



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

ELP
Docket No. 3300-01
19 October 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 17 October 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.

You enlisted in the Naval Reserve on 23 December 1983 for six years at age 21, and were ordered to active duty on 21 February 1984. The record reflects that you extended your enlistment for an additional period of 12 months on 23 June 1985. You were advanced to SN (E-3) and changed your rate to YNSN upon graduation from YN "A" School on 21 November 1985.

You served without incident until 31 January 1987 when you received an adverse enlisted performance evaluation. Adverse marks of 2.8 were assigned in the rating categories of military knowledge/performance, reliability, and human relations; and a mark of 2.6 was assigned in rating knowledge/performance. Your next performance evaluation for the period ending 31 January 1988 showed some improvement, but was marginal.

The record further reflects that you were not eligible for reenlistment due to failure to meet the professional growth criteria and were not recommended for advancement. You were

honorably released from active duty on 20 February 1988, transferred to the Naval Reserve, and assigned an RE-4 reenlistment code.

You provide evidence that subsequent to your release from active duty in the Navy, you served three years in the Army as an E-4.

Regulations require the assignment of an RE-4 reenlistment code to individuals who fail to meet the professional growth criteria for reenlistment. To meet this criteria, an individual must be (1) serving as a petty officer or, (2) serving in pay grade E-3 having passed an examination for advancement to pay grade E-4, and be currently recommended for advancement. Since you were not recommended for advancement, an RE-4 reenlistment code was the only code that could be assigned. Since you were treated no differently than others released from active duty under similar circumstances, the Board could find no error or injustice in your assigned reenlistment code. Your subsequent service in the Army does not compel the Board to change a correctly assigned reenlistment code. The Board concluded that the 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