



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

BJG
Docket No: 6033-01
15 August 2001

MR [REDACTED] JR
[REDACTED]
[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. You requested that your reenlistment code of RE-3P (failure to meet physical (medical) standards) be changed. You contended that your diagnosis of schizotypal personality disorder was unfounded.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 15 August 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. In this connection, the Board substantially concurred with the comments contained in the letter you provided from Headquarters Marine Corps to the Honorable Phil Gramm, dated 17 April 2001, a copy of which is attached. 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

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
2 NAVY ANNEX
WASHINGTON, DC 20380-1775

6033 C1

IN REPLY REFER TO:
5730
OLAC-5W
17 APR 2001

The Honorable [REDACTED]
United States Senator
[REDACTED]
[REDACTED]
D: [REDACTED]

APR 24 2001

Attention: [REDACTED]

Dear Senator [REDACTED]

This responds further to your inquiry of March 14, 2001, concerning [REDACTED] Jr., a former Marine.

Your concern on behalf of [REDACTED] is appreciated. On August 28, 1999, he was separated by reason of Convenience of the Government, Condition Not a Physical Disability, [REDACTED] Personality Disorder. At the time of separation, he was assigned a reenlistment code of RE-3P, which means that he did not meet the physical/medical standards for reenlistment. On August 20, 1999, [REDACTED] was sent to the Branch Medical Clinic, San Diego, California, for auditory hallucinations. He was diagnosed with a [REDACTED] Personality Disorder and it was further determined that the condition existed prior to his entry into the Marine Corps.

A review of [REDACTED] service record indicates that he was counseled concerning not being recommended for reenlistment. It is also noted that on August 20, 1999, he signed an official service record book entry acknowledging assignment of the RE-3P reenlistment code. After a review of all relevant information, this Headquarters concurs in the professional evaluation of Mr. [REDACTED] qualifications for reenlistment at the time of separation. Since his reenlistment code is correctly assigned, no change is warranted.

If [REDACTED] is not satisfied with our determination concerning the assignment of his reenlistment code, he may now petition the Board for Correction of Naval Records. That board will examine his record and any evidence he submits with his application and will recommend to the Secretary of the Navy any corrective action deemed appropriate. I have enclosed the forms [REDACTED] all need if he wishes to petition the board. He should

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send his application directly to the Chairman, Board for Correction of Naval Records, Department of the Navy, Washington, DC 20370-5100. [REDACTED] should also attach a copy of this letter to his application.

[REDACTED] should also be told that each branch of the Armed Forces establishes its own criteria for enlistment in accordance with the provisions of Federal Law. Reenlistment codes assigned by the Marine Corps are not binding upon the other services which are free to accept or reject an applicant based on their own standards. Should another branch of service decide to wa [REDACTED] [REDACTED] reenlistment code and accept him for enlistment, the Marine Corps will not object.

Again, thank you for your interest in this matter. If I can be of any further assistance, please let me know.

Very respectfully,

[REDACTED]

Head, Office of Legislative Affairs
Correspondence

Encl:
(1) BCNR Application