



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TJR

Docket No: 6881-98

23 March 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 16 March 1999. 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found you enlisted in the Navy on 12 December 1988 and served without disciplinary incident.

Your record reflects that on 25 July 1990 you submitted a Navy Dependent Care Certificate in which you indicated that you were unavailable for worldwide assignment or deployment due to parenthood. Subsequently, on 10 August 1990, you were notified of pending administrative separation action by reason of convenience of the government due to parenthood. After consulting with legal counsel you elected to waive your right to submit a statement in rebuttal to the separation action. On 16 August 1990 your commanding officer recommended you be issued an honorable discharge by reason of convenience of the government due to parenthood. The discharge authority approved the foregoing recommendation and directed your commanding officer to honorably discharge you by reason of convenience of the government due to parenthood or custody of minor children. On 31 August 1990 you were so discharged.

The Board, in its review of your entire record, carefully weighed all potentially mitigating factors, such as your honorable service and your contention that you would like your narrative reason for separation changed to read "hardship" so that you may be eligible for veterans' benefits. However, the Board concluded these factors were not sufficient to warrant a change in your narrative reason for separation given your unavailability for worldwide assignment or deployment due to parenthood. Separation due to parenthood is appropriate under such circumstances. Accordingly, the Board concluded your narrative reason for separation was proper as issued and no change is warranted. 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