



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

TRG
Docket No: 1401-01
16 October 2001

[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 10 October 2001. 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.

You enlisted in the Naval Reserve on 24 August 1943 and reported to active duty on 23 November 1943. On 29 February 1944 you entered a program which, if successfully completed, would have led to a commission in the Navy. However, on 8 January 1945 you were separated from that program. The separation report indicates that you were ranked below average in six of eight categories, and had committed seven minor disciplinary infractions. You were made available for orders and served in an excellent manner in an enlisted status until you were honorably discharged on 8 May 1946.

After the war you completed your education and received an engineering degree. During this period, on 12 January 1947, you reenlisted in the Naval Reserve. You were recalled to active duty on 3 November 1950. You then served in an excellent manner until you were honorably discharged on 1 May 1952.

You contend in your application that you were promised a commission in connection with your recall to active duty on 3 November 1950. You believe that given your prior excellent service and educational achievements, you were well qualified for

such a commission and an obvious error occurred.

There is no evidence in the record, and you have submitted none, to show that you requested or were promised a commission in the Navy during the Korean War. Further, given the passage of about 50 years since the events at issue, it is clear that such evidence is no longer available. However, even if such evidence was available, it does not mean that you necessarily would have been commissioned since officer candidates are carefully screened. In this regard, the Board notes that you were previously dropped from a commissioning program during World War II because of poor performance and conduct, which would have been a negative factor.

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