



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 3729-99

22 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 14 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 15 August 1989 at age 19. The record shows that you were advanced to HN (E-3) on 16 February 1991. The Enlisted Performance Record (Page 9) shows that your performance while on active duty was excellent with an overall trait average of 3.96. You were released from active duty on 14 November 1993 in the rate of HN. At that time you were assigned an RE-3R reenlistment code.

The assignment of an RE-3R reenlistment code is required when an individual does not meet the professional growth criteria by passing the advancement examination for third class petty officer, in your case, the examination for HM3 (E-4). The RE-3R reenlistment code means that you are recommended for a probationary reenlistment, during which you must advance to pay grade E-4.

There is no documentation in your record, and you have submitted none, to show that you passed an advancement examination. If such evidence was available, an RE-1 reenlistment code could be assigned. Since you have been treated no differently than others who are separated in pay grade E-3 and recommended for reenlistment, the Board could not find an error or injustice in

the assignment of the RE-3R 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