



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

TRG  
Docket No: 3650-99  
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 24 November 1997 at age 20. On 2 April 1998, you were diagnosed as being alcohol dependent and were recommended for treatment. However, you refused treatment.

On 1 May 1998 you were notified of separation processing due to alcohol rehabilitation failure. In connection with this processing you elected to waive your procedural rights. Subsequently, the discharge authority directed an honorable discharge and you were so discharged on 15 May 1998. At that time you were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

You have not submitted any evidence to support your contention that you are not an alcoholic. However, even if you had the record would still show that you were diagnosed as alcohol dependent while in the Navy and refused treatment when it was offered.

Regulations state that individuals who refuse treatment after being diagnosed as being alcohol dependent must be considered to be alcohol rehabilitation failures. In addition, regulations

require the assignment of an RE-4 reenlistment code when an individual is discharged due to alcohol rehabilitation failure. Since you have been treated no differently than others discharged for that reason, 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