



**DEPARTMENT OF THE NAVY**

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 2220

█  
Docket No. 8671-25

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 2 March 2026. 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).

The following is the relevant factual background of your case based upon review of your naval record and/or the matters provided with your application:

1. You enlisted in the Navy and began a period of active duty on 29 August 1988. As part of your enlistment processing, you entered into an agreement to extend your enlistment in exchange for a guaranteed assignment in the Advance Technical Field program.
2. On 6 June 1989, while you were awaiting submarine school, you were evaluated by a medical officer as a result of claustrophobic episodes and diagnosed with Claustrophobic Tendencies.
3. On 14 June 1989, you were interviewed by the reclassification officer and offered "A" school as an alternate STS/AEF due to physical disqualification for submarines. You decline the "A" school offer and decided to accept an Honorable administrative separation.

4. On 7 July 1989, you were notified of the initiation of administrative separation proceedings by reason of defective enlistment due to your physical disqualification. You did not object to your separation and the separation authority approved your discharge with an Honorable characterization by reason of defective enlistment. On 18 July 1989, you were so discharged.

In your application to this Board, you express a desire to change your reason for separation to “Expiration of Terms of Service” and contend that:

1. Your narrative reason for separation and separation code should be change based on a breach of contract on behalf of the Navy for failing to provide commitments made at the time of enlistment.

2. You should not be penalized after completing your service, in good faith, believing that the Navy would honor the commitment made to you with your enlistment guarantee.

After careful review, the Board reached the following conclusions and denied your application for relief.

The Board initially concluded you were appropriately processed for administrative separation based on your request to be separated. While the Board carefully considered your contention for mitigation, the Board noted you do not contest the fact you requested to be separated in lieu of being assigned to a different field than you were guaranteed. Therefore, the Board determined the presumption of regularity applies to your administrative separation and no error exists with your record.

The Board also considered the totality of the circumstances to determine whether equitable relief was warranted in the interests of justice in accordance with the Wilkie Memo. In this regard, the Board considered, amongst other factors, your desire for a change to your reason for separation and separation code, the totality of your service, and your contentions of inequity.

The Board found that the mitigating factors were not nearly sufficient to justify any equitable relief. Specifically, the Board determined you DD Form 214 is accurate. While the Board acknowledged the unfortunate circumstances that led to your disqualification from submarine duty and your guaranteed field, the Board was not persuaded with your contention that the Navy did not fulfill its commitment to you. The NAVCRUIT 1133/10 form you signed on 29 August 1988 clearly states that you must meet all physical requirements for your guaranteed program. The agreement further states that, in the case you are unable to be enrolled in your guaranteed program, you may either be reassigned to another Navy program or be separated from the Navy. Based on your record, you choose the latter. Therefore, the Board found you were processed in accordance with your stated desires, based on the terms of your enlistment contract, and determined no injustice or inequity exists with your record.

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,

3/20/2026

