



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

TJR
Docket No: 6867-01
20 March 2002

[Redacted]

[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 12 March 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 29 April 1969 at the age of 19 and served without disciplinary incident.

Your record reflects that on 25 June 1969 you were processed for an administrative separation by reason of unsuitability due to failure to adapt to military service.

Your record contains an administrative remarks (page 13) entry dated 2 July 1969 in which acknowledged that you were not recommended for reenlistment due to unsuitability. This entry noted, in part, as follows:

I understand that I am not recommended for reenlistment in the U. S. Navy by my commanding officer. I further understand that in accordance with current Bureau of Naval Personnel policy, I am not eligible to apply for reenlistment until a period of two (2) years from date of discharge has elapsed and that I can then show that I have increased my adaptability for military service. Not

recommended for reenlistment due to unsuitability. Reenlistment may not be effected without prior approval of the Chief of Naval Personnel.

Subsequently, the discharge authority directed an honorable discharge by reason of unsuitability, and on 2 July 1969 you were so discharged 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 contentions that you were discharged because of personality conflicts between you and your training instructor, and that you would like to reenlist and prove your suitability for service. However, the Board concluded these factors and contentions were not sufficient to warrant a change in your reenlistment code given your discharge by reason of unsuitability. The assignment of an RE-4 reenlistment code was required when an individual was separated by reason of unsuitability. The Board noted that there is no evidence in the record, and you submitted none, to support your contention of personality conflicts. Further, the Board noted that you submitted no evidence to support your contention that you are now suitable for military service. Given all the circumstances of your case, the Board concluded the assigned reenlistment code was proper and no change is warranted. Accordingly, your application has been denied.

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