



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

█
Docket No: 7345-21
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO FORMER MBR █
█, XXX XX █ USMC

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

Encl: (1) DD Form 149

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to change his narrative reason for separation to disability and upgrade his characterization of service to Honorable.

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 2 December 2021, 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, relevant portions of the 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. Petitioner entered active duty with the Marine Corps in August 2016. On 6 September 2017, Petitioner was diagnosed with an acute adjustment disorder after a suicide attempt. Medical history documents that his symptoms likely existed prior to his entry into the Marine Corps. As a result, he is recommended for administrative separation processing for condition not a disability. Petitioner was notified of administrative separation processing on 18 September 2017 for condition not a disability. In his separation package, his chain of command endorsed assigning him a General characterization of service based on his limited time in the Marine Corps. Accordingly, Petitioner was discharged on 22 November 2017 with a General characterization of service for condition not a disability. Petitioner's final average marks for his enlistment were 4.3/4.3 (PRO/Con). Post-discharge, the Department of Veterans Affairs (VA) rated Petitioner for Major Depressive Disorder at 50% and later increased the rating to 70% in 2021.

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c. Marine Corps Order (MCO) 1900.16 lays out the guidelines for assignment of characterizations of service. It states that an Honorable “characterization is appropriate when the quality of the Marine’s service has met the standards of accepted conduct and performance of duty for military personnel. Characterization will normally be honorable for Marines with both average proficiency marks of 3.0 or higher and average conduct marks of 4.0 or higher. Marines with proficiency marks below 3.0 and conduct marks below 4.0 may receive an honorable characterization at the separation authority's discretion.” It goes on to state that “Corporals and below with average proficiency marks below 3.0 and conduct marks below 4.0. Characterization of service for Marines in this category should be general (under honorable conditions). No additional documentation or justification is required to assign a general (under honorable conditions) characterization of service in these cases...In all other enlisted cases, the conduct at issue must meet a basis that could result in involuntary separation per paragraphs 6210, 6213, or 6215 of this Order.”

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting partial relief. Specifically, the Board concluded that Petitioner met the MCO 1900.16 requirements for assignment of an Honorable characterization of service based on his average trait marks of 4.3/4.3 (Pro/Con) earned during his enlistment. Based on his average marks, the Board found that Petitioner did not meet the guidelines for assignment of a General characterization of service since his involuntary separation was not under paragraphs 6210 (misconduct), 6213 (unsatisfactory participation in ready reserve), or 6215 (weight control/BCP failure) of MCO 1900.16. Further, the Board determined the rationale utilized by his chain of command in assigning him a General characterization was not one authorized under MCO 1900.16.

Despite this recommendation for partial relief, the Board concluded the preponderance of the evidence did not support Petitioner’s request to change his narrative reason for separation to disability. As documented above, Petitioner’s performance during his enlistment met fleet standards for his paygrade and MOS. Therefore, the Board concluded insufficient evidence exists to find that he was unable to perform the duties of his office, grade, rank or rating due to his mental health condition. The Board was not persuaded by the VA rating for his Major Depressive Disorder since eligibility for compensation and pension disability ratings by the VA is tied to the establishment of service connection and is manifestation-based without a requirement that unfitness for military duty be demonstrated. The Board felt his documented performance marks were more reliable in determining fitness for duty. Accordingly, the Board determined no change was warranted to Petitioner’s narrative reason for separation.

RECOMMENDATION

In view of the above, the Board directs the following corrective action.

Petitioner’s naval record be corrected by changing his characterization of service from General under Honorable Conditions to Honorable. Petitioner will be issued a new DD Form 214 reflecting this change.

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No further changes to Petitioner'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.

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 Regulation, 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.

12/4/2021

[REDACTED]

Deputy Director

Signed by: [REDACTED]