



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

BJG  
Docket No: 5495-10  
2 February 2011

[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 1 February 2011. 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 entered active duty in the Marine Corps on 28 May 1976. Your record is incomplete, but it appears that you were administratively separated on 29 July 1976 with an honorable discharge due to failure to meet physical standards, and were assigned an RE-3P (physical standards) reenlistment code. On 28 September 1979, you reenlisted in Marine Corps. Unfortunately, you failed to disclose that you had previously served in the Marine Corps. On 4 December 1979, you were administratively separated with an honorable discharge due to

failure to reveal your prior service, and were assigned an RE-3F (failure to complete recruit training) reenlistment code.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth and allegation that you have been denied veterans' benefits. You are advised that normally, the Department of Veterans Affairs requires that an individual must serve on active duty continuously for a minimum of 180 days to be eligible for benefits. The Board concluded that you were correctly administratively separated during both of your enlistments for failure to meet physical standards, and failure to reveal your first enlistment when you reenlisted. In view of the above, 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