



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

TAL
Docket No: 6745-13
24 July 2014

[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 9 July 2014. 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.

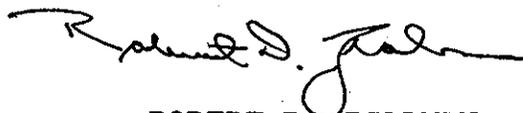
You entered active duty in the Navy on 26 June 2008. On 9 July 2009, you received nonjudicial punishment (NJP) for two instances of insubordinate conduct toward a noncommissioned officer. On 25 June 2012, you were honorably discharged from active duty due to not being eligible to reenlist in your gunners mate rating. At that time you were assigned a waivable RE-3M reenlistment code. In this regard, you were assigned the most favorable reenlistment code based on your circumstances. The RE-3M reenlistment code may not prohibit reenlistment, but requires that a waiver be obtained from recruiting personnel who are responsible for reviewing the feasibility of satisfying personnel manning goals by determining whether or not an individual meets the standards for reenlistment.

The Board, in its review of your record and application, carefully weighed all potentially mitigating factors, such as your youth and desire to change your RE-3M reenlistment code. Nevertheless, the Board concluded these factors were not sufficient to warrant such a change due to your ineligibility for reenlistment in your current rating. Again, you were assigned the appropriate reenlistment code for your situation. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

Each branch of the Armed Forces established its own criteria for enlistment within the provisions of federal law. The reenlistment code assigned by the Navy is not binding upon the other services, which are free to accept or reject an application on the basis of their own standards. If another branch of service decides to waive your reenlistment code and accept you for enlistment, the Navy will not object.

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,



ROBERT D. ZSALMAN
Acting Executive Director