



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

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Docket No. 1705-23
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Title 10, United States Code, Section 1552. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 20 March 2023. The names and votes of the panel members 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 the Board. Documentary material considered by the Board consisted of your application together with all material submitted in support thereof, relevant portions of your naval record, applicable statutes, regulations, and policies, to include the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice or clemency determinations (Wilkie Memo).

You enlisted in the Navy and began a period of active duty on 9 February 1998. On 26 May 1999, you were notified of the initiation of administrative separation proceedings by reason of parenthood, at which point, you decided to waive your procedural rights. On 15 June 1999, you were counseled on the requirements of OPNAVIST 1740.4 "U.S. Navy Single Sponsor/Military Couples with Dependent (s) Dependent Policy. You were made aware that you must complete a dependent care certificate and have it file on your records. You were also advised that failure to complete a dependent care certificate will result in the initiation of administrative separation proceedings by reason of parenthood. On 17 June 1999, your commanding officer recommended that you were administratively separated from service with an Honorable discharge characterization of service by reason of parenthood. On 20 July 1999, you were discharged and transferred to the Naval Reserves. On 2 April 2004, you were honorably discharged from the Naval Reserves by reason of expiration of obligated service.

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case in accordance with the Wilkie Memo. These included, but were not limited to, your desire to change your narrative reason for separation and contentions that: (a) you meet the criteria for hardship discharge in accordance with MILPERSMAN 1910-110; (b) that the hardship you encountered affected you daughter; and (c) that there were no family members or relatives nearby who were capable of providing assistance.

After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that your record supports your administrative separation for parenthood. In making this finding, the Board noted you did not submit a request for a hardship discharge while on active duty and you provided no evidence to substantiate your contentions. Further, absent a material error or injustice, the Board declined to summarily change the basis for a discharge solely for the purpose of facilitating veterans' benefits, or enhancing educational or employment opportunities. Therefore, even in light of the Wilkie Memo and reviewing the record holistically, the Board did not find evidence of an error or injustice that warrants granting you the relief you requested or granting relief as a matter of clemency or equity. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

You are entitled to have the Board reconsider its decision upon the submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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, _____

4/6/2023

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Executive Director
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