



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

ELP
Docket No. 7739-00
6 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 4 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 Marine Corps Reserve on 6 January 1998 for eight years at age 19. You were ordered to active duty on 12 January 1998.

The record reflects that on 13 January 1998, during a recruit screening examination, you reported drinking 12 beers a day for three years. Thereafter, a medical officer determined that there was evidence of psychoactive substance dependence which met the criteria described in the Diagnostic and Statistical Manual of Mental Disorders (DSM IV).

On 16 January 1998 you were notified that an entry level separation was being recommended by reason of defective enlistment and induction due to erroneous enlistment as evidenced by alcohol dependence. You were advised of your procedural rights. You declined to consult with legal counsel or submit a statement in your own behalf. On 21 January 1998 the discharge authority directed an uncharacterized entry level separation by

reason of erroneous enlistment due to alcohol dependence. On 22 January 1998 you were so discharged and assigned an RE-3F reenlistment code.

Regulations authorize the assignment of an RE-3F or RE-4 reenlistment code to individuals who do not complete recruit training. An RE-3F reenlistment code means the individual did not complete recruit training. This code may be waived if recruiting officials can be convinced that the disqualifying factor was in error or no longer exists. An RE-4 reenlistment code means an individual is ineligible for reenlistment without prior approval from the Commandant of the Marine Corps. The Board could find no error or injustice in your assigned reenlistment code since you were given the most favorable code authorized by regulation. The Board noted your contention that during the "moment of truth" you were not properly advised as to what was happening to you and that being labeled alcohol dependent is unjust. However, you provide no medical evidence that the diagnosis of alcohol dependence was erroneous or invalid. Regulations require that the specific reason for separation be shown on the DD Form 214. The fact that the reason is stigmatizing does not provide a valid basis for removing it from the DD Form 214. The Board concluded that the reason for discharge and reenlistment code were proper and no changes are 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