



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

█  
Docket No. 10327-24  
Ref: Signature Date

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█  
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Dear █

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 limitations and consider your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 12 December 2024. 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.

A review of your record shows you enlisted in the Navy and commenced active duty on 21 May 2019. On 24 May 2019, you were diagnosed with insomnia disorder and an unspecified depressive disorder, both of which were determined to have existed prior to service. On 5 June 2019, Commanding Officer (CO), Recruit Training Command (RTC), notified you of administrative separation processing due to fraudulent entry into the naval service as evidenced by deliberate material misrepresentation, omission, or concealment of a condition/circumstances that existed prior to entry into the naval service.<sup>1</sup> By memorandum of 20 June 2019, CO, RTC, recommended Commander, Naval Service Training Command (CNSTC) separate you and assigned a reentry code of RE-8. On 27 June 2019, CNSTC, the Separation Authority, directed your discharge with an uncharacterized characterization of service due to fraudulent entry and assignment of a RE-8<sup>2</sup> reentry code.

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<sup>1</sup> Although your record indicates you elected to submit a written statement for consideration by the separation authority and to have a General Court-Martial Convening Authority (GCMCA) review, those documents are not present in your record.

<sup>2</sup> RE-8 reentry code is available to recruits assigned to RTC for initial training only, indicating "temporary medical conditions or unsatisfactory initial performance and conduct."

In your petition, you contend your uncharacterized discharge is in error and should be “under honorable conditions” as reflected in the Department of Veterans Affairs (VA) documentation. You contend your discharge status, as reflected on your Certificate of Release or Discharge from Active Duty (DD Form 214) should match your VA discharge status, which recognizes your service-connected disability at 40% under honorable conditions.

The Board carefully reviewed your petition and the material you provided in support of your petition and disagreed with your rationale for relief. The Board noted that separations initiated within the first 180 days of continuous active duty will be described as uncharacterized – Entry Level Separation except in those limited Navy cases: (a) when an honorable discharge is approved by the Secretary of the Navy in cases involving unusual circumstances *not* applicable in your case, or (b) where processing under a more serious basis is appropriate and where characterization of service under other than honorable conditions upon discharge is warranted. Further, with respect to your reliance on post-service findings by the VA, the Board noted the VA does not make determinations as to characterization of service or fitness for service as contemplated within the service disability evaluation system. Rather, eligibility for compensation and pension disability ratings by the VA is tied to the establishment of service connection and is manifestation-based without a requirement that unfitness for military duty be demonstrated. Accordingly, given the totality of the circumstances, the Board determined your request does not merit relief.

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,

1/17/2025

