



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

TJR  
Docket No: 8322-00  
16 August 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 Naval Records, sitting in executive session, considered your application on 14 August 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found you enlisted in the Marine Corps on 27 April 1993 and served without disciplinary incident.

Your record reflects that on 24 June 1994, after undergoing a medical examination, you were diagnosed with a major depressive disorder which existed prior to your enlistment. At that time you were found to be unfit for duty and were recommended for an administrative separation.

Subsequently, on 30 August 1994, the discharge authority directed an honorable discharge by reason of physical disability due to the diagnosed depressive disorder. On 31 August 1994 you were so discharged and assigned an RE-3P reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your honorable service and your contention that your narrative reason for separation and reenlistment code are administrative errors because you served without any disciplinary actions.

However, the Board concluded these factors and contention were not sufficient to warrant a change in your narrative reason for separation or reenlistment code because of the diagnosed major depressive disorder. This disorder constituted a physical disability and, therefore, the narrative reason for separation is correct. The Board concluded that since you were discharged by reason of physical disability, an RE-3P reenlistment code was justified. An RE-3P reenlistment code is authorized by regulatory guidance and is the most favorable code that may be assigned when an individual is discharged with a physical disability. This code may not prohibit reenlistment, but requires that a waiver be obtained from recruiting personnel who are responsible for determining whether an individual meets the standards for reenlistment or whether a request for a waiver of a reenlistment code is feasible. Given all the circumstances of your case, the Board concluded your narrative reason for separation and reenlistment code were proper as assigned 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