



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

██████████
Docket No. 12009-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER ██████████, USN,
XXX-XX-██████████

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
(3) Subject's naval record (excerpts)

1. Pursuant to the provisions of reference (a), Petitioner, a former member of the Navy, filed enclosure (1) requesting his characterization of service, narrative reason for separation, separation code, and reentry code be upgraded consistent with references (b) and (c). Enclosures (1) through (3) apply.

2. The Board, consisting of ██████████, ██████████, and ██████████, reviewed Petitioner's allegations of error and injustice on 14 March 2025 and, pursuant to its regulations, determined that 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, applicable statutes, regulations, and policies, to include references (b) and (c).

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 enlisted in the Navy and began a period of active service on 12 August 1988.

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d. On 15 June 1991, Petitioner was investigated for being involved in homosexual activity with another servicemember while on liberty in the [REDACTED].

e. On 22 July 1991, he was notified of proposed administrative separation processing by reason of homosexuality. Petitioner consulted with legal counsel and requested to appear before an Administrative Discharge Board (ADB).

f. The ADB, held on 13 August 1991, unanimously voted for Petitioner's separation with a General (Under Honorable Conditions) (GEN) characterization of service. At the ADB, Petitioner testified, stating he was not a homosexual, but was very drunk and did not remember anything about what occurred.

g. Petitioner's Commanding Officer agreed with the ADB, and on 28 August 1991, Petitioner was so discharged.

h. Petitioner contends, although he has no misconduct in his record, he was discharged in 1991 for his admission to involvement in a homosexual act. In support of his application, he provided a legal brief.

i. Reference (d) 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 careful review and consideration of all of the evidence of record, the Board determined that Petitioner's request warrants full relief in the interests of justice.

Specifically, the Board determined Petitioner was discharged for homosexuality and entitled to have his record corrected pursuant to references (b) and (c).

RECOMMENDATION

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

Petitioner be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214), for the period ending 28 August 1991, indicating a characterization of service of "Honorable," a narrative reason for discharge of "Secretary Plenary Authority," authority of "MILPERSMAN 3630900," separation code "JFF," and a reentry code of "RE-1."

That Petitioner be issued an Honorable Discharge Certificate.

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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.

3/21/2025

