACTED], notified Petitioner that he was being processed for administrative separation by reason of Convenience of the Government due to Physical or Mental Conditions. Petitioner waived his rights, with the exception of the right to

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]  
USN, XXX-XX-[REDACTED]

obtain copies of documents forwarded to the Separation Authority. By memorandum of 25 July 2002, Commander, Fleet Activities, [REDACTED] determined Petitioner met the criteria for discharge and directed his separation with an honorable characterization of service by reason of Convenience of the Government due to Physical or Mental Condition. On 14 August 2002, Petitioner was discharged, and assigned a "GFX" separation code on his DD Form 214. After receiving the Commander's report of administrative separation dated 25 July 2002, Navy Personnel Command, via message, directed the Commander issue Petitioner a correction to his DD Form 214<sup>1</sup> reflecting a SPD code of "KFX" to indicate Petitioner's voluntary discharge. Enclosures (6) through (10).

g. Petitioner contends his DD Form 214 reflects an incorrect separation code because his records indicate he should have received a "MEB" separation code. Enclosure (1).

## CONCLUSION

Upon careful review and consideration of all of the evidence of record, the Board concluded Petitioner's request warrants partial relief. Specifically, the Board observed Petitioner's DD Form 214 at enclosure (8) describes his narrative reason for separation as "Personality Disorder." In keeping with the letter and spirit of current guidance, the Board determined it would be an injustice to label one's discharge as being for a diagnosed character and behavior and/or adjustment disorder. Describing Petitioner's service in this manner attaches a considerable negative and unnecessary stigma, and fundamental fairness and medical privacy concerns dictate a change. Accordingly, the Board concluded Petitioner's discharge should not be labeled as being for a mental health-related condition and that certain remedial administrative changes are warranted to the DD Form 214.

Although Petitioner incorrectly states his separation code should be "MEB," a code that does not exist, the Board considered his requested relief as an implied request for medical discharge. Notwithstanding the recommended corrective action below, the Board determined Petitioner had no basis for medical discharge or retirement and denied his request. In reaching its decision, the Board noted the Medical Board's report stated Petitioner's disability existed prior to enlistment and was neither incurred in nor aggravated by his period of active duty. Further, the Board noted the Medical Board determined Petitioner failed to fulfill the minimal standards of enlistment and recommended his discharge due to erroneous enlistment. Rather than elect his right to have his case forwarded to the PEB for a fitness determination, the Board noted Petitioner requested voluntary separation based on his medical condition. Accordingly, based on the foregoing, the Board denied Petitioner's requested relief.

## RECOMMENDATION

In view of the above, the Board recommends the following corrective action be taken on Petitioner's naval record.

---

<sup>1</sup> Reference (b) does not contain a DD Form 215 changing Petitioner's SPD to "KFX."

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]  
USN, XXX-XX-[REDACTED]

Petitioner shall be issued a new DD Form 214 for the period 30 July 1999 ending 14 August 2002, indicating his narrative reason for separation was "Secretarial Authority," the SPD code assigned was "JFF," and the separation authority was "MILPERSMAN 1910-164."

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

That 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.

1/17/2025

