



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

TJR
Docket No: 7251-98
26 March 1999

[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 of the Board for Correction of Naval Records, sitting in executive session, considered your application on 23 March 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found you enlisted in the Navy on 18 July 1989 at the age of 18. Your record reflects that you served without disciplinary incident.

Your record further reflects that on 31 January 1990 you were recommended for Level III alcohol rehabilitation treatment after your self-referral to a drug and alcohol program. Your referral noted, in part, that you suffered with drug and alcohol dependency with blackouts and shakes; consumed a six pack to a case of beer nightly; and used cocaine, lysergic acid diethylamide (LSD), mushrooms, and marijuana. Shortly thereafter, on 7 March 1990, you refused further treatment and denied any need for further help with your drug and alcohol dependency. On 28 March 1990 you were notified of pending administrative separation action by reason of alcohol rehabilitation failure. After consulting with legal counsel, you submitted a statement in rebuttal to the separation. On 2 April 1990 your commanding officer recommended you be separated by reason of alcohol rehabilitation failure. Subsequently, the discharge authority directed your commanding officer to honorably discharge you by reason of alcohol rehabilitation failure. On 10 April 1990 you were so discharged and assigned an RE-4

directed your commanding officer to honorably discharge you by reason of alcohol rehabilitation failure. On 10 April 1990 you were so discharged and assigned an RE-4 reenlistment code.

The Board, in its review of your entire record, carefully weighed all potentially mitigating factors, such as your youth and immaturity, honorable service, and your contention that you would like your reenlistment code changed so that you may enlist in the Army. However, the Board concluded these factors were not sufficient to warrant a change in your reenlistment code given your separation due to alcohol rehabilitation failure. An RE-4 reenlistment code is required when an individual is separated for that reason. Given all the circumstances in your case, the Board concluded your reenlistment code was proper as issued 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