



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

CRS
Docket No: 11533-10
21 January 2011

[REDACTED]

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This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 8 December 2010. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy Reserve on 6 December 1983. On 15 June 1984 you acknowledged your participation in homosexual acts in a written statement.

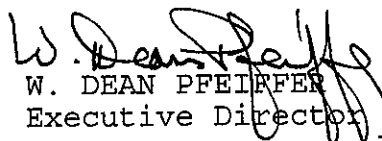
On 5 September 1984 an administrative discharge board recommended that you be separated from the Navy with a general discharge by reason of homosexuality. On 3 October 1984 your commanding officer recommended an honorable discharge based on the fact that you were stating that you were not a homosexual. The recommendation was approved by the separation authority, and you were discharged on 21 November 1984 with an honorable discharge.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth, overall record of service, and the contention that your reason for discharge causes unfair discrimination against you. The Board concluded that those factors were insufficient to warrant changing the reason for discharge. Accordingly, your application has been denied. The names and votes of the members of the panel

will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,


W. DEAN PFEIFFER
Executive Director