



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

[REDACTED]
Docket No: 7644-16

OCT 10 2017

[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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 10 July 2017. The names and votes of the members of the panel will be furnished upon request. 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, relevant portions of your naval record and applicable statutes, regulations and policies.

You enlisted in the Navy and began a period of active duty on 18 July 2012. Your evaluation from 16 October 2012 through 1 April 2013, reflects that your chain of command initiated an administrative separation against you on the basis of the convenience of the government (condition not a disability). On 1 April 2013, you were separated with a reentry (RE) code of RE-4, a general characterization of service and with the narrative reason for separation being "Condition, Not a Disability." On 26 March 2014, the Naval Discharge Review Board (NDRB) reviewed your characterization of service and determined that an upgrade to an honorable characterization of service was warranted because your record reflected no misconduct.

The Board considered your request for an upgrade to your RE-4 code, and noted that you state that NDRB previously upgraded your characterization of service from general to honorable. When making its determination, the Board considered that you would like to upgrade your RE-4 code for purposes of reenlistment.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as the absence of misconduct in your service record. The Board also considered that NDRB found that your service was such that an honorable characterization was

warranted. The Board noted, however, that the characterization of one's service does not dictate the type of RE code assigned at discharge. Although your in-service conduct merited an honorable characterization, your separation was based on the convenience of the government for a condition that is not a disability. Your application does not include information that addresses the condition that is not a disability. The Board found that in the absence of specific information about the condition that is not a disability and without evidence that the condition no longer impacts your ability to serve, a change to your RE-4 code is not warranted. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence 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,

[REDACTED]
Executive Director