



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

TRG
Docket No: 4170-01
11 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 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 10 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 Navy on 3 November 1987 at age 19 for four years and subsequently extended that enlistment for 12 months. The record shows that you served in an excellent manner for over four years. On 22 April 1992, a physical evaluation board directed your discharge because of a disability rated at 10%. The enlisted performance record (page 9) indicates that your overall trait average was 3.8 and that you were eligible for retention in the Navy except for the disqualifying factor. You were honorably discharged with disability severance pay on 3 September 1992. At that time you were assigned an RE-3P reenlistment code.

Regulations require the assignment of an RE-3P or a RE-4 reenlistment code when an individual is discharged because of a disability. An RE-3P code means that you are recommended for reenlistment except for the disqualifying factor of your disability. The reenlistment code may be waived and enlistment authorized if you can convince recruiting authorities that the disability no longer exists, and a need exists for an individual with your skills. Since you have the least restrictive code authorized by regulation, and have been treated no differently than others in your situation, the Board could not find an error

or injustice in the assignment of the RE-3P reenlistment code.

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