



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 1365-99

30 June 1999



[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 29 June 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 reenlisted in the Navy on 17 October 1988 for six years. During this enlistment you were advanced in rate to EM1 (E-6) and served in an excellent manner. In 1992 you elected separation under the provisions of the special separation benefit (SSB) program. You were honorably discharged on 1 June 1992 and were paid an SSB of \$32,632.33. At that time you had completed 11 years and 7 months of active service. The DD Form 214 shows that you were assigned a separation program designator (SPD) of KCB and an RE-3Z reenlistment code.

In your application you state that you are now a member of the National Guard and are being denied active service because of the RE-3Z reenlistment code.

As indicated in the enclosed page from the regulations, RE-3Z is the only authorized reenlistment code when an individual receives an early discharge under the provisions of the SSB program. Since you have been treated no differently than others separated for that reason, the Board could not find an error or injustice in the assignment of the RE-3Z reenlistment code. Accordingly,

in the assignment of the RE-3Z reenlistment code. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

The Board noted that there is nothing derogatory in your record and the only reason you were assigned the RE-3Z reenlistment code was because you received SSB. The Board believed that if you were otherwise qualified and your services were needed, a waiver of this code would be appropriate. However, this is a decision that must be made by military authorities.

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

Enclosure

4. VOLUNTARY DISCHARGE ALLOWED BY ESTABLISHED DIRECTIVE (CONTINUED)

| SPD CODE | NARRATIVE REASON | MILPERSMAN AUTHORITY | REENL CODE | NAVY LOSS CODE | | | VOID | EXPLANATION |
|-------------|--|-------------------------|---|------------------|------------|-----|------|--|
| | | | | ELS | HON | GEN | | |
| KCB | EARLY RELEASE PROGRAM - SPECIAL SEPARATION BENEFIT (SSB) | 3620100 | RE-3Z | 813 | 853 | | | When a member separates under the Special Separation Benefit (SSB) Program. (AS DIRECTED BY CHNAVPERS.) |
| KCC | REDUCTION IN FORCE | 3620100 | RE-R1 RE-1 RE-3F RE-3M RE-3R RE-3T RE-4 RE-5 RE-6 RE-7 | (1)803 (2)813 | 842 853 | | | General demobilization, strength or force reductions. (1) Within 3 months of EAOS. (2) Other reasons. |
| KCF | TO ATTEND SCHOOL | 3620200 | RE-R1 RE-1 RE-3M RE-3R RE-4 RE-6 RE-7 | 802 | 842 | | | To attend educational facility. |
| KCM | CONSCIENTIOUS OBJECTOR | 3620200 | RE-3C RE-4 | 970 | 813 | 853 | | Conscientiously opposed to participation in war in any form. |
| KCP | ALIEN | 3620250 | RE-3A RE-4 | 970 | 813 | 853 | | Non-citizen of United States or fails to complete naturalization procedures. |
| KCQ | SURVIVING FAMILY MEMBER | 3620240 | RE-3S RE-4 | 970 | 913 | 853 | | See MILPERSMAN Article 3620240 for criteria. |

Enclosure (2)

ENLISTED