



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

SMC  
Docket No: 02530-01  
14 June 2001

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

Subj: EX-EO3 [REDACTED], USNR [REDACTED]  
REVIEW OF NAVAL RECORD

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

Encl: (1) DD Form 149 dtd 27Mar01 w/attachments  
(2) NPC memo 5730 PERS 91 dtd 22May01  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected by changing his NAVPERS 1070/615 (Inactive) ("Record of Discharge from the U.S. Naval Reserve") (copy at Tab A), reflecting his discharge on 20 March 1998, to show he was recommended for reenlistment. Paragraph 3, first sentence of this document reads "You are NOT recommended for reenlistment."

2. The Board, consisting of Messrs. Bishop, Lightle and Neuschafer, reviewed Petitioner's allegations of error and injustice on 14 June 2001, 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. In correspondence attached as enclosure (2), the Navy Personnel Command office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected by amending as follows his NAVPERS 1070/615 (Inactive) ("Record of Discharge from the U. S. Naval Reserve"), reflecting his discharge on 20 March 1998:

Paragraph 3, first sentence: Remove the word "NOT," so the sentence as corrected will read as follows: "You are recommended for reenlistment."

b. 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.

c. 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

*Jonathan S. Ruskin*  
JONATHAN S. RUSKIN  
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 Regulations, 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

2530-01



DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND  
5720 INTEGRITY DRIVE  
MILLINGTON TN 38055-0000

5730  
PERS 91  
22 May 01

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION  
OF NAVAL RECORDS

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: REQUEST FOR ADVISORY OPINIONS IN THE CASE OF  
FORMER [REDACTED], USNR, [REDACTED]

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

Encl: (1) BCNR File 02530-01

1. Per reference (a) enclosure (1) is forwarded with the following comments and recommendations.

a. We support [REDACTED]'s request. After reviewing his record we recommend changing paragraph 3 line one to read "You are recommended for reenlistment." Our research indicates no justification or reason for a "Not Recommended for Reenlistment" to be entered on the NAVPERS 1070/615.

2. Additional questions may be directed to [REDACTED]

[REDACTED]

Director, Naval Reserve Personnel  
Administration Division