

## **DEPARTMENT OF THE NAVY**

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

> Docket No. 0425-25 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)

(c) USECDEF Memo of 25 Aug 17 (Kurta Memo)

(d) SECDEF Memo of 13 Sep 14 (Hagel Memo)

Encl: (1) DD Form 149 with attachments

- (2) Case summary
- (3) Subject's naval record (excerpts)
- (4) Advisory Opinion of 29 May 25
- 1. Pursuant to the provisions of reference (a), Petitioner, a former member of the Navy, filed enclosure (1) requesting her narrative reason for separation be change to Secretarial Authority, with corresponding changes to her separation authority, separation code, and reentry code. Enclosures (1) through (4) apply.
- 2. The Board, consisting of the provider of the Board consisted of Petitioner's allegations of error and injustice on 15 September 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, and applicable statutes, regulations, and policies, to include references (b) through (d). Additionally, the Board considered enclosure (4), an advisory opinion (AO) furnished by qualified mental health provider, and Petitioner's response to the AO¹.
- 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.

<sup>1</sup> After reviewing the circumstances of Petitioner's case, the Board determined the AO was not required to adjudicate Petitioner's case.

- b. Although enclosure (1) was not filed in a timely manner, the statute of limitation was waived in accordance with the Kurta Memo.
  - c. Petitioner enlisted in the Navy and began a period of active service on 11 December 1989.
  - d. On 13 July 1990, Petitioner was diagnosed with Personality Disorder.
- e. Consequently, Petitioner was notified of administrative separation processing by reason of convenience of the government due to Personality Disorder. Ultimately, on 16 August 1990, Petitioner was so discharged with an Honorable characterization of service and assigned an RE-4 reentry code.
- f. Petitioner contends she was misdiagnosed and discharged in error for a Personality Disorder. In support of her application, she provided a legal brief with exhibits, including her declaration, service record documents, medical record documents, a Department of Veterans Affairs Ratings Decision, and psychological consultant documents.

## **CONCLUSION**

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

Without making a determination whether Petitioner was misdiagnosed with a Personality Disorder, in keeping with the letter and spirit of the Hagel, Kurta, and Wilkie Memos, the Board determined that 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 that Petitioner's discharge should not be labeled as being for a mental health-related condition and that certain remedial administrative changes are warranted to Petitioner's Certificate of Release or Discharge from Active Duty (DD Form 214).

In view of the above, he Board recommends the following corrective action.

## RECOMMENDATION

That Petitioner be issued a new DD Form 214, for the period ending 16 August 1990, indicating she was discharged with a separation authority of "MILPERSMAN 1910-164," separation code of "JFF," narrative reason for separation of "Secretarial Authority," and reenlistment code of "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 corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

