



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

TRG
Docket No: 4373-98
21 September 1999

[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 9 September 1999. 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 10 September 1992 at age 18. The record shows that during the period from July 1993 to May 1994 you failed the physical readiness test (PRT) on three occasions. On 25 August 1994 you received nonjudicial punishment for absences from a PRT muster and muster for quarters, and were reduced in rate from SA (E-2) to SR (E-1).

Based on your PRT failures, you were processed for an administrative separation. The notification letter informing you of this action stated that the reason for discharge processing was weight control failure. After reviewing this letter, you elected to waive your procedural rights. Subsequently, the commanding officer directed an honorable discharge due to your PRT failures. You were so discharged on 9 September 1994 and were assigned an RE-3T reenlistment code. The narrative reason for discharge was "Failed Physical Standards" with a Separation Program Designator (SPD) of "GFT".

The Board was aware that when an individual is discharged because of weight control failure, an RE-3T reenlistment code may be assigned. When an individual is discharged because he "Failed Physical Standards" an SPD of GFT and RE-3F or an RE-4 reenlistment code must be assigned. An RE-3F or RE-3T reenlistment code means that the individual is recommended for reenlistment except for the disqualifying factor. The RE-4 reenlistment code means that the individual is not recommended for reenlistment.

The Board is also aware that in order to pass the PRT an individual must meet the weight standards and pass the physical fitness test. As indicated in the foregoing, you were notified of separation processing due to weight control failure and did not object to this processing. However, the narrative reason for separation and SPD are consistent with a failure of the physical fitness test. Therefore, the Board could not be certain of the circumstances which led to your discharge.

In reaching its decision, the Board noted that you had received an NJP shortly before your discharge and were an SR at the time of your discharge. This means that a case could be made that an RE-4 reenlistment code was appropriate in your case. However, the Board cannot take any action to your detriment. The RE-3T and RE-3F reenlistment codes may be waived and enlistment authorized if you can demonstrate that the disqualifying factor no longer exists and you are otherwise qualified. Given the circumstances, the Board concluded that a change from one waivable code to another was unnecessary. This is especially true since there is conflicting information concerning the reason you failed the PRT.

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