



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

ELP
Docket No. 4367-01
19 October 2001

[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 Navy Records, sitting in executive session, considered your application on 17 October 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 3 September 1986 for four years at age 20. On 5 November 1986 you were advanced to FA (E-2) and extended your enlistment for an additional period of 24 months in exchange for training in the Advanced Technical Field Program and accelerated advancement to pay grade E-4. However, you were dropped from the guaranteed boiler technician class "A" school for non-academic reasons. This disenrollment constituted removal from the Advanced Technical Field Program, and your extension of 5 November 1986 was cancelled.

The record reflects that you completed the Data Processing Technical (DP) "A" school in August 1988 and were advanced to DP3 (E-4) on 16 May 1990.

Incident to your release from active duty, you received an adverse enlisted performance evaluation for the period 1 July to 17 August 1990. Adverse marks of 2.8 were assigned in the rating

categories of rate knowledge and reliability. The command's prior recommendations for your advancement and retention were withdrawn. You were honorably released from active duty on 17 August 1990, transferred to the Naval Reserve, and assigned an RE-4 reenlistment code. You were honorably discharged upon completion of your obligated service on 24 April 1994.

Regulations require the assignment of an RE-4 reenlistment code to individuals not recommended for reenlistment. Although the facts and circumstances surrounding the withdrawal of command's recommendation for advancement and retention are not shown in available records, the Board concluded that an adverse evaluation for the two month period prior to your release from active duty provided sufficient justification for a non-recommendation for reenlistment and assignment of an RE-4 reenlistment code. The Board is reluctant to submit its judgment for that of the commanding officer who is on the scene and is best qualified to determine who should be recommended for retention. You have provided no probative evidence or a convincing argument in support of your application. The Board thus 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