



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

█
Docket No. 12076-24

Ref: Signature Date

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

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

Ref: (a) 10 U.S.C. § 1552
(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

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 an upgrade of his characterization of service to Honorable. Enclosures (1) and (2) apply.

2. The Board, consisting of █, reviewed Petitioner's allegations of error and injustice on 10 March 2025 and, pursuant to its regulations, determined 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 his naval service records, applicable statutes, regulations, and policies, to include reference (b).

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, the statute of limitation was waived in the interests of justice.

c. The Petitioner enlisted in the Navy and began a period of active duty on 10 July 1981.

d. Unfortunately, the documents related to Petitioner's administrative separation are not in his official military personnel file (OMPF). In this regard, the Board relies on a presumption of regularity to support the official actions of public officers and, in the absence of substantial evidence to the contrary, will presume that they have properly discharged their official duties. Petitioner's Certificate of Release or Discharge from Active Duty (DD Form 214), reveals that he was discharged from the Navy on 1 September 1981 with a General (Under Honorable

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Conditions) characterization of service, his narrative reason for separation is "Misconduct-Fraudulent Enlistment," his separation code is "HKG," and his reentry code is "RE-4." At the time of his discharge, he completed a total of 52 days of active service.

e. Petitioner contends that: (1) his request is rooted in the decades he has spent making a meaningful impact since his discharge, (2) over the past 27 years, he has served as a Law Enforcement Ranger for the National Park Service and as an Agent for U.S. Immigration and Naturalization Service, (3) in addition to his federal service, he dedicated eight years as a councilman and mayor, tirelessly working to improve his community, (4) he volunteered thousands of hours with nonprofit organizations and played a critical role as mayor in protecting his town, businesses, and residents during the COVID-19 pandemic, (5) he has been a steadfast advocate for veterans, championing the establishment of a Veterans Village in his town and continue to support the formerly unhoused veterans residing there, (6) he ensured his friend, who was killed in Operation Iraqi Freedom, was honored with an inclusion in the Congressional Record, (7) throughout his career as a ranger, he protected both the national parks and the millions of visitors who enjoyed them—risking his life on multiple occasions in the line of duty, (8) now, after 35 years of public service, he is set to retire and leave office at the end of 2024, (9) his request is based on a discharge granted over 43 years ago, which has no bearing on his distinguished career but remains a deeply personal matter, and (10) above all, he seeks redemption through a lifetime of service for a mistake made decades ago, hoping for the opportunity to have his record reflect the dedication, sacrifice, and commitment he has demonstrated throughout his life.

f. For purposes of clemency and equity consideration, Petitioner provided his Associated degree, graduation certificates, a 25 years of government service certificate, a letter of gratitude from [REDACTED] certificates of election to the office of City Council, an outgoing mayor proclamation, a congratulatory correspondence from congressional representative, a certificate of recognition, an international karate association certificate of appreciation, a congressional record-extensions of remarks document, and a [REDACTED] advance media for [REDACTED] article.

CONCLUSION:

Upon careful review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants full relief.

Although the Board did not find that the Petitioner was discharged in error, it concluded, after conducting a holistic review, considering the totality of the circumstances, and in light of the guidance provided in reference (b) that an upgrade in the characterization of service is warranted as a matter of clemency.

In reaching this determination, and consistent with the principles outlines in the Wilkie Memo, the Board gave substantial regard to the Petitioner's significant post-service accomplishments as compelling evidence of honorable character and sustained meritorious conduct. The Board further resolved to amend the narrative reason for separation, separation authority, separation code, and reentry code as part of the relief granted.

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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) indicating, for the period ending 1 September 1981, Petitioner's character of service was "Honorable," the narrative reason for separation was "Separation for other good and sufficient reasons when determined by the Secretary of the Navy," the separation code assigned was "JFF," the separation authority was "MILPERSMAN 3850220," and the reentry code was "RE-1."

Petitioner be issued an Honorable Discharge Certificate.

No further changes be made to Petitioner's record.

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.

3/25/2025

