



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

██████████
Docket No. 9184-25
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER ██████████
██████████ XXX XX ██████████ USMC

Ref: (a) 10 U.S.C. § 1552
(b) USECDEF Memo of 25 July 2018 (Wilkie Memo)

Encl: (1) DD Form 149 with attachments
(2) Case summary

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to upgrade his characterization of service and to make other conforming changes to his Certificate of Release or Discharge from Active Duty (DD Form 214).

2. The Board, consisting of ██████████, ██████████, and ██████████, reviewed Petitioner's allegations of error and injustice on 17 April 2026 and, pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies, to include reference (b).

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. Because Petitioner's application was submitted with new evidence not previously considered, the Board found it in the interest of justice to review his application.

c. The Petitioner enlisted in the U.S. Marine Corps and began a period of active service on 26 September 2005. Petitioner's pre-enlistment physical examination, on 24 March 2005, and self-reported medical history both noted no psychiatric or neurologic conditions, history, symptoms, counseling, or treatment. Petitioner specifically denied on his medical history: (1) any history of depression, (2) any history of mental health counseling/treatment, and (3) ever attempting suicide, all of which turned out to be false.

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d. On 7 March 2006, the commanding officer (CO) of Naval Hospital, [REDACTED] informed Petitioner's command that he was diagnosed with a personality disorder, not otherwise specified. The CO noted that Petitioner was not mentally ill and was responsible for his behavior. However, the CO stated that the Petitioner manifested a long-standing disorder of character and behavior which was of such severity that his ability to function effectively in the military was significantly impaired. The CO strongly recommended Petitioner's expeditious processing for an administrative discharge by reason of unsuitability.

e. On 14 March 2006, Petitioner's command initiated administrative separation proceedings by reason of convenience of the government on the basis of a diagnosed personality disorder. On the same day, Petitioner provided a voluntary statement regarding his history of depression. Petitioner stated he had a history of depression going back eight (8) years and he had attempted counseling. Petitioner also disclosed that he attempted suicide in the past, and stated that he did not wish to be retained in the Marine Corps.

f. The same day, Petitioner's CO recommended to the Separation Authority (SA) that Petitioner should receive an uncharacterized entry-level separation ("ELS"). On 24 March 2006, the SA subsequently approved and directed Petitioner's separation from the Marine Corps with an uncharacterized ELS. Ultimately, on 27 March 2006, Petitioner was so discharged from the Marine Corps and assigned an RE-4 reentry code.

g. On 16 October 2009, the Board denied Petitioner's initial petition for relief.

h. On 22 December 2016, the Naval Discharge Review Board (NDRB) denied Petitioner's application. However, on 13 June 2018, the NDRB granted Petitioner partial relief and ordered changes to Petitioner's narrative reason for separation ("condition, not a disability"), SPD code ("HFX1"), and reentry code (RE-3P"). The Board noted that Petitioner's "revised" SPD code of "HFX1" still corresponded to a personality disorder.

i. In short, Petitioner contended, in part, that even though his ELS discharge occurred within the entry-level period, the Board still had the authority to upgrade the discharge. The Petitioner also contended that his premature separation was caused primarily by his command's material errors of fact and discretion, and that the Board had the power to eliminate the unjust stigma of his incomplete enlistment and make him whole.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concluded that Petitioner's request warrants partial relief. Specifically, in keeping with the letter and spirit of the Wilkie Memo, the Board determined that it would be an injustice to label one's discharge as being for either a diagnosed character and behavior disorder, or anything medically related that arguably has a negative inference. The Board determined that describing Petitioner's service in this manner attaches a considerable negative and unnecessary stigma, and fundamental fairness and medical privacy concerns dictate a change. Accordingly, the Board concluded that Petitioner's discharge should not be labeled as being for a mental health-related condition and that certain remedial administrative changes are warranted to the DD Form 214.

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Further, the Board concluded that the appropriate reentry code should be "RE-3F" in lieu of the existing reentry code of RE-3P which corresponds to a "failure to meet physical/medical standards." The Board concluded that the RE-3F code corresponds to a "failure to complete recruit training," and was the correct reentry/reenlistment code based on the totality of his circumstances. The Board further concluded that such RE-3F notation was proper and in compliance with all Department of the Navy directives and policy at the time of his discharge.

Notwithstanding the recommended corrective action below, the Board determined Petitioner's uncharacterized ELS remains appropriate.

The Board initially concluded Petitioner was appropriately assigned an uncharacterized ELS based on his time in service. While the Board considered Petitioner's injustice arguments, they noted he did not dispute his active duty time in service. The Board noted that separations initiated within the first 180 days of continuous active duty will be described as ELS except in certain limited cases involving unusual circumstances not applicable in Petitioner's case. The Board noted that for purposes of calculating the 180 days, the clock stops on the day Petitioner was notified of proposed administrative separation proceedings, and not on the discharge date. In Petitioner's case, the Board observed that Petitioner received his separation notification paperwork on 14 March 2006, which was day 170 of his active duty service. Therefore, the Board determined the presumption of regularity applies to Petitioner's uncharacterized ELS and no error exists with it.

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, Petitioner's desire for an upgrade to his characterization of service, Petitioner's contentions, the totality of Petitioner's service, Petitioner's relative youth and immaturity at the time, the negative effect Petitioner's discharge has had on his life, Petitioner's mental health issues, the evidence Petitioner provided in support of his/her application, and the passage of time since Petitioner's discharge.

The Board found that the mitigating factors were not nearly sufficient to justify any further equitable relief. In reviewing the circumstances of Petitioner's case, the Board was unable to discern any facts that were extraordinary or uniquely different from countless of other former service members who were discharged while in an entry-level status due to diagnosed personality disorders. While the Board acknowledged Petitioner's history of mental health issues and desire for a discharge upgrade, it determined the Department of the Navy's interest in maintaining consistency in its personnel system outweigh those mitigation factors. Further, the Board weighed the fact Petitioner clearly entered the Navy through fraudulent means by failing to truthfully disclose his extensive history of mental health issues that included mental health counseling and a suicide attempt. In the Board's opinion, Petitioner's conduct in this matter outweighed any mitigation factors in favor of changing his uncharacterized ELS. Therefore, the Board concluded an upgrade of Petitioner's discharge characterization of service is not warranted in the interests of justice.

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RECOMMENDATION:

In view of the foregoing, the Board finds the existence of material errors warranting the following corrective action.

That Petitioner be issued a new DD Form 214 indicating, for the period ending on 27 March 2006, he was discharged with a separation authority of "MARCORSEPMAN par. 6214," separation code of "JFF1," narrative reason for separation of "Secretarial Authority," and reentry code of "RE-3F."

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

4. 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 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.

4/21/2026

[REDACTED]

Executive Director

Signed by: [REDACTED]