



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

TJR
Docket No: 5407-08
8 April 2009



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 6 April 2009. The names and votes of the members of the panel will be furnished upon request. 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.

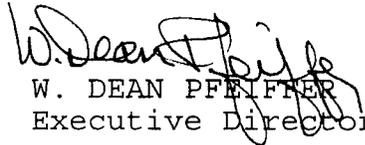
You enlisted in the Navy on 4 April 1980 at age 20, began a period of active duty on 2 October 1980, and served without disciplinary incident.

On 26 February 1982, following an interview that was the result of your noncontributory performance, you were processed for an administrative separation. Your commanding officer recommended an honorable discharge even though you had demonstrated below average performance. However, this recommendation further stated, in part, that you were not eligible for reenlistment due to having performance which was noncontributory to unit readiness and mission accomplishment. As a result, on 9 March 1982, while serving in paygrade E-3, you were honorably discharged by reason of convenience of the government 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 desire to have your RE-4 reenlistment code changed so that you may reenlist as a chaplain. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in your reenlistment code. The Board concluded that your military deficiencies, as well as the nonrecommendation for retention or reenlistment were sufficient to support the assignment of an RE-4 reenlistment code. Finally, such a code is authorized by regulatory guidance and normally assigned to Sailors who are serving in paygrade E-3, have not completed a full term of enlistment, and are separated due to the convenience of the government. 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