



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

█
Docket No. 10892-25

Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF █

XXX XX █ USMC

Ref: (a) 10 U.S.C. §1552

(b) DEPSECDEF Memo, subj: Actions to Address Potential Injustices within Military Records of Former Service Members Administratively Separated Based on Their Sexual Orientation, 3 January 2025

(c) USD (P&R) Memo, subj: Correction of Military Records Following Repeal of Section 654 of Title 10, United States Code, 20 September 2011

(d) USD (P&R) Memo, subj: Guidance to Military Discharge Review Boards and Boards for Correction of Military / Naval Records Regarding Equity, Injustice, or Clemency Determinations, 25 July 2018

(e) SECNAVINST 5420.193, Board for Correction of Naval Records, 19 November 1997

Encl: (1) ASN (M&RA) Memo, subj: Group Application Pursuant to 10 U.S.C. §1552(b) – Similarly Harmed Veterans Administratively Separated Based Solely upon their Sexual Orientation with less than a Fully Honorable Characterization of Service since 1 January 1980

(2) DD Form 149

(3) DD Form 214

(4) Petitioner's Memo, 10 August 1983

(5) █ █ █ CO Memo 5800 17A/MRL/mrl, subj: Notification of Separation Proceedings, 22 August 1983

(6) [Petitioner] Memo, subj: Separation Proceedings; Acknowledgment of my Rights to be Exercised or Waived, 24 August 1983

(7) █ █ █ Marines CO Memo 1900 17/MRL/mrl, subj: Recommendation for discharge by reason of homosexuality; case of [Petitioner], 25 August 1983

(8) Staff Judge Advocate Memo 1900 17; █ :wrj, subj: Review of proceedings for administrative discharge, case of [Petitioner], 16 September 1983

1. In accordance with subsection (b) of reference (a) and the terms of the settlement agreement in the case of *Farrell, et. al. v. U.S. Department of Defense, et. al.*, as implemented by reference (b), the Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN (M&RA)) filed enclosure (1) with the Board for Correction of Naval Records, hereinafter referred to as the Board, on behalf of a group of similarly harmed Sailors and Marines whose DD Form 214 reflects that they were discharged due to their sexual orientation with less than a fully honorable characterization of service. The Subject, hereinafter referred to as Petitioner, filed enclosure (2)

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]
XXX XX [REDACTED] USMC

with the Board, thus opting in to this group application review. A preliminary review of enclosure (3) revealed that Petitioner met the criteria for inclusion in this group application.

2. A three-member panel of the Board, meeting in executive session, conducted an individualized review of the Subject's naval record on 13 January 2026, and found sufficient evidence of an injustice warranting the corrective action recommended in paragraph 5 below. Documentary material considered by the Board included the enclosures; relevant portions of the Subject's naval record; and applicable statutes, regulations, and policies, to include references (c) and (d).

3. Factual Background. Following are the relevant facts of Petitioner's case based upon review of his naval record:

a. Petitioner enlisted in the U.S. Marine Corps and began a period of active duty on 15 September 1981. See enclosure (3).

b. On 10 August 1983, Petitioner provided a voluntary statement admitting to homosexuality. See enclosure (4).

c. By memorandum dated 22 August 1983, Petitioner was formally notified that she was being considered for administrative discharge by reason of homosexuality. See enclosure (5).

d. On 24 August 1983, Petitioner acknowledged the notification referenced in paragraph 3c above and elected her procedural right to consult with counsel while waiving the right to have her case heard before an administrative discharge board. See enclosure (6).

e. By memorandum dated 25 August 1983, the commanding officer recommended Petitioner be discharged by reason of homosexuality with a general (under honorable conditions) (GEN) characterization of service. See enclosure (7).

f. By memorandum dated 16 September 1983, the Staff Judge Advocate's review of Petitioner's case found the proceedings to be sufficient in law and fact. See enclosure (8).

g. On 14 October 1983, Petitioner was discharged from the Marine Corps with a GEN characterization of service. See enclosure (3).

4. Conclusions.

a. In accordance with reference (c), the Board should normally grant requests to change the narrative reason for a discharge, requests to re-characterize the discharge to honorable, and/or requests to change the reentry code to an immediately-eligible-to-reenter category when both of the following conditions are met: (1) the original discharge was based solely on the former "Don't Ask, Don't Tell" (DADT) or similar policy in place prior to enactment of DADT, and (2) there were no aggravating factors in the record, such as misconduct. The record contains no indication of misconduct or aggravating factors that would warrant administrative processing. Rather, the record indicates the separation was solely based on Petitioner sexuality. Accordingly, the Board found Petitioner's case falls within the general guidance of reference (c).

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]
XXX XX [REDACTED] USMC

b. In accordance with reference (d), the Board considered, amongst other factors, that homosexuality is now permitted within the military and that a current Service member under the same circumstances today would therefore reasonably expect to receive a more favorable outcome than Petitioner received; that there was no other in-service misconduct in Petitioner's naval record; that Petitioner's performance marks were well above those required for a fully honorable characterization of service; that Petitioner was solely discharge due to her sexuality; and the passage of time since Petitioner's discharge. Based on these factors, the Board determined that equitable relief is warranted in the interests of justice.

5. Recommendation. Based upon the conclusions in paragraph 4 above, the Board recommends the following corrective action be taken on Petitioner's naval record:

a. That Petitioner be issued a new DD Form 214 reflecting that her service ending on 14 October 1983 was characterized as "Honorable"; that her narrative reason for separation was "Secretary of the Navy Plenary Authority"; that her separation authority was "MARCORSEPMAN par.6214"; that her separation code was "JFF1"; and that her reentry code was "RE-1A."

b. That Petitioner be issued an Honorable Discharge Certificate.

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

d. That no further corrective action be taken on Petitioner's naval record.

6. 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 titled matter. I have assured compliance with the provisions of reference (e).

7. Pursuant to the delegation of authority set out in reference (e), the corrective action described above has been approved by the Board on behalf of the Secretary of the Navy in accordance with reference (a).

2/11/2026

