



Response	Percentage
Yes, the current system is the best way to run the country	45%
No, the current system is not the best way to run the country	55%

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code (USC). After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

You requested cancellation of your advanced educational debt totaling \$123,409.04. In the alternative, you requested the Board reduce your “excessive debt” because “it will severely impact [your] ability to establish [your] life financially.”

Before applying to this Board, you exhausted all administrative remedies available under existing law and regulation within the Department of the Navy.

On 2 April 2021, Commanding Officer (CO), [REDACTED]

¹ Derived from the Deputy Chief of Naval Personnel memo of 28 March 2022.

(██████████), imposed nonjudicial punishment (NJP) for violating Uniform Code of Military Justice (UCMJ) Article 112a (Wrongful Use of a Controlled Substance) by wrongfully using THC/marijuana on or about 21 January 2021. At the NJP proceeding, you pled guilty – and were found guilty – of the charged offense. The CO awarded a punitive letter of reprimand (PLOR). Having acknowledged your appeal rights, on 2 April 2021, you indicated you did not desire to submit an appeal.

On 9 April 2021, CO, ██████████, issued a PLOR, reprimanding you for knowingly using a Schedule I controlled substance, in violation of the UCMJ, and exhibiting conduct that “reflected a lack of judgment and discipline expected from a Naval officer and undermines the Navy’s credibility.”

As required by MILPERSMAN 1611-010, on 23 April 2021, CO, ██████████, forwarded a Report of NJP to Commander, Navy Personnel Command (PERS 834) for review and final action. Based on your violation of the UCMJ and the Navy’s zero tolerance policy for drug abuse, the CO stated he found you unsuitable for continued naval service and recommended you be required to show cause for retention.

On 27 April 2021, you acknowledged receipt and understanding of the Report of NJP. By your initials and signature, you indicated you did not intend to submit a statement for inclusion in your permanent service record.

After CO, ██████████, second endorsement dated 24 May 2021, on 25 June 2021, CO, Surface Warfare Schools Command, forwarded the Report of NJP for review.

On 24 June 2021, Commander, ██████████ (██████████), readdressed the Report of NJP to Assistant Secretary of the Navy for Manpower and Reserve Affairs (ASN (M&RA)) via PERS-834. ██████████ concurred with the recommendation of CO, ██████████, and approved the show cause proceedings. Additionally, ██████████ concurred you should not be detached for cause but noted your misconduct warranted promotion delay.

In his memorandum to the ASN (M&RA) dated 28 March 2022 regarding your administrative separation, Deputy Chief of Naval Personnel (DCNP) noted you were a probationary officer, commissioned via the U.S. Naval Academy (USNA), having served as an unrestricted line officer (Surface Warfare – in training) with one year, 10 months of commissioned service. DCNP recommended your separation from the naval service due to drug abuse (separation code JKK) with a general, under honorable conditions, characterization of service.

On 6 April 2022, ASN (M&RA) approved the recommendation.

On 31 May 2022, you were discharged by reason of misconduct due to drug abuse with a general, under honorable conditions, characterization of service.

By letter of 22 June 2022, the Defense Finance and Accounting Service (DFAS), the Department of Defense (DoD) agency responsible for the collection of individual debts owed to the U.S. Government, notified you that your debt had been referred to DFAS Debt and Claims Management Operations for collection.

On 5 June 2023, through legal counsel, you requested the Chief of Naval Operations cancel your debt, or in the alternative, reduce the debt. In your legal brief, you explained that you unknowingly suffered from major depressive disorder and generalized anxiety during your time at USNA. You further explained that your condition “exacerbated while in a toxic environment where [you] had suicidal ideations and a lack of support from [your] command,” causing you to self-medicate with marijuana “[i]n order to attempt to fight through [your] undiagnosed conditions and their associated symptoms.” Through counsel, you indicated you “immediately self-reported” and rather than support you, your command immediately “went after [you] via administrative actions.” Based on these mitigating factors – undiagnosed and untreated conditions of major depressive disorder and generalized anxiety – you requested cancellation of your \$123,409.04 debt for recoupment of advanced educational expenses.

On 22 October 2024, Deputy Assistant Secretary of the Navy (Military Manpower and Personnel) (DASN (MMP)), determined remission of your debt was not warranted. Specifically, in accordance with the guidance in DoD Financial Management Regulation (FMR), Volume 7A, Chapter 2, DASN (MMP), concluded you should be required to repay an amount equal to the unearned portion of the benefit because you did not complete the obligated service for educational benefits received at the USNA.

