



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

■
Docket No. 5630-25
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER ■■■■■■■■■■,
USN, XXX-XX-■■■■■

Ref: (a) Title 10 U.S.C. §1552
(b) SECDEF Memo of 13 Sep 14 (Hagel Memo)
(c) PDUSD Memo of 24 Feb 16 (Carson Memo)
(d) USD Memo of 25 Aug 17 (Kurta Memo)
(e) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149 w/attachments
(2) Naval record (excerpts)
(3) Advisory Opinion

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 for an upgrade of his characterization of service to Honorable and a change to his narrative reason for separation to Secretarial Authority.

2. The Board, consisting of ■■■■■■■■■■, ■■■■■■■■■■, and ■■■■■■■■■■, reviewed Petitioner's allegations of error and injustice on 25 November 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) through (e). The Board also considered enclosure (3), an advisory opinion from a qualified mental health professional, that was considered favorable to Petitioner.

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 regulation within the Department of the Navy.

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 duty on 15 June 1998.

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

d. On 18 December 1998, Petitioner was evaluated and diagnosed with adjustment disorder with depressed mood, occupational problem, personality disorder NOS with avoidant, passive-aggressive and self-defeating features.

e. Subsequently, Petitioner was notified that he was being recommended for administrative discharge from the Navy by reason of convenience of the government due to personality disorder. Petitioner waived his right to consult with counsel and to submit a rebuttal statement to separation.

f. Ultimately, the separation authority directed Petitioner's administrative discharge from the Navy with a General (Under Honorable Conditions) (GEN) characterization of service by reason of convenience of the government due to personality disorder. The separation authority based his decision to assign Petitioner a GEN characterization of service on the inability of Petitioner to "exhibit the behavior or show any desire to live up to Navy Core Values..." He also determined Petitioner's lack of "motivation to function effectively in a Naval environment" was a sufficient reason to assign a GEN characterization of service to Petitioner. Petitioner was so discharged on 6 January 1999.

g. Petitioner contends the following injustices warranting relief:

(1) A narrative reason for separation as personality disorder and a characterization of something other than "Honorable" is inherently detrimental since they convey to the outside world that the veteran possesses a condition that hinders work performance and the ability to build and maintain healthy relationships;

(2) His discharge and narrative for separation should be corrected because it was based on an incorrect medical diagnosis of personality disorder;

(3) His experience in service, undiagnosed condition, and post-discharge experience provides sufficient basis for a discharge upgrade under the Kurta Memo's guidance; and

(4) His discharge characterization should be upgraded to ensure fundamental fairness under the Wilkie Memo factors.

h. For purposes of clemency and equity consideration, the Board considered the totality of Petitioner's application; which included his DD Form 149 and the evidence he provided in support of it.

i. As part of the Board's review, a qualified mental health professional reviewed Petitioner's contentions and the available records and provided the Board with enclosure (3), an advisory opinion (AO). The AO stated in pertinent part:

Petitioner was appropriately referred for a mental health evaluation in service and properly evaluated during his military service. His personality and adjustment disorder diagnoses were based on observed behaviors and performance during his period of service, the information he chose to disclose, and the psychological evaluation performed by the military psychologist. Temporally remote to his

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

military service, he has received service connection for other mental health concerns. It is possible that mental health symptoms initially identified as characterological and temporary adjustment difficulties have been re-conceptualized as other mental health disorders with the passage of time and increased understanding regarding the Petitioner's mental state.

The AO concluded, "there is in-service evidence and post-service evidence from the VA of mental health concerns that may be attributed to military service. There is in-service evidence that the circumstances of his separation from service may be attributed to mental health concerns."

CONCLUSION

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

The Board found no error in Petitioner's separation by reason of convenience of the government due to personality disorder. However, the Board also found no basis for Petitioner's assigned GEN characterization of service. The Board noted that Petitioner's record contained no misconduct to justify his GEN discharge and determined the separation authority's rationale for assigning the GEN characterization of service was inadequate to support his decision. As documented in his record and the AO, the Board determined Petitioner suffered from a Personality Disorder, along with an adjustment disorder with depressed mood, that negatively affected his ability to adjust to the military environment. Therefore, the Board determined the interests of justice are served by upgrading his characterization of service to Honorable.

Furthermore, in keeping with the letter and spirit of the references (b) through (e), the Board determined that it would be an injustice to label one's discharge as being for a diagnosed character and behavior and/or personality 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. The Board determined 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 the Certificate of Release or Discharge from Active Duty (DD Form 214). Accordingly, the Board concluded that Petitioner's narrative reason for separation, separation code and separation authority should be changed to reflect a Secretarial Authority discharge in the interests of justice to minimize the likelihood of negative inferences being drawn from his naval service in the future.

Notwithstanding the recommended corrective action below, the Board concluded Petitioner's reentry code should remain unchanged based on Petitioner's unsuitability for further military service due to his diagnosed mental health condition. Ultimately, the Board determined any injustice in Petitioner's record is adequately addressed by the recommended corrective action.

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:

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

That Petitioner be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214) reflecting that, for the period ending 6 January 1999, that he was discharged with an "Honorable" characterization of service, narrative reason for separation of "Secretarial Authority," SPD code of "JFF," and separation authority of "MILPERSMAN 1910-164."

That Petitioner be issued an Honorable discharge certificate.

That no further correction action be taken on Petitioner's naval record.

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.

