



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

[REDACTED]
Docket No. 9731-25
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]
USN [REDACTED]

Ref: (a) 10 U.S.C. § 1552
(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149 w/ enclosures

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 discharge be upgraded from an Uncharacterized (Entry Level Separation) (ELS) to Honorable.

2. The Board, consisting of [REDACTED], reviewed Petitioner's allegations of error and injustice on 23 March 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, applicable statutes, regulations, and policies, to include reference (b).¹

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. Although Petitioner's 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 the case on its merits.

b. Petitioner enlisted in the Navy and began a period of active duty on 29 June 1998.

c. On 25 October 1998, Petitioner was assigned to duty onboard the [REDACTED]
[REDACTED]

d. On 17 November 1998, Petitioner underwent a Medical Evaluation/Psychological Evaluation at the [REDACTED]
[REDACTED] Evaluation notes state that Petitioner was not considered mentally ill but manifested a

¹ The Board noted Petitioner checked the "Other Mental Health" box on his application but did not respond to the Board's request to provide evidence in support of his claim. Therefore, the Board did not consider Petitioner's application under the guidance provided in the Kurta and Hagel memos.

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long-standing disorder of character and behavior which was of such severity as to render him unsuitable for continued military service in the U.S. Navy. Petitioner was diagnosed with Axis I: Attention Deficit-Hyperactivity Disorder, Combined Type Alcohol Abuse Occupational Problem and Axis II: Personality Disorder, NOS, with Narcissistic, Antisocial, and Passive-Aggressive Features.

e. On 18 November 1998, Petitioner was notified of administrative separation proceedings initiated against him on the basis of Personality Disorder as evidenced by his mental health screening of 17 November 1998.

f. On 23 November 1998, [REDACTED] directed to the Personnel Office that Petitioner be discharged as soon as possible with an uncharacterized ELS on the basis of Personality Disorder, with a reentry (RE) code of RE-3G.

g. Petitioner was so discharged from the Navy on 25 November 1998.

h. Petitioner requests an upgrade to his uncharacterized ELS. Petitioner contends the following errors and injustices warranting relief:

(1) He witnessed a Sailor being harassed shortly after being assigned to the [REDACTED] and he intervened, which caused him to become a target for harassment, threats, and hazing.

(2) His personal belongings were moved around the ship and, although he reported the targeting and hazing to leadership, no corrective action was taken.

(3) The harassment escalated after he reported his concerns to his chain of command.

(4) He accepted the option of a discharge because he wanted the mistreatment to stop. He now regrets that decision.

(5) He has not requested an upgrade sooner because he carried a sense of shame and embarrassment about what happened, and felt that speaking about it would reopen painful memories.

i. Petitioner submitted supporting information with his request for relief to include a personal statement and references.

CONCLUSION:

Upon careful review and consideration of all of the evidence of record, the Board determined that Petitioner's request warrants partial relief. Specifically, in keeping with the letter and spirit of current Board guidance, the Board determined that it would be an injustice to label one's discharge as being for a diagnosed character and behavior and/or adjustment disorder. 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,

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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 his Certificate of Release or Discharge from Active Duty (DD Form 214).

Notwithstanding the recommended corrective action below, the Board determined no further relief was warranted in Petitioner's case.

The Board initially concluded Petitioner was appropriately processed for administrative separation based on the November 1998 medical evaluation which found Petitioner unsuitable for continued military service. Further, the Board determined Petitioner was appropriately assigned an uncharacterized ELS based on his active duty service time. The Board noted Petitioner did not dispute either his in-service diagnosis or active duty service time. Therefore, the Board determined the presumption of regularity applies to Petitioner's administrative separation and uncharacterized ELS. Thus, the Board found no error with Petitioner's 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 reference (b). In this regard, the Board considered, amongst other factors, Petitioner's desire for an upgrade to his characterization of service, his contentions, the negative effect his discharge has had on his life, and the passage of time since his discharge.

The Board found that the mitigating factors were not nearly sufficient to justify any equitable relief. Specifically, the Board found Petitioner's assigned uncharacterized ELS remains appropriate. In particular, the Board noted that service regulations direct the assignment of an uncharacterized ELS for service members processed for separation, as Petitioner was, within their first 180 days of active duty. While there are exceptions to this policy, the Board found that none applied to Petitioner based on the circumstances of his separation. 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. While the Board acknowledged Petitioner's desire for a discharge upgrade, it determined the Navy's interest in maintaining consistency in its personnel system outweigh that mitigation factor.

RECOMMENDATION:

In view of the above, the Board directs the following corrective action:

That Petitioner be issued a new Certificate of Release from Active Duty (DD Form 214) reflecting that, for the period ending 25 November 1998, he was discharged for the narrative reason for separation of "Secretarial Authority," with a SPD code of "JFF," separation authority of "MILPERSMAN 1910-164," and reentry code of "RE-1J." That all other information currently listed on Petitioner's DD Form 214 remains the same.

No further changes be made to Petitioner's record.

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

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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 Regulation, 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.

4/7/2026

