



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

TRG
Docket No: 4231-08
21 January 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 6 January 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 on 22 July 1998 and reported to the Naval Academy Preparatory School (NAPS). You were honorably discharged on 13 November 1998 with a narrative reason for separation for your failure to complete commissioning or warrant officer program (NAPS). The Separation Program Designator (SPD) code was KHD and you were assigned an RE-3K reenlistment code.

You are requesting a change in the RE-3K reenlistment code because you are contemplating a career in Federal law enforcement and/or obtaining a commission in the military.


As indicated in the enclosed pages from the regulations in effect at the time of your service and in effect now, the only authorized reenlistment codes when an SPD of KHD is used is RE-3K or RE-3Q. Therefore, it is clear that you have been treated no differently than other individuals who have failed to complete a Navy commissioning program. This code may be waived and enlistment authorized and is therefore not considered to be derogatory.

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-3K 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