



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

TJR  
Docket No: 7703-98  
2 June 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 25 May 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 11 June 1990 and at the age of 18. Your record shows that you served for nearly two years without incident but on 6 March 1992 you received nonjudicial punishment (NJP) for drunk driving. The punishment imposed was extra duty for 15 days. Shortly thereafter, you disenrolled from a Level II alcohol abuse treatment program. On 23 June 1992 you were notified that administrative separation action had been initiated by reason of misconduct due to commission of a serious offense and alcohol rehabilitation failure. After consulting with legal counsel you waived your right to present your case to an administrative discharge board.

Subsequently, your commanding officer recommended you be issued a general by reason of misconduct due to commission of a serious offense and alcohol rehabilitation failure. On 11 August 1992 the discharge authority approved the foregoing recommendation and directed a general discharge by reason of misconduct, and an RE-4 reenlistment code. On 27 August 1992 you were so discharged.

The Board, in its review of your entire record and application, carefully considered all mitigating factors, such as your youth and immaturity, and your contention that you would like your narrative reason for separation and reenlistment code changed so that you may reenlist. The Board further considered your contentions that if you were given a chance, you could do the Navy a great service. However, the Board found the evidence and materials submitted were not sufficient to warrant a change of your narrative reason for separation or reenlistment code given the seriousness of your alcohol related misconduct. Further, an individual separated by reason of misconduct must receive an RE-4 reenlistment code. Given all the circumstances of your case the Board concluded your narrative reason for separation and reenlistment code were 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