



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 5430-99

7 July 2000

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments  
(2) Case Summary  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the United States Marine Corps filed enclosure (1) with this Board requesting a better characterization of service than the general discharge issued on 30 May 1974.

2. The Board, consisting of Mr. Rothlein, Mr. Pfeiffer and Mr. Whitener, reviewed Petitioner's allegations of error and injustice on 27 June 2000 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although it appears that enclosure (1) was not filed in a timely manner, it is in the interest of justice to waive the statute of limitations and review the application on its merits.

c. Petitioner enlisted in the Marine Corps on 6 June 1973 at age 18. She then served without any disciplinary actions until her discharge. She was issued a general discharge on 30 May 1974 for the convenience of the government due to pregnancy.

d. Character of service when an individual is discharged due to pregnancy is based, in part, on conduct and proficiency averages which are computed from marks assigned during periodic evaluations. Petitioner was assigned two marks of 4.0 and one mark of 3.5 in conduct during her short period of service. The average of these marks is 3.8. A minimum average mark of 4.0 in

conduct was required at the time of her separation for a fully honorable characterization of service.

CONCLUSION:

Upon review and consideration of all the evidence of record the Board concludes that Petitioner's request warrants favorable action. The Board notes that she served almost a year without any disciplinary infractions and was only evaluated on three occasions. Additionally, because of her youth she may have had difficulties adjusting to life in the Marine Corps. Given these circumstances the Board concludes that no useful purpose is now served by stigmatizing her service with a general discharge and the discharge should now be recharacterized to honorable.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that on 30 May 1974 she was issued an honorable discharge by reason of convenience of the government due to pregnancy vice the general discharge now of record.

b. That this Report of Proceedings be filed in Petitioner's naval record.


4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder



ALAN E. GOLDSMITH  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



W. DEAN PFEIFFER  
Executive Director