



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 9391-97

15 April 1999

[REDACTED]

Dear [REDACTED]:

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the 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 13 April 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you reenlisted on 2 October 1985 for three years and subsequently extended your enlistment for 19 months. The records shows that during 1987 you received nonjudicial punishment on two occasions for an unauthorized absence of about 18 hours and unspecified violations of Articles 90 and 92 of the Uniform Code of Military Justice.

The record also shows that during the period from 1 April 1986 to 30 November 1987 you received two consecutive adverse performance evaluations. In the second evaluation for the period 1 April to 30 November 1987 you were assigned adverse marks in several categories. The evaluation comments state, in part, as follows:

...shown little interest outside his specialty and avoids to the maximum extent possible any task or responsibility not connected therein. His negative attitude and unproductive leadership have lead to poor morale within his division and dissension among its members ... He is not recommended for duty where he must lead any number of men or manage large quantities of equipment. ...".

Based on your disciplinary record and adverse performance evaluations your case was considered by the Petty Officer Quality Control Review Board. On 8 August 1988 you were issued a letter of substandard service. The letter informed you that unless your performance improved you could be denied further service. You were also informed that you could not be reenlisted or extended without the approval of the Naval Military Personnel Command and if you elected separation prior to removal from the quality control program, you would be assigned an RE-4 reenlistment code. The record shows that on 30 August 1988 you signed a service record entry acknowledging the contents of the letter of substandard service.

During the period from 1 December 1987 to 31 March 1990 you received three performance evaluations which show that your performance improved. However, you were assigned duties outside of your rating. You were honorably discharged on 1 May 1990 while still on the quality control program. At that time you were assigned an RE-4 reenlistment code based on the requirements set forth in the letter of substandard service.

In reaching its decision the Board noted your disciplinary record, adverse performance evaluations and the fact that you elected separation prior to removal from quality control. The Board concluded that the RE-4 reenlistment code was properly assigned and no change was 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