



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

a. On 14 September 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 29 March 2021. See enclosure (2).

c. On 8 August 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. On 19 September 2024, the Naval Discharge Review Board upgraded Petitioner's narrative reason for separation to Secretarial Authority, changed his separation code to JFF, reentry code to RE-1, and separation authority to MILPERSMAN 1910-164.

e. By memorandum dated 15 July 2025, Navy Recruiting Command certified that Petitioner was prescreened in accordance with reference (b) and determined to meet retention standards. See enclosure (3).

f. By memorandum dated 29 July 2025, BUPERS-328 advised the Board that a review of the Petitioner's Official Military Personnel File (OMPF) reflects that he was an AN/E3. His Active-Duty Service Date (ADSD) was 29 March 2021, and his Expiration of Active Obligated Service (EAOS) was 28 March 2025 with a Soft EAOS (SEAOS) of 28 March 2026. At the time of Petitioner's EAOS he would not have been eligible for a Selective Reenlistment Bonus (SRB). Sailors must be a Petty Officer or E3 designated striker. If designated as a striker SRB eligibility would be dependent upon the rating for which Petitioner is designated. See enclosure (4).

g. By memorandum dated 8 August 2025, the Office of the Chief of Naval Operations (N132) advised the Board that Petitioner was an undesignated Airman Professional Apprenticeship Career Track (PACT) Program guarantee and was not yet eligible for advancement at the time of separation. 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

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in any and all adverse actions that followed from or contributed to that separation.

5. Recommendations. Having found an injustice in that Petitioner was involuntarily separated from the Navy solely for refusing the former COVID-19 vaccination mandate, the Board recommends that the following corrective actions be taken on Petitioner's naval record.

a. The following recommended corrective actions are contingent upon Petitioner's acceptance of the Navy's offer of reinstatement subject to the terms of reference (b).<sup>2</sup>

(1) That Petitioner's naval record be corrected to reflect that he was not discharged from the Navy on 8 August 2022, but rather that he continued to serve honorably with no break in service at his last duty station. As such, Petitioner is to receive constructive service credit for the period from 8 August 2022 until the date that he is reinstated in the Navy. To effectuate this relief, NPC is directed to scrub Petitioner's record and remove any and all references to Petitioner's discharge, including but not necessarily limited to his DD Form 214 and the documents related to his administrative separation process.

(2) That documentation be added to Petitioner's naval record establishing that he extended his enlistment contract for one year at his EAOS of 28 March 2025.

(3) That appropriate administrative fillers be inserted into Petitioner's naval record to remove the gap in his record between 8 August 2022 and his eventual reinstatement date during which he did not receive any evaluation reports.

b. The Board further recommends that that NPC scrub Petitioner's naval record and remove any adverse information pertaining to Petitioner's refusal to comply with the former COVID-19 vaccination mandate, including but not limited to any punitive actions, "Page 13" entries subject to the contingency referenced in paragraph 5(a) above and should be implemented without delay.

c. Copies of this record of proceedings shall be provided to the DFAS and the Defense Health Agency to facilitate the estimate of all pay and benefits which may be due to the Petitioner as a result of the contingent corrective actions referenced in paragraph 5a above.

6. It is certified that a 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 titled matter. I have assured compliance with the provisions of reference (e) in the Board's proceedings.

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<sup>2</sup> Petitioner's failure to agree to this contingency, or to execute the terms of his reinstatement shall negate these recommendations. This contingency is applied in accordance with the guidance attached to reference (b).

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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

