



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

TJR
Docket No: 11291-10
4 August 2011

[REDACTED]

[REDACTED]

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 2 August 2011. 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.

Prior to your entry into the Navy Reserve, you signed an enlistment contract in which you were advised that you "must" perform at least 85 percent of your assigned drills, specifically, 48 drills and 12 days of active duty for training.

On 31 May 2002 you enlisted in the Navy Reserve and served without disciplinary incident. However, your record reflects that you were briefed regarding your commitment to the Naval Reserve and the policy concerning drill attendance. It also reflects that you were briefed regarding the Navy's policy concerning the Government Travel Charge Card Program. Nonetheless, it appears that you missed drills and misused the credit card by failing to pay your charges. As a result of the foregoing, you were recommended for an administrative separation.

Your record further reflects that an attempt was made to notify you, by certified mail, of pending administrative separation by reason of unsatisfactory participation in the Ready Reserve and

misconduct due to a pattern of misconduct as evidenced by failure to pay just debts. Subsequently, your commanding officer directed separation, under honorable conditions, by reason of "unsatisfactory participation in the Ready Reserve due to misconduct - pattern of misconduct as evidenced by failure to pay just debts" and on 8 January 2004 you were so discharged and assigned an RE-4 reenlistment code.

On 30 March 2009 the Naval Discharge Review Board (NDRB) changed your narrative reason for separation to "Secretarial Authority" due to administrative processing errors.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your desire to reenlist. Nevertheless, the Board concluded these factors were not sufficient to warrant a change of your reenlistment status because of your failure to satisfactorily attend scheduled drills and misconduct as evidenced by your failure to pay just debts and misuse of a government credit card. Further, in the absence of any evidence that the assigned RE-4 reenlistment code was in error, the Board concluded that sufficient evidence existed to support the discharge authority's decision. Finally, the Board concluded that the NDRB changed your narrative reason for separation due solely to administrative errors and that these errors did not negate your misconduct. 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