



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

█  
Docket No. 6943-25  
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) 10 U.S.C. §1552  
(b) 10 U.S.C. 654 (Repeal)  
(c) UNSECDEF Memo of 20 Sep 11 (Correction of Military Records Following Repeal of 10 U.S.C. 654)

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

1. Pursuant to the provisions of reference (a), Petitioner filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his discharge be changed consistent with references (b) and (c). He also requests that his new DD Form 214 not reflect any administrative remarks indicating it had been changed.

2. The Board, consisting of █, █ and █, reviewed Petitioner's allegations of error and injustice on 26 January 2026 and, pursuant to its regulations, determined the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies, to include references (b) and (c).

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 interests of justice to review the application on its merits.

c. Petitioner enlisted in the Navy and began a period of active duty on 11 April 2006.

d. By memorandum dated 5 December 2007, Petitioner's commanding officer reported that Petitioner admitted to homosexuality and was accordingly notified of the initiation of administrative separation processing. Petitioner acknowledged the notification, waived his procedural right to consult with counsel, and waived his right to have the case heard before an

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administrative discharge board. The Separation Authority subsequently directed Petitioner's separation due to Homosexual Admission and Petitioner was honorably discharged on 15 January 2008.

e. Reference (c) sets 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 narrative reason for discharge to "Secretarial Authority," the separation code to "JFF1," and the reentry code to "RE-1J," 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.

f. Petitioner contends that his discharged was based solely on his homosexual admission, that no aggravating factors were present in connection with the separation, and that as a result of the discharge he experienced alcohol addition, loss of employment opportunities, and loss of eligibility for Department of Veterans Affairs (VA) benefits.

#### CONCLUSION:

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

The Board noted Petitioner's record supports that he was solely discharged on the basis of homosexuality. Additionally, the Board found no aggravating factors in Petitioner's record and determined he was entitled to full relief under reference (c).

Notwithstanding the recommended corrective action below, the Board denied Petitioner's request to exclude any remarks on his DD-214 to indicate it was corrected. The Board noted that any time a DD-214 is corrected, service headquarters will normally include a routine, benign comment in Block 18 that such DD-214 was administratively reissued on a certain date. The Board determined that such generic comments in the ordinary course of business on a newly issued DD Form 214 in no way creates an adverse inference.

#### 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:

That the Petitioner be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214) reflecting that, for the period ending 15 January 2008, Petitioner was discharged with a narrative reason for separation of "Secretarial Authority," SPD code of "JFF," reenlistment code of "RE-1," and separation authority of "MILPERSMAN 1910-164."

That all other information currently listed on Petitioner's DD Form 214 remains the same.

That no further changes be made to Petitioner's record.

That a copy of this record of proceedings be filed in Petitioner's naval record.

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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.

2/12/2026

