



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

TRG

Docket No: 6013-06
27 September 2006

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]
DECEASED, [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) Case Summary
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, the son of a deceased former enlisted member of the Marine Corps Reserve, filed an application with this Board requesting that his late father's discharge be upgraded to honorable.
2. The Board, consisting of Mr. [REDACTED], Mr. [REDACTED] and Ms. [REDACTED] reviewed Petitioner's allegations of error and injustice on 19 September 2006 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.
3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:
 - a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.
 - b. Although it appears that Petitioner's application was not filed in a timely manner, it is in the interest of justice to waive the statute of limitations and consider the application on its merits.
 - c. Subject enlisted in the Marine Corps Reserve on 26 June 1944 at age 26. After completing training he deployed to the Pacific Area of operations. On 25 February 1945 he disembarked on Iwo Jima. On 15 June 1945 he was commended by the Commanding General 3d Marine Division for his meritorious conduct while performing his duties with a Marine infantry battalion. The citation states that he voluntarily went forward of his own lines to bring back a wounded man who was lying at the mouth of a cave

containing several enemy riflemen. The citation concludes as follows:

Due to (his) calmness under fire the litter team was able to evacuate the wounded man to safety. His display of courage and coolness under fire while performing this hazardous mission was in keeping with the highest traditions of the United States Naval Service.

e. Subject returned to the United States on 15 November 1945. On 6 December he was discharged under honorable conditions in the grade of private.

f. Subject's son states that his father always regretted the fact that he did not receive a fully honorable discharge. He is now requesting in behalf of the entire family that their father be posthumously awarded an honorable discharge.

CONCLUSION:

Upon review and consideration of all the evidence of record the Board concludes that Petitioner's request warrants favorable action. It is unclear from the record exactly why Subject was issued a discharge under honorable conditions, but the Board believes it was probably correct under regulations in effect in 1945. However, since he has no disciplinary record, his conduct mark average is 5.0, and he was commended for his actions on Iwo Jima, the Board concludes that no useful purpose is now served by the discharge under honorable conditions and an honorable discharge certificate should now be issued.

The Board further concludes that this Report of Proceedings should be filed in Petitioner's naval record so that all future reviewers will understand the reasons for the issuance of the honorable discharge certificate.

RECOMMENDATION:

a. That Subject's naval record be corrected to show that on 6 December 1945 he was issued an honorable discharge certificate vice the discharge under honorable conditions now of record.

b. That this Report of Proceedings be filed in Subject's naval record.

4. It is certified that a 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 entitled matter.

ROBERT D. ZSALMAN
Recorder



ALAN E. GOLDSMITH
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



W. DEAN PFEIFFER
Executive Director