



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 2220

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Docket No. 7470-25

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 application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 19 December 2025. 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.

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issue(s) involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You enlisted in the Navy and began a period of active duty on 28 August 1990. Prior to your enlistment, you reported eye trouble on your Report of Medical History. On 20 September 1990, you were evaluated by a medical officer, diagnosed with Amblyopia, Left Eye, EPTE, and recommended for administrative separation due to defective enlistment. On 2 October 1990, you were notified of the initiation of administrative separation proceedings by reason of defective enlistment and induction. Subsequently, you decided to waive your rights and did not oppose to being separated. Your commanding officer recommended and approved an uncharacterized Entry Level Separation (ELS) by reason of defective enlistment and induction. On 11 October 1990, you were so discharged.

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 discharge upgrade and change to your reason for separation. You contend that: (a) your discharge was due to no fault of your own, (b) your current job will not give you veteran status without an Honorable discharge characterization. For purposes of clemency and equity consideration, the Board considered the totality of your application; which consisted of your DD Form 149, copies of your employer's email correspondence, and your Certificate of Release or Discharge from Active Duty (DD Form 214).

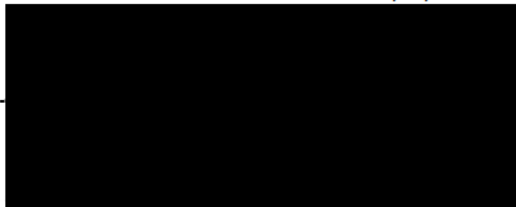
After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board noted you were appropriately assigned an uncharacterized ELS based on your time on active duty. Applicable regulations authorize an uncharacterized ELS if the processing of an individual's separation begins within 180 days of entry into active service. While there are exception to this policy in cases involving misconduct or extraordinary performance, the Board concluded neither exception applied in your case. Further, the Board noted you were appropriately processed and discharged for erroneous enlistment based on your failure to meet induction standards due to your medical condition¹. Finally, absent a material error or injustice, the Board declined to summarily upgrade a discharge solely for the purpose of facilitating veterans' benefits, or enhancing educational or employment opportunities.

Therefore, while the Board carefully considered the evidence you submitted in mitigation, 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 the requested 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,

1/10/2026



¹ An erroneous enlistment occurs when the Navy enlists a service member in error due to no fault of the service member. This occurred in your case. A fraudulent enlistment occurs when the Navy erroneously enlists a service member due to the fault of the service member.