



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

ELP
Docket No. 1921-99
20 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 18 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 record provided for the Board's review is incomplete. However, available records reveal that you reenlisted in the Navy on 30 November 1992 for four years as an HM3 (E-4). At the time of your reenlistment, you had completed more than five years of prior active service. You extended your enlistment for an additional period of four months on 3 November 1994.

The record reflects that you served without incident until 3 November 1995 when you were advised that you had failed to meet the Navy's physical readiness standards for the October 1995 Physical Readiness Test/Body Fat (PRT/BF) cycle. You were enrolled in a command directed physical conditioning program and warned that three PRT/BF failures in a four year period required processing for administrative separation. You were honorably discharged on 20 December 1996 by reason of "Failed Physical Standards" and assigned an RE-3F reenlistment code. The discharge processing documentation is not on file in the record.

Regulations authorize the assignment of an RE-3F or RE-4 reenlistment code to individuals discharged by reason of "Failed Physical Standards." An RE-3F reenlistment code means an individual failed the physical readiness test but is eligible for reenlistment except for the disqualifying factor which led to discharge. An RE-4 reenlistment code means that the individual is ineligible for reenlistment without prior approval from Commander, Naval Personnel Command. An RE-3F reenlistment code may be waived to allow reenlistment by recruiting officials if an individual can show he is otherwise qualified. Absent evidence to the contrary, a presumption exists that action by the Navy to discharge you by reason of "failed physical standards" was both appropriate and proper. Since you received the most favorable reenlistment code authorized by regulation, the Board could find no error or injustice in the assigned reenlistment code. The Board thus concluded that the reenlistment code 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