



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

TJR  
Docket No: 5011-01  
11 February 2002

[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 5 February 2002. 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 3 January 1991 at the age of 18. Your record reflects that you served without disciplinary incident.

On 30 January 1994, while serving in paygrade E-3, you were honorably released from active duty at the expiration of your enlistment and assigned an RE-4 reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity and your contention that because you were honorably discharged, you should not have been assigned an RE-4 reenlistment code. However, the Board concluded these factors and contention were not sufficient to warrant a change in your reenlistment code because at the time of discharge you were serving in paygrade E-3/(FN) and Navy regulations state that the professional growth criteria must be met before further extensions or reenlistment may occur. The instruction also notes, in part, as follows:

To satisfy professional growth criteria for the first reenlistment (including first enlistment in USN after serving on active duty as USNR), the member must be: (1) serving as a petty officer or, (2) serving in paygrade E-3 having passed an examination for advancement to paygrade E-4 and be currently recommended for advancement, or (3) have formerly been a petty officer in current enlistment and be currently recommended for advancement to paygrade E-4. Failure to meet the professional growth criteria may result in denial of further extensions or reenlistment.

Your record does not contain any performance evaluations or the enlisted performance record (page 9). Therefore, the Board could not conclude that you met any of the professional growth criteria, and the Board determined your reenlistment code was 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