



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

ELP  
Docket No. 7934-01  
29 November 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 of the Board for Correction of Navy Records, sitting in executive session, considered your application on 28 November 2001. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedi

ngs 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 Navy on 16 August 1982 for four years at age 18. The record reflects that you were advanced to AN (E-3) and served without incident until 30 November 1984 when you received nonjudicial punishment (NJP) for failure to go to your appointed place of duty. Thereafter, you were formally counseled and warned regarding the foregoing misconduct.

The record further reflects that the enlisted performance evaluation report for the period 1 February 1985 to 31 January 1986 was referred to you for comments because of its derogatory content. Additionally, the command withdrew its prior recommendation for your advancement. Incident to your release from active duty you were not recommended for reenlistment. On

15 August 1986 you were honorably released from active duty, transferred to the Naval Reserve, and assigned an RE-4 reenlistment code. You were honorably discharged upon completion of your obligated service on 15 August 1988.

Regulations require the assignment of an RE-4 reenlistment code to individuals who fail to meet the professional growth criteria for reenlistment or who are not recommended for reenlistment. In order to meet the professional growth criteria for reenlistment, an individual must be serving in pay grade E-4 at the time of separation or have passed an examination for advancement to pay grade E-4. Individuals who do not meet the professional growth criteria, but are recommended both for advancement and retention may be assigned an RE-3R reenlistment code. However, since there is no evidence that you ever passed an examination for advancement to pay grade E-4 and were neither recommended for advancement nor retention, you do not meet the requirements for an RE-3R reenlistment code. The Board thus concluded that the RE-4 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