



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

[REDACTED]
Docket No: 7919-16

OCT 10 2017

[REDACTED]
Dear [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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 26 July 2017. 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, relevant portions of your naval record and applicable statutes, regulations and policies.

You enlisted in the Navy and began a period of active duty on 29 March 2005. On 1 June 2006, you were admitted to an Alcohol Rehabilitation program, you completed the program on 14 July 2006 and transition to continuing care treatment. On 25 August 2006, you were discharged from the program due to admission of continued alcohol use. Subsequently, you were notified of pending administrative separation by reason of alcohol rehabilitation failure, at which time you waived your procedural rights to consult with legal counsel or make a written statement for consideration by the separation authority. Your commanding officer recommended an honorable discharge by reason of alcohol rehabilitation failure. The discharge authority approved this recommendation and directed the honorable separation by reason of alcohol rehabilitation failure, and on 19 September 2006, you were discharged and assigned an RE-4 reentry code, which means that you were neither recommended nor eligible for reenlistment.

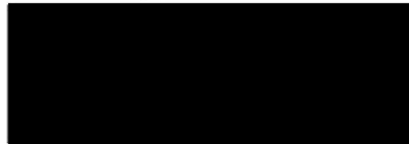
After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice. The Board carefully weighed all potentially mitigating factors, such as your post service conduct and desire to serve the Nation once again. The Board found that these factors were not sufficient

to warrant relief in your case because of your failure to complete the alcohol rehabilitation program. Navy regulation states personnel that are considered to be treatment failures shall be processed for administrative separation. Further, you were given an opportunity to defend your actions, but waived your procedural rights. Accordingly, your application has been denied.

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 at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence 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,



Executive Director