



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

TRG  
Docket No: 4439-98  
10 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 7 June 1994 at age 20. The record shows that you completed initial training and reported to your first duty station. On 27 February 1995 a psychologist diagnosed you with a dependent personality disorder and recommended your administrative separation because "retention on active duty carries with it the omnipresent risk of suicide."

Subsequently, you were processed for administrative separation. In connection with this processing you elected to waive your procedural rights. After review, the separation authority directed an entry level separation due to the diagnosed personality disorder. You were so separated on 4 April 1995. At that time you acknowledged that you were not eligible for reenlistment and would be assigned an RE-4 reenlistment code.

In your application you contend that your difficulties arose because you were subjected to sexual harassment at your command and did not receive any help in resolving the situation.

Regulations allow for the assignment of an RE-4 reenlistment code when an individual is separated because of a diagnosed personality disorder, and is normally assigned when mental health

professionals believe there is a suicide risk. There is no evidence in the record, and you have submitted none, to show that sexual harassment occurred in your case. Since you have been treated no differently than others separated because of a diagnosed personality disorder, the Board could not find an error or injustice in the assignment of the RE-4 reenlistment code.

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