



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

TRG
Docket No: 7021-00
4 April 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 3 April 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.

The Board found that you enlisted in the Delayed Entry Program of the Naval Reserve on 30 November 1999. At that time you admitted to preservice experimental use of marijuana and an alcohol related conviction by civil authorities. You enlisted in the Navy on 14 December 1999. On 21 December 1999 you were interviewed and admitted to using alcohol 650 times and marijuana 1900 times. In addition, you admitted to abusing a prescription drug. Subsequently, you were diagnosed as being alcohol and marijuana dependent.

Based on the foregoing record, you were processed for an administrative separation by reason of erroneous enlistment due to drug abuse. In connection with this processing, you elected to waive your procedural rights. After review, the separation authority directed an entry level separation and you were so separated on 27 December 1999. At that time, you were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

Regulations require the assignment of an RE-4 reenlistment code when an individual is separated from Navy recruit training due to

drug abuse. In addition such a code is assigned when an individual is separated due to a fraudulent enlistment. Since you have been treated no differently than others separated for those reasons, the Board could not find an error or injustice in the assignment of the RE-4 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