



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

ELP  
Docket No. 5999-00  
8 February 2001

[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 for the Board for Correction of Navy Records, sitting in executive session, considered your application on 7 February 2001. 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 Naval Reserve on 9 August 1945 for two years at age 28. You served until 25 September 1945 when you were discharged under honorable conditions for convenience of the government. The record reflects that you did not perform any active duty and were not entitled to any pay or allowances on discharge.

Regulations then in effect, provided that an honorable discharge would be issued to a naval reservist only on the expiration of enlistment. Since you did not complete your enlistment, you were discharged under honorable conditions.

The Board noted your contention implies that you have been denied veterans medical benefits because of your discharge. It appears to the Board that any denial of benefits by the Department of Veterans Affairs was not because of your discharge, but is due to the fact that you had no active service. The fact that now, 55

years later, you need medical benefits does not provide a valid basis for recharacterizing service. Further, the characterization of your discharge was not derogatory at the time. The Board concluded that the discharge was proper 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