



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

BAN
Docket No: 05384-09
26 April 2010

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 with attachments
(2) Case summary
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the United States Navy, filed enclosure (1) with this Board requesting, in effect, that his RE-4 reenlistment code be changed from RE-4 to RE-3F on 17 August 2006.

2. The Board, consisting of Messrs. [REDACTED] and [REDACTED] and Ms. [REDACTED] reviewed Petitioner's allegations of error and injustice on 7 April 2010 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Petitioner enlisted in the Navy on 21 August 1995, and served without disciplinary incident. However, Petitioner failed the physical readiness test (PRT) three times within a four year period and was processed for an administrative separation. He did not object to his separation and received severance pay as a result of 11 years of service. Therefore, on 17 August 2006, he was separated at the end of his obligated service with an honorable discharge and an RE-4 reenlistment code due to his PRT

failures. However, Petitioner claims that his RE-4 reenlistment code was erroneous and should have been RE-3F (failed the PFA).

CONCLUSION:

Upon review and consideration of all the evidence of record the Board concludes that Petitioner's request warrants favorable action. The Board believes that since he was separated due to his PRT failures, the correct reenlistment code should have been RE-3F vice RE-4. Additionally, the Board noted that Petitioner did not have any disciplinary issues and his work performance was outstanding based on his evaluations. Therefore, the Board concludes that his RE-4 reenlistment code should be changed to RE-3F, and his separation code should be changed from JGH to JBK. In view of the above, the Board recommends the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that he received an RE-3F on 17 August 2006 vice an RE-4 reenlistment code now of record.

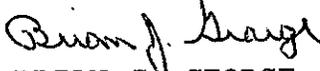
b. That Petitioner's separation code be changed to JBK vice JGH.

c. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed, or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

d. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of Petitioner's naval record.

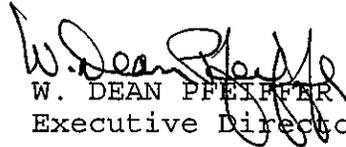
4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32) Code of Federal Regulations, Section 723.6(c) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


BRIAN J. GEORGE
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of

Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.


W. DEAN PFEIFFER
Executive Director