



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

e. On 18 March 1996, Petitioner was notified of administrative separation processing by reason of homosexual conduct with a least favorable characterization of Under Other Than Honorable conditions (OTH). Petitioner waived his rights to consult counsel, request a hearing before an administrative board, or provide a statement to rebut the separation. Petitioner's Commanding Officer recommended he be discharged with an uncharacterized entry level separation. The discharge authority approved the recommendation, and Petitioner was so discharged on 1 May 1996.

f. 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," the separation code to "JFF1," and the 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 partial relief. Specifically, the Board noted Petitioner's record supports that he was solely discharged on the basis of homosexuality with no aggravating factors and determined that his reason for separation should be changed in accordance with reference (c).

Notwithstanding the recommended corrective action below, the Board determined Petitioner's uncharacterized ELS discharge remains appropriate. Service regulations direct the assignment of an uncharacterized ELS discharge for service members processed for separation within their first 180 days of active duty. While there are exceptions to this policy involving misconduct or extraordinary performance, the Board determined neither exception applies in Petitioner's case.

## RECOMMENDATION

That Petitioner be issued a new DD Form 214, for the period ending 1 May 1996, indicating his separation authority as "MILPERSMAN 3630900," separation code as "JFF," narrative reason for separation as "Secretarial Authority," and reenlistment code as "RE-1J."

That no further changes be made to Petitioner's 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

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corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

3/7/2025

