



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 2220

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Docket No. 5940-25
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Title 10, United States Code, Section 1552. 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.

Although your 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 your case on its merits. A three-member panel of the Board, sitting in executive session on 5 January 2026, has carefully examined your request. The names and votes of the panel members will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of the Board. Documentary material considered by the Board consisted of your application together with all material submitted in support thereof, relevant portions of your naval record, applicable statutes, regulations, and policies, to include the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice or clemency determinations (Wilkie Memo).

You enlisted in the Navy and began a period of active duty on 8 January 2009. Prior to your enlistment, you did not report any health issues on your pre-enlistment Report of Medical History. On 3 February 2009, you were evaluated by a medical officer and diagnosed with Social Phobia. Consequently, you were notified of the initiation of administrative separation proceedings by reason of fraudulent entry; at which point, you decided to waive your procedural rights. On 14 February 2009, your commanding officer recommended and approved an uncharacterized entry level separation by reason of defective enlistment due to fraudulent entry. On 20 February 2009, you were so discharged and assigned an RE-4 reentry code.

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case in accordance with the Wilkie Memo. These included, but were not limited to your desire for a change to your reentry code and your contentions that: (a) the re-entry code in question suggest a medical or psychological condition for which you were not diagnosed, (b) a determination was made in error and does not accurately

reflect your medical or fitness for duty, (c) you are requesting clemency under the grounds of improperly, inequity, clemency, and (d) you have been in ministry for many years, committed to guiding and supporting others through faith and service. For purposes of clemency and equity consideration, the Board considered the totality of your application; which consisted of your DD Form 149, character letters of support, a letter from your medical provider, congressional correspondence, and a personal statement.

After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board noted you were appropriately assigned an RE-4 reentry code based on your defective enlistment and deemed unsuitability for further military service. Contrary to your contention that you were assigned the reentry code based on a condition that was not diagnosed, the Board found medical evidence that you were diagnosed with a Social Phobia. Your medical provider determined that you showed symptoms of marked and persistent fear, that is excessive or unreasonable, when faced with social or performance situations that exposed you to unfamiliar people or scrutiny. This phobia would provoke an immediate anxiety response, that could result in a panic attack. Finally, it was determined that your phobia created an avoidance, anxious anticipation, or distress in the feared situation(s) interferes significantly your normal routine, occupational functioning, or social activities or relationships. Based on these factors, your command determined you did not meet enlistment standards for induction into the Navy.

Setting aside the issue of whether your social phobia was intentionally omitted from your report of medical history during enlistment processing, the Board determined your RE-4 reentry code is still correct based on your diagnosed social phobia. Due to the hazardous nature of military operations and service, it is of the utmost importance that each service member meet the minimum physical standards for enlistment. These standards are designed to ensure the service member is able to carry out their assigned duties in the safest manner while conducting kinetic military operations. Therefore, based solely on the identified symptoms of your social phobia, the Board found that your diagnosed condition did not meet the minimum standards for enlistment, correctly formed the basis for your administrative separation, and supports your bar to future military service. While the Board carefully considered the evidence you provided in mitigation, including your medical provider's assessment that you have "no restrictions or limitations," the Board was not persuaded to grant you the relief you seek. Even though the Board fully agrees that you likely have no restrictions or limitations within your civilian environment, as previously discussed, the nature of military service and operations requires each member meet minimum physical requirements unique to military service. Absent substantial evidence that you would no longer suffer from social phobia while in a military environment, the Board was reluctant to change your reentry code to one where you would be eligible to seek a medical waiver.

Therefore, even in light of the Wilkie Memo and reviewing the record holistically, the Board did not find evidence of an error or injustice that warrants granting you the relief you requested or granting relief as a matter of clemency or equity. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

You are entitled to have the Board reconsider its decision upon the 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,

1/16/2026

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