



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

██████████
Docket No. 8864-25
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 upgraded in accordance with references (b) and (c).

2. The Board, consisting of ██████████, ██████████, and ██████████, reviewed Petitioner's allegations of error and injustice on 18 May 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 commenced a period of active duty on 21 November 1968.

d. On 4 August 1971, Petitioner admitted to homosexual conduct and was accordingly notified of the initiation of administrative separation processing. Petitioner acknowledged the notification and waived his procedural right to consult with counsel and to have his case heard before an administrative discharge board.

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e. Petitioner subsequently requested to be discharged with an undesirable discharge in lieu of trial by court-martial. He later submitted a statement requesting discharge general (under honorable conditions), contending that his sexual activities occurred off military installations between consenting adults, that he had not previously been subjected to disciplinary action, and that his trait averages had consistently exceeded average standards.

f. Ultimately, the Separation Authority directed Petitioner's separation and, on 8 October 1971, he was discharged due to his homosexual conduct with a General (Under Honorable Conditions) characterization of service.

g. 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 characterization of service to "Honorable," narrative reason for discharge to "Secretarial Authority," the separation code to "JFF," and the reentry code to "RE-1," 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.

h. Petitioner contends that he was discharged after informing his command that he was homosexual. He asserts that, following his removal from the ship, he was placed in a restricted barracks pending discharge. Petitioner further contends that he is deserving of an Honorable characterization of service because he faithfully served his country and maintained a Top Secret security clearance during his naval service.

CONCLUSION:

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

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

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 8 October 1971, he was discharged with an "Honorable" characterization of service, narrative reason for separation of "Other good and sufficient reasons (non-derogatory) when determined by proper authority," SPD code of "21L," reenlistment code of "RE-1," and the separation authority of "Art. C-10306 BUPERS Manual."

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

That Petitioner be issued an Honorable Discharge Certificate.

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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.

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.

6/10/2026

