



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 1609-98

21 May 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the 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 18 May 1999. 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. In addition, the Board considered the advisory opinion furnished by the Navy Personnel Command dated 31 December 1998, a copy of which is enclosed.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion to the effect that you were properly discharged because of pregnancy/childbirth, which is considered to be for the convenience of the government. When an individual is discharged due to the convenience of the government, at least 30 months of a four year enlistment must be completed in order to qualify for benefits under the Montgomery G. I. Bill. Since you served for less than a year, you are not entitled to those benefits. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

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 or other matter not previously 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,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

1000
NPC-312/13
31 DEC 1998

From: Commander Navy Personnel Command
To: Executive Director, Board for Correction of Naval Records
Via: Assistant for Board for Correction of Naval Records Matters
(Pers-00Z)

Subj: ADVISORY OPINION IN CASE OF
EX-FA [REDACTED] USN, [REDACTED]

Ref: (a) BCNR ltr of 9 Nov 98

1. We have reviewed reference (a). It is our opinion that the narrative reason for separation of pregnancy/childbirth is correct.

[REDACTED]
By direction