



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

TJR  
Docket No: 2394-14  
14 May 2015

[REDACTED]

Dear Mr. White: .

This is in reference to your application for correction of your late father's 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 29 April 2015. The names and votes of the members of the panel will be furnished upon request. 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.

Your father enlisted in the Marine Corps and began a period of active duty on 12 December 1951. At that time he signed an enlistment document certifying that he was not a member of, and did not associate with certain organizations, nor did he attend meetings or gatherings for these organizations.

Your father's record reflects that during the period from 9 February 1953 to 4 April 1954, he participated in operations against Communist Forces, specifically, the Western Korean Front on two occasions and in defense of United Nations positions in Korea.

On 16 September 1954, your father was the subject of an investigation regarding his association with communist organizations. In this regard, he stated in part, that his acceptance of invitations from these organizations were strictly for social benefit and that discussions were limited to current news and the "Trenton Six," but never about communism. Shortly

thereafter, on 1 October 1954, a security board recommended that his security clearance be terminated due to his association with communist organizations. As a result, on 30 November 1954, his clearance was terminated and he was processed for an administrative separation by reason of unfitness which was approved by the discharge authority. On 11 December 1954, he was issued an undesirable discharge by reason of unfitness.

The Board, in its review of your late father's entire record and your application, carefully weighed all potentially mitigating factors, such as your desire to upgrade his undesirable (other than honorable) discharge and change the narrative reason for separation. It also considered your assertion that your father's record does not reflect his characterization of service. Nevertheless, the Board concluded these factors were not sufficient to warrant relief in this case because of your father's association with certain communist organizations and the falsification of his enlistment documents. Finally, contrary to your assertion, the record does reflect the appropriate characterization of service which is authorized by regulatory guidelines for Marines processed by separation by reason of unfitness. Accordingly, your application has been denied.

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 within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in your case. 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,



ROBERT J. O'NEILL  
Executive Director