



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

ELP
Docket No. 6717-00
14 June 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 for the Board for Correction of Navy Records, sitting in executive session, considered your application on 12 June 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 record reflects that you enlisted in the Navy on 21 July 1992 for four years at age 17. You were honorably released from active duty and transferred to the Naval Reserve on 20 July 1996 and assigned an RE-4 reenlistment code.

You allege that you were told the reason for assignment of an RE-4 reenlistment code was due to a page 13 entry in your record agreeing to extend or reenlist for orders to the USS WASP. You claim in May 1996, you received a humanitarian transfer to the Naval Reserve Center in Columbia, SC rather than a discharge since your enlistment was to expire in July 1996.

On 27 March 2000 you were advised by letter that the microfiche records made available for the Board's review contain little or no evidence of your service history, such as a page 13 entry agreeing to extend or reenlist for orders, or evidence that you received a humanitarian reassignment prior to the expiration of

your enlistment, or a copy of the DD Form 214 that you provided with your application. You were requested to provide copies of the enlisted performance evaluations that are normally given to an individual upon separation. You have not responded to that letter or called the staff member listed in the letter.

Regulations require the assignment of an RE-4 reenlistment code to individuals who fail to acquire sufficient obligated service to complete a minimum tour. Absent further facts surrounding your orders to the USS WASP and corroborating evidence regarding the claimed humanitarian reassignment, a presumption exists that the assigned 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