



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

TRG
Docket No: 2074-00
15 March 2001

[REDACTED]

Dear [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 13 March 2001. 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 that you enlisted in the Navy on 26 May 1992 at age 23. The record shows that you reported to the USS NIMITZ (CVN 68) on 29 August 1992 and served aboard for about 18 months. During this period you were advanced to AN (E-3). On 11 March 1994 you reported to a naval hospital, apparently for an evaluation of your medical condition. The enlisted performance record (page 9) shows that for the period 11 March 1994 to 31 January 1995, you received an overall 3.6 performance evaluation.

On 31 January 1995 you transferred to the Temporary Disability Retired List (TDRL) with a Separation Program Designator (SPD) code of SFK. At that time you were assigned an RE-2 reenlistment code.

Regulations require the assignment of an RE-2 reenlistment code when an individual is transferred to the TDRL with an SPD of SFK. An RE-2 reenlistment code is not considered to be derogatory and only reflects your status on the TDRL. Although your record is incomplete, the Board assumed that you have been discharged from the TDRL because you were found fit for duty. Regulations allow for the reenlistment of individuals who are discharged from the TDRL if they are otherwise qualified. If you were discharged with severance pay or medically retired, you must convince

recruiting authorities that you are qualified and should be enlisted. Since you have been treated no differently than others in your situation, the Board could not find an error or injustice in the assignment of the RE-2 reenlistment code.

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