



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

TJR
Docket No: 126-01
22 June 2001

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

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

Encl: (1) DD Form 149 with 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 Naval Reserve, filed enclosure (1) with this Board requesting, in effect, to change the characterization of his discharge from indifferent to honorable.

2. The Board, consisting of Mr. Leeman, Ms. McCormick, and Ms. Wiley reviewed Petitioner's allegations of error and injustice on 12 June 2001 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 Navy on 8 February 1943 and served until his separation with no disciplinary infractions.

d. On 4 June 1943, after undergoing a medical examination, Petitioner was diagnosed with tachycardia/heart condition and a personality disorder.

e. On 9 July 1943 Petitioner was issued an indifferent discharge under satisfactory conditions.

f. Indifferent discharges were no longer awarded after World War II. An indifferent discharge is roughly equivalent to today's general discharge which is considered to be somewhat stigmatizing. Under today's standards, an individual in Petitioner's situation would receive an entry level separation. However, no such separation existed at the time of Petitioner's service.

CONCLUSION:

Upon review and consideration of all the evidence of record the Board concludes that Petitioner's request warrants favorable action.

Based upon Petitioner's overall satisfactory record of service the Board concludes that the characterization of service should be changed to an honorable discharge. In this regard, the Board notes he had no disciplinary actions and apparently served to the best of his ability. Accordingly, the Board does not believe his service should be characterized as less than fully honorable

RECOMMENDATION:

a. That Petitioner's naval record be corrected by showing that on 9 July 1943 he received an honorable discharge vice the indifferent discharge actually issued on that date.

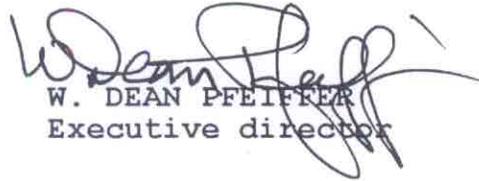
b. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

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 Regulation, 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