



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

ELP
Docket No. 2052-99
11 August 1999

Dear [REDACTED]

This is in reference to your application for correction of your 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 11 August 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.

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.

The Board found that you enlisted in the Naval Reserve on 27 April 1943 for two years or for the duration of the war. At the time of your enlistment, you were 23 years old and had completed seven years of formal education. While in recruit training, an aptitude board determined that you were unsuited for naval service due to your inability to adapt to the requirements of naval life. It was recommended that you be separated with an "indifferent" discharge by reason of unsuitability. You were so discharged on 19 May 1943. Further particulars regarding your discharge are not in your record.

At the time of your separation, individuals with satisfactory service received either honorable, good, or indifferent discharges. "Good" and "indifferent" discharges were roughly equivalent to today's general discharge under honorable conditions. A "good" discharge meant that the individual was recommended for reenlistment. An individual who was not recommended for reenlistment received an "indifferent" discharge.

An indifferent discharge was not executed as a punishment and you did not leave the Navy under dishonorable conditions. Under today's standards an individual with less than 180 days of active service receives an uncharacterized entry level separation.

In its review of your application the Board weighed all potentially mitigating factors such as your limited education, good citizenship, and the fact that it has been more than 56 years since you were discharged. Your contention that you were discharged for a physical reason is not supported by the evidence of record nor by any evidence submitted in support of your application. Absent evidence to the contrary, a presumption exists that the action of the Navy to issue you an indifferent discharge was in compliance with applicable regulations then in effect. You have provided neither probative evidence nor a convincing argument in support of your application. The fact that an honorable or general discharge is issued today for satisfactory service does not necessarily provide a valid basis for changing a discharge that was appropriately issued 56 years ago. The Board concluded that the discharge was proper and no change is warranted. 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