



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

[REDACTED]  
Docket No. 4919-25  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER [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 Record following Repeal  
of 10 U.S.C. 654)  
(d) USECDEF Memo of 25 July 2018 (Wilkie Memo)

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 Corrections of Naval Records (Board), requesting that his naval record be corrected to upgrade his characterization of service and make other conforming changes to his DD Form 214 to reflect current military directives and policy.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 26 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).

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 waive the statute of limitations and review the application on its merits.
- c. Petitioner originally enlisted in the U.S. Navy and began a period of active duty on 22 November 1963.

d. On 16 June 1966, Petitioner provided a voluntary statement to the Office of Naval Intelligence where he admitted to engaging in certain homosexual acts with men; both pre-service and while on active duty.

e. On 17 June 1966, Petitioner underwent a psychiatric evaluation. Petitioner disclosed that he had been participating in homosexual activities prior to entering the Navy and on at least two occasions since he has been in the Navy. The Navy Medical Officer (MO) diagnosed Petitioner with "sexual deviation." The MO determined Petitioner was not suffering from a psychosis or other mental disorder of such magnitude as to require processing under medical procedures. The MO recommended Petitioner's administrative separation.

f. On 20 June 1966, Petitioner subsequently voluntarily submitted a written request to accept an undesirable discharge for the good of the service to escape trial by court-martial for UCMJ Article 125 (sodomy). Petitioner acknowledged that if his request was approved, the characterization of service would be under conditions Other Than Honorable (OTH). Petitioner understood that with an OTH discharge he would be deprived of virtually all rights as a veteran, and that he may expect to encounter substantial prejudice in civilian life in situations wherein the type of service rendered in any branch of the armed forces or the character of discharge received therefrom may have a bearing.

g. On 27 June 1966, an Enlisted Performance Evaluation Board recommended Petitioner's undesirable discharge by reason of unfitness. On 28 June 1966, the Chief of Naval Personnel approved and directed Petitioner's separation by reason of unfitness with an undesirable (OTH) characterization of service. Ultimately, on 6 July 1966, the Petitioner was discharged from the Navy by reason of unfitness with an OTH characterization of service.

h. Petitioner's service record did not otherwise contain any documented misconduct or adverse counseling entries. Petitioner's overall conduct trait average assigned on his periodic performance evaluations during his enlistment was approximately 3.65. Navy regulations in place at the time of his discharge recommended a minimum trait average of 3.0 in conduct (proper military behavior) for a fully Honorable characterization of service.

i. References (b) and (c) set 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" or General (Under Honorable Conditions), the narrative reason for discharge to "Secretarial Authority," the separation code to "JFF," the reentry code to "RE-1J," and other conforming changes to the DD Form 214 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, and in light of references (b) and (c), the Board concludes that Petitioner's request warrants relief. The Board noted Petitioner's record supports that he was administratively discharged due to his homosexual conduct based on

the pre-DADT-related policy in place, and that there were no aggravating factors in his service record.

Accordingly, the Board concluded that certain remedial changes were warranted to the Petitioner's characterization of service, narrative reason for separation, separation authority, separation code, and reentry code to conform with all current military directives and policy.

Additionally, in light of the Wilkie Memo, the Board concluded after reviewing the record holistically, and given the totality of the circumstances that a discharge upgrade to Honorable is appropriate at this time.

RECOMMENDATION:

In view of the above, the Board directs the following corrective action.

That Petitioner be issued a Certificate of Release or Discharge from Active Duty (DD Form 214), for the period ending on 6 July 1966, indicating he was discharged with an "Honorable" characterization of service, narrative reason for separation, separation authority, and separation code of "BUPERS MANUAL, ART. C-10306-21L,"<sup>1</sup> and the reentry code, if applicable, be changed to "RE-1J."

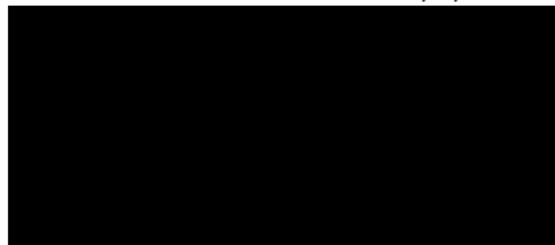
It is further directed that Petitioner be issued a new Honorable Discharge Certificate.

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 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.

11/17/2025



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<sup>1</sup> This BUPERS Manual reference corresponds to: "Other good and sufficient reasons (non-derogatory) when determined by proper authority," which would be the equivalent of "Secretarial Authority" today.