



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

TRG
Docket No: 4524-08
25 March 2009

[REDACTED]

[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 17 March 2009. 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 Reserve on 29 November 1994 and agreed to serve on active duty for three years. You reported for active duty on 18 January 1995 and served until you were released from active duty on 30 January 1998 with an honorable characterization of service. At that time you were serving as a seaman (SN; paygrade E-3). There are no performance evaluations filed in your record and the quality of your service is unknown.

In your application you are requesting that an RE-3B reenlistment code be changed. An RE-3B is assigned when an individual is separated for Parenthood, Pregnancy or Childbirth. However, a review of the DD Form 214 filed in your digital record clearly shows that you were assigned an RE-3R reenlistment code. Regulations require the assignment of an RE-3R to those individuals who do not meet professional growth criteria by advancing to petty officer during an extended period of active duty. As indicated you were serving as an SN at the time of your release from active duty. An RE-3R code means that you are recommended for a probationary reenlistment during which advancement in rate is required. A copy of the pages from the regulations which sets forth the information concerning reenlistment codes is enclosed.

Since you 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-3R 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

Enclosure