



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

ELP
Docket No. 195-99
28 May 1999

[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.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 1999. 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.

The Board found you enlisted in the Navy on 30 July 1991 for four years at age 18. The record reflects that you were advanced to SA (E-2) on 16 May 1992 and served without any disciplinary actions. On 30 June 1994, you were honorably released from active duty by reason of "reduction in force", transferred to the Naval Reserve, and assigned an RE-4 reenlistment code.

Regulations provide that individuals who are released from active duty in pay grades E-1 and E-2 are not authorized reenlistment and assignment of an RE-4 reenlistment code is required. Your contention that the reenlistment code is wrong is without merit since an honorable characterization of service does not preclude the assignment of an RE-4 reenlistment code. Since you have been treated no differently than others similarly separated, the Board

could find no error or injustice in your assigned reenlistment code. The Board concluded that the reenlistment code was proper and no change is warranted. 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