



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

█
Docket No. 610-26
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER █
█ 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 statement, 12 May 1981
(5) █, █ CO Memo █ 1900, subj: Notification of recommendation for administrative discharge by reason of homosexuality, 29 May 1981
(6) [Petitioner] Memo █ 1900, subj: Acknowledgement of advice to respondent and receipt of correspondence, 29 May 1981
(7) █, █ CO Memo █ 1900, subj: Recommendation for administrative discharge by reason of homosexuality; case of [Petitioner], 29 May 1981
(8) Office of Staff Judge Advocate █, Memo Endorsement 1910.4 17:ACV:pel 1910.4, subj: Review of processing for administrative discharge by reason of homosexuality; case of [Petitioner], 16 June 1981
(9) Department of the Navy Naval Discharge Review Board, MD88-01495, 9 November 1988

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

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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) 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 22 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 her naval record:

a. Petitioner enlisted in the U.S. Marine Corps and began a period of active duty on 24 June 1980. See enclosure (3).

b. On 12 May 1981, Petitioner provided a statement admitting to her homosexuality. See enclosure (4).

c. By a memorandum dated 29 May 1981, Petitioner was formally notified that she was being considered for administrative separation from the Marine Corps by reason of homosexuality. See enclosure (5).

d. On the same date, Petitioner acknowledged the notification referenced in paragraph 3c above and waived her procedural rights to consult with counsel and to have her case heard before an administrative discharge board.¹ See enclosures (6) and (9).

e. By memorandum dated 29 May 1981, Petitioner's commanding officer recommended she be discharged under honorable conditions by reason of homosexuality. See enclosure (7).

f. By memorandum dated 16 June 1981, a Staff Judge Advocate's review of Petitioner's case found the proceedings sufficient in law and fact. On the same memorandum, dated 18 June 1981, the separation authority directed that the Petitioner be discharged from the U.S. Marine Corps with an OTH characterization of service by reason of homosexuality. See enclosure (8).

g. On 26 June 1981, Petitioner was discharged from the Marine Corps with an OTH characterization of service. See enclosure (3).

h. On 27 October 1988, the Naval Discharge Review Board (NDRB) considered Petitioner's case. In her application, Petitioner requested an upgrade of her discharge characterization. After determining that no impropriety or injustice existed in the discharge, the Board denied the requested relief. See enclosure (9).

¹ This information was derived from the naval discharge review board (NDRB) report.

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's sexuality. Accordingly, the Board found Petitioner's case falls within the general guidance of reference (c).

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 she was solely discharged 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.

c. The Board also found an injustice in the fact that the narrative reason for separation reflected on Petitioner's DD Form 214 includes a reference to her sexual orientation. Due to her narrative reason for separation, Petitioner must disclose personal information regarding her sexual orientation and/or previous sexual activity whenever she has cause to prove her military service for whatever reason. Other Service members are not required to reveal such personal information when providing evidence of their former military service. This constitutes an unreasonable burden and violation of Petitioner's privacy interests.

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 26 June 1981 was characterized as "Honorable"; that her narrative reason for separation was "Directed by the Secretary of the Navy to correct official records"; that her separation authority was "MARCORSEPMAN par 6012.1g"; that her separation code was "JFF2"; and that her reentry code was "RE-1J."

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

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above has been approved by the Board on behalf of the Secretary of the Navy in accordance with reference (a).

2/11/2026

