

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

a. On 13 June 2020, Petitioner enlisted in the United States Navy for a period of eight years, with a four-year active-duty obligation.

b. Petitioner entered active duty in the Navy pursuant to the enlistment described in paragraph 3a above on 24 August 2020. See enclosure (2).

c. On 6 July 2022, Petitioner was involuntarily discharged from the Navy for misconduct due to commission of a serious offense with an Honorable characterization of service. The serious offense in question was his refusal to comply with the former COVID-19 vaccination mandate of reference (c) in violation of Article 92, Uniform Code of Military Justice. See enclosure (2).

d. By memorandum dated 31 July 2025, Navy Recruiting Command certified that Petitioner was prescreened in accordance with reference (b) and determined to meet retention standards. See enclosure (3).

e. By memorandum dated 28 July 2025, BUPERS-328 advised the Board that a review of the Petitioner's Official Military Personnel File (OMPF) reflects that he was an ABEAN/E3. His Active-Duty Service Date (ADSD) was 24 August 2020, and his Expiration of Active Obligated Service (EAOS) was 23 August 2024 with a Soft EAOS (SEAOS) of 23 August 2025. At the time of Petitioner's EAOS he would not have been eligible for a Selective Reenlistment Bonus (SRB) because the ABE rate was not eligible for an SRB. See enclosure (4).

f. By memorandum dated 7 August 2025, the Office of the Chief of Naval Operations (N132) advised the Board that Petitioner would have been eligible to participate in the Navy-wide Advancement Examination (NWAE) Cycle 256 in September 2022 for an advancement opportunity to ABE3/E4. If Petitioner advanced to ABE3/E4 from Cycle 256, effective date of advancement would have been between January-June 2023, with last effective date of pay being 16 June 2023 and TIR of 1 January 2023. The next advancement eligibility point to E5 would be the September 2023 advancement Cycle 260 NWAE. See enclosure (5).

4. Conclusion. Upon careful review and consideration of all the evidence of record, the Board found an injustice warranting relief.

a. According to reference (d), the COVID-19 vaccine mandate was an "unfair, overbroad, and completely unnecessary burden on our Service members" and the military "unjustly discharged those who refused the vaccine." Since there was no other basis for administrative separation apparent in Petitioner's naval record, the Board therefore found an injustice in that Petitioner was involuntarily separated from the Navy solely for refusing the former COVID-19 vaccination mandate.

b. Having found an injustice in that Petitioner was involuntarily separated from the Navy solely for refusing the former COVID-19 vaccination mandate, the Board also found an injustice in any and all adverse actions that followed from or contributed to that separation.

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7. Pursuant to the authority delegated to me by the Secretary of the Navy in reference (e), I hereby approve the Board's recommendations and direct the corrective actions reflected in paragraph 5 above on his behalf.

9/10/2025