The Board, noting you are not disputing the debt but acknowledge it is valid, carefully considered your request for cancellation of your debt based on your mental state at the time of the misconduct, your prompt self-referral, and in the spirit of clemency based on the personal hardship you will suffer if the debt is not canceled. Specifically, as detailed and explained in your legal brief², you contend the following:

- (1) During your time at the USNA, you unknowingly suffered from major depressive disorder and generalized anxiety. After graduation and before reporting to your command, you contend life was “really quite enjoyable” because you were “learning a lot, had excellent work-life balance, and maintained a healthy mental and emotional state of mind.”
- (2) Two days after reporting on board, the ship began a three-week underway period and you “experienced a hostile and toxic wardroom, [were] belittled by senior officers, and sleep deprived.” Your undiagnosed mental health conditions “exacerbated while in a toxic environment” and resulted in suicidal ideations and a lack of support from your command. During the short time at sea, you experienced “bouts of depression, anxiety, and mild panic attacks” and tried to seek appropriate medical help but “could not reach a single healthcare provider.”

² The Board noted your current legal brief and enclosures are substantially the same as the legal brief and enclosures considered by the DASN (MMP).

(3) In order to fight through these undiagnosed conditions and their associated symptoms, you self-medicated with marijuana because you needed “immediate stress relief.” You explain that you chose marijuana because your “experience prior to attending [the USNA] revealed that it was much easier for [your] body to process” so “the effects of marijuana [were] ideal for [your] specific use-case.” You further contend you “restricted [your] use to the end of the day where it could not interfere with [your] responsibilities.”

(4) Once “some time had passed” and you reflected on your actions, you realized that you needed “to do what [you] had been trained to do and decided to report [yourself]” to the command, despite being aware of the DoD’s zero tolerance policy. However, instead of being provided support, you contend your command immediately went after you with administrative actions.

(5) Given the fact you did not receive an honorable characterization of service and currently have a negative reason for separation on your Certificate of Release or Discharge from Active Duty (DD Form 214), saddling you with an excessive debt is more punitive than necessary. Further, you have taken responsibility for your actions, and this debt does not serve the best interests of the Government.

(6) You struggle to save sufficient money to support your financial future and are currently living “paycheck to paycheck.” Specifically, you have been forced to sell your home in order to account for your debt and living expenses. In addition to your own debt issues, you have become financially responsible for your parents.

In support of your contentions, the Board noted you submitted the following evidence³: (1) Your sworn declaration; (2) A letter dated 20 January 2023 from a Licensed Clinical Social Worker; (3) Your monthly family budget; (4) A letter dated 21 October 2022 from a tennis coach; and (5) Your additional statement dated 12 May 2025 regarding your parents’ hardship.

The Board has carefully considered your request for the cancellation of your debt. While it notes that you do not dispute the validity of the debt, the Board has reviewed your case in the spirit of clemency, specifically evaluating your mental state at the time of the misconduct, your prompt self-referral, and the personal hardship you would suffer should the debt remain. The Board determined, for the reasons detailed below, there is insufficient evidence of an error and/or injustice warranting relief.

The Board noted the presumption of regularity attaches to DASN (MMP)’s 22 October 2024 denial of your request for debt cancellation. The Board concluded the new evidence submitted in your current request is insufficient to overcome this presumption or to warrant clemency.

The Board noted recoupment of the money paid toward your education is supported by law and policy in line with DoD FMR Volume 7A. Although the Secretary of the Navy has the authority to remit payment of the unearned money if it is determined that repayment would be contrary to personnel policy or management objective, against equity and good conscience, or contrary to

³ Again, the Board noted each of the enclosures, except your additional statement of 12 May 2025, was considered by DASN (MMP).

the best interests of the U.S., the Board, concurred with DASN (MMP)'s decision that your request does not warrant the use of that authority. Specifically, the Board determined repayment of the debt is warranted due to your separation for misconduct stemming from drug abuse. There is no disputing your knowledge of the Navy's zero-tolerance drug policy, nor your understanding that wrongful use of marijuana violates the UCMJ. Even considering your undiagnosed and untreated mental health conditions, the Board noted you knew, based on your statement regarding seeking medical care, there were other means available to you besides self-medicating with an unauthorized substance. Furthermore, the Board disagreed with your counsel's categorization of your self-referral as "prompt." This disagreement is based on your own testimony that you would wait until after work to use marijuana, as well as your statement that you self-referred "once some time had passed and [you] had time to reflect on [your] actions." While the Board acknowledged the debt causes financial difficulty, it concluded the debt was only incurred due to your misconduct.

The Board also considered whether recoupment was contrary to personnel policy or management objective, concluding that it is fully consistent with law, DoD policy, and Navy policy. Moreover, recoupment of unearned money is necessary to avoid incentivizing undesirable behavior. The Board further determined recoupment of your advanced educational expenses is neither against equity and good conscience nor contrary to the best interests of the U.S. Government. Lastly, the Board noted your care and concern for your parents following their financial hardship and acknowledged your strained monthly budget; however, it determined clemency – in the form of debt cancellation or reduction – is not warranted.

After a comprehensive review of all the facts and arguments presented in your case, the Board determined recoupment of your debt due to advanced educational expenses is appropriate and required by law and regulation. Based on the available evidence, the Board concluded there was insufficient evidence demonstrating a material error or injustice warranting your requested relief.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

5/5/2026

