



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

Docket No. 3959-25

Ref: Signature date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED],
USN, [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 with attachments

(2) Case summary

1. Pursuant to the provisions of reference (a), Petitioner filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his record be changed consistent with references (b) and (c).

2. The Board, consisting of [REDACTED], reviewed Petitioner's allegations of error and injustice on 23 June 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, and applicable statutes, regulations, policies to included 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 18 September 1979.

d. On 12 September 1980, Petitioner made a formal admission that he was living a homosexual lifestyle while serving in the Navy.

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e. On 18 September 1980, Petitioner was formally notified of administrative separation processing due to unsuitability due to homosexual acts. He elected his procedural rights to consult with counsel and waived his right to have his case heard before an administrative discharge board.

f. Ultimately, the separation authority directed Petitioner's separation and, on 20 October 1980, he was discharged with an Honorable characterization of service, "Misconduct-Homosexual Acts" narrative reason for separation, "HKC" separation code, "BUPERSMAN 3420185" separation authority, and a "RE-4" reenlistment code.

g. 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 "JFF," 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.

CONCLUSION:

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

The Board noted Petitioner's record supports that he was solely discharged on the basis of his homosexuality. Additionally, the Board found no aggravating factors in Petitioner's record and determined he was entitled to full relief under reference (c).

RECOMMENDATION:

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

That Petitioner be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214) reflecting that, for the period ending 20 October 1980, he was discharged with a narrative reason for separation of "Separation for other good and sufficient reason when determined by the Secretary of the Navy," SPD code assigned of "JFF," reenlistment code of "RE-1J," and separation authority of "BUPERSMAN 3850220."

That all other information currently listed on Petitioner's DD-214 remain the same.

No further changes be made to Petitioner's naval 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.

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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.

7/11/2025

