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

CRS
Docket No: 3076-00
9 June 2000

[redacted]

Dear [redacted]

This is in reference to your application for reconsideration for correction of your naval record pursuant to the provisions of Title 10, 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 6 June 2000. 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 1980 at age 18. The record reflects that you received nonjudicial punishment for dereliction of duty and sleeping on watch. Punishment included a reduction to pay grade E-2. On 18 July 1984 you were honorably separated in pay grade E-2 and transferred to the Naval Reserve. At that time you were assigned a reenlistment code of RE-4. You were honorably discharged from the Naval Reserve on 9 September 1986.

In August 1999 you were granted a waiver of your RE-4 reenlistment code and affiliated with the Naval Reserve. Your present pay grade is BUCN (E-3).

While the Board noted your Naval Reserve affiliation, the Board concluded that the nonjudicial punishment and your inability to be readvanced to pay grade E-3 while on active duty were sufficient to support the assignment of the RE-4 reenlistment code. Further, such a code is routinely assigned to individuals separated in pay grade E-2. The Board thus concluded that there

is no error or injustice in your 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