



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

Docket No. 3208-25
Ref: Signature Date

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

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

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 w/attachments
(2) Naval record (excerpts)

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 that her record be changed consistent with references (b) and (c).

2. The Board, consisting of [REDACTED], [REDACTED] and [REDACTED], reviewed Petitioner's allegations of error and injustice on 11 August 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 Petitioner's 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 the case on its merits.

c. Petitioner enlisted in the Navy and began a period of active duty on 25 July 1994.

d. On 18 January 1995, Petitioner submitted a statement admitting to homosexuality and was notified of administrative processing due to homosexual conduct. On 30 January 1995, Petitioner received nonjudicial punishment (NJP) for a 12-day period of unauthorized absence.

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e. Consequently, Petitioner was notified of administrative separation processing based on her homosexual admission. She waived her procedural rights to consult with counsel and to have her case heard before an administrative discharge board. Ultimately, the Separation Authority directed Petitioner's separation and she was discharged with a General (Under Honorable Conditions) (GEN) characterization of service on 19 April 1995.

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 reenry 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.

g. Petitioner contends her discharge was solely based on the now repealed Don't Ask, Don't Tell (DADT) policy, and that, in light of its repeal, equitable relief is warranted. She further asserts that her service was otherwise exemplary and her discharge should reflect her service. For purposes of clemency and equity consideration, Petitioner submitted her Certificate of Release or Discharge from Active Duty (DD Form 214).

CONCLUSION:

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

Upon further review of her record, the Board noted Petitioner's record supports that she was solely discharged on the basis of homosexuality. Additionally, even though Petitioner's record contains additional misconduct, the Board concluded it was minor and did not form the basis for her administrative separation processing. Therefore, the Board found there were no aggravating factors in Petitioner's record and determined she was entitled to full relief under reference (c).

RECOMMENDATION:

In view of the above, the Board recommends that the following corrective action be taken on Petitioner's naval record in the interests of justice:

That Petitioner be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214) reflecting that, for the period ending 19 April 1995, she was discharged with an "Honorable" characterization of service, narrative reason for separation of "Secretarial Authority," SPD code of "JFF," reenlistment code of "RE-1J," and separation authority of "MILPERSMAN 3630900."

That Petitioner will be issued an Honorable Discharge Certificate.

That all other information currently listed on Petitioner's DD Form 214 remains the same.

That no further changes be made to Petitioner's record.

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That a copy of this record of proceedings be filed in Petitioner's naval record.

4. It is certified that 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 Regulations, 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.

8/20/2025

