



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

ELP  
Docket No. 352-01  
19 April 2001

[REDACTED]

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 for the Board for Correction of Navy Records, sitting in executive session, considered your application on 18 April 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.

The Board found that you enlisted in the Navy on 26 June 1972 for three years at age 18. At the time of your enlistment, you had completed 12 years of formal education and achieved a general classification test (GCT) test score of 39 which placed you in Mental Group IV. The record reflects that you were advanced to AA (E-2) and served without incident until 1 March 1973 when you received an enlisted performance evaluation which assigned adverse marks of 2.0 in the categories of professional performance, military behavior, military appearance, and adaptability. An administrative remarks (page 13) entry stated that you were untrainable, each simple step of a job had to be explained to you, it was easier to have someone else do your work than to try and get you to do it, were questioning and contentious when you received orders, and you did not understand why you had to live within a set of regulations. It was further

noted that keeping you in uniform required a full-time supervisor and you did not comprehend the necessity for basic hygiene.

The performance evaluation of 28 August 1973 indicated that your overall performance had improved somewhat. However, marks in the categories of professional performance, military behavior and appearance remained adverse. A page 13 entry stated that you had tried to do your best, but most jobs assigned resulted in unsatisfactory performance and you consistently required routine supervision, no matter what type of work was being done. You reluctantly accepted authority, and had questioned it frequently. On the same day, you received a general discharge by reason of convenience of the government due to substandard performance or inability to adapt to military service. The discharge processing documentation is not on file in your record.

Character of service is based, in part, on military behavior and overall trait averages which are computed from marks assigned during periodic evaluations. Your military behavior and overall trait averages were both 2.3. The minimum average marks required for a fully honorable characterization at the time of your discharge were 3.0 in military behavior and 2.7 in overall traits.

On 16 September 1975, the Naval Discharge Review Board denied your request for an upgrade of your discharge.

In its review of your application, the Board carefully weighed all potentially mitigating factors such as your youth and immaturity, low test scores, and the fact that it been more than 29 years since you were discharged. Counsel contends that while your markings were low, it was noted by the reporting senior that you had tried to do your best. The Board concluded that the foregoing factors and counsel's contention were insufficient to warrant recharacterization of your discharge given your failure to achieve the required averages in military behavior and overall traits. The Board noted that despite a low GCT, you completed recruit training and were advanced to pay grade E-2. You have provided no evidence that your were unjustly assigned low marks or that your performance and conduct was substantially better than that documented in your record. Further, you clearly had a poor attitude. The Board thus 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

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The American Legion