



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

SMW

Docket No: 10560-07

31 July 2008

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) Case Summary

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the Navy, applied to this Board requesting to change his RE-4 reenlistment code that was assigned on 1 March 2007, when he was honorably discharged.

2. The Board, consisting of Ms. [REDACTED], Mr. [REDACTED] and Mr. [REDACTED] reviewed Petitioner's allegations of error and injustice on 30 July 2008, and pursuant to its regulations, determined that the limited 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's application was filed in a timely manner.

c. On 8 June 2001, Petitioner enlisted in the Navy at age 18. He then served without incident and performed his duties in an exemplary manner. On 15 November 2005, a service record entry was made which stated that he was not being retained due to his third failure to meet body composition and physical readiness standards in the prior four years.

d. On 5 December 2006, Petitioner's commanding officer initiated administrative separation by reason of physical standards. In connection with this processing, he acknowledged the separation action. On 2 February 2007, his officer in charge endorsed the discharge recommendation and stated that Petitioner's work ethics and professionalism were paramount. On 7 February 2007, the separation authority approved the discharge recommendation and directed an honorable discharge by reason of physical standards and assignment of an RE-3F reenlistment code. On 22 February 2007, Petitioner received his last performance evaluation in which the reporting senior stated that he would have given him a recommendation for retention if it were based solely on job performance. On 1 March 2007, he was honorably discharged by reason of physical standards and assigned an RE-4 reenlistment code.

e. In his application, Petitioner states that regulations authorize assignment of an RE-3F reenlistment code for service members who are discharged due to physical standards. He further states that he believes that his service record does not warrant an RE-4 reenlistment code.

f. Regulations authorize assignment of an RE-3F reenlistment code to service members who are discharged due to physical standards unless an RE-4 is warranted by service record.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants relief. Specifically, the Board finds that his overall service record did not warrant an RE-4 reenlistment code. In this regard, he had no disciplinary actions and his performance was exemplary with the exception of his failure to meet physical standards. The Board further finds that the separation authority directed assignment of an RE-3F reenlistment code. Accordingly, the Board concludes that Petitioner's record should be corrected to show that he was assigned an RE-3F reenlistment code.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that he was assigned an RE-3F reenlistment code on 1 March 2007, vice the RE-4 actually assigned on that date.

b. That this Report of Proceedings be filed in Petitioner's naval record.

4. 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.


FOR W. DEAN PFEIFFER
Executive Director