

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 June 2025

DOCKET NUMBER: AR20240004417

APPLICANT REQUESTS: her uncharacterized service be characterized as honorable.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record), 10 January 2024
- DD Form 214 (Certificate of Release or Discharge from Active Duty), 25 March 1994

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.
2. The applicant states she was told her discharge would be honorable due to health problems which were out of her control and pregnancy. She cannot obtain a driver's license with veterans' status because of her uncharacterized discharge.
3. In the processing of this case, an Army Review Boards Agency staff member requested the applicant's official military personnel file (OMPF) from the National Archives and Records Administration in St. Louis, Missouri. Despite the lack of her OMPF, the applicant provided a fully constituted DD Form 214 for the Board to conduct a fair and impartial review of the applicant's petition.
4. The applicant entered active duty on 31 August 1993. She was discharged on 25 March 1994, under the provisions of Army Regulation 635-200 (Personnel Separations – Enlisted Personnel), Chapter 8 (Separation of Enlisted Women-Pregnancy), for pregnancy in the grade of E-2. Her service was uncharacterized, and she served 6 months and 25 days of net active service this period. She was not awarded a military occupational specialty.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was/was not warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. The applicant's military records confirm she entered active duty on 31 August 1993. Her DD Form 214 shows she was discharged on 25 March 1994 under the provisions of Army Regulation 635-200, Chapter 8, which governs separation due to pregnancy. The Board reviewed the applicant's DD Form 214 and noted that she was not awarded a military occupational specialty (MOS) during her period of service. Chapter 8 of AR 635-200 provides for separation of Soldiers who become pregnant when it is determined that continued service is not in the best interest of the Soldier or the Army.

2. The applicant's short period of active duty service ended prior to completion of training and award of an MOS. The DD Form 214 accurately reflects the basis for separation and the characterization of service. The Board found no evidence of error in the applicant's records regarding the reason for separation. The absence of an MOS award is consistent with her limited time in service and early discharge. The characterization of service was appropriate under the governing regulation.

3. An uncharacterized discharge is not meant to be a negative reflection of a Soldier's military service. It merely means the Soldier has not been in the Army long enough for his or her character of service to be rated as honorable or otherwise. As a result, there is no basis for granting the applicant's request.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XXX	XXX	XXX	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

X //SIGNED//

CHAIRPERSON

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.
2. Army Regulation 635-200 (Personnel Separations – Enlisted Personnel) sets forth the basic authority for the separation of enlisted personnel.
 - a. Paragraph 3-7a provides that an honorable discharge is a separation with honor and entitles the recipient to benefits provided by law. The honorable characterization is appropriate when the quality of the member's service generally has met the standards of acceptable conduct and performance of duty for Army personnel or is otherwise so meritorious that any other characterization would be clearly inappropriate.
 - b. Paragraph 3-7b provides that an under honorable conditions (general) discharge is a separation from the Army under honorable conditions. When authorized, it is issued to a Soldier whose military record is satisfactory but not sufficiently meritorious to warrant an honorable discharge.
 - c. Chapter 8 establishes policy and procedures and provides authority for the voluntary separation of enlisted women because of pregnancy. This chapter applies to all Active Army enlisted women, Army National Guard, and U.S. Army Reserve enlisted

women ordered to active duty. Enlisted women who are medically diagnosed as being pregnant may, after her unit commander has counseled her concerning her options, entitlements, and responsibilities, request separation under this chapter.

d. Paragraph 8-3 states if a Soldier is still in Entry Level Status her service will be described as uncharacterized.

3. On 25 July 2018, the Under Secretary of Defense for Personnel and Readiness issued guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records (BCM/NR) regarding equity, injustice, or clemency determinations. Clemency generally refers to relief specifically granted from a criminal sentence. BCM/NRs may grant clemency regardless of the type of court-martial. However, the guidance applies to more than clemency from a sentencing in a court-martial; it also applies to other corrections, including changes in a discharge, which may be warranted based on equity or relief from injustice.

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//NOTHING FOLLOWS//