



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

TJR  
Docket No: 5400-08  
19 February 2009

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

Subj: REVIEW NAVAL RECORD OF [REDACTED]

Ref: (a) 10 U.S.C. 1552  
(b) BUPERSINST 1900.8C

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 Navy, filed enclosure (1) with this Board requesting that her reenlistment code be changed.

2. The Board, consisting of Mses. [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 18 February 2009 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. Enclosure (1) was filed in a timely manner.

c. Petitioner enlisted in the Navy Reserve on 20 June 2000 at age 23 and began a period of active duty on 29 June 2000. She served without disciplinary incident and was advanced to paygrade E-5.

d. Petitioner's record contains two performance evaluations for periods from 16 July 2002 to 3 May 2004, both of which recommended her for advancement and retention.

e. On 25 June 2004, while serving as a petty officer second class, Petitioner was honorably released from active duty and transferred to the Navy Reserve upon completion of her active service. At that time she was assigned an RE-4 reenlistment code, presumably by a personnel support detachment, which was not the command where she served. On 19 June 2008, at the expiration of her obligated service, she was honorably discharged. At that time she was not recommended for reenlistment based solely on the RE-4 reenlistment code which was assigned at the time of her release from active duty.

f. Reference (b) authorizes an RE-1 reenlistment code for a Sailor, such as Petitioner, who was recommended for advancement and retention at the time of his/her release from active duty.

#### CONCLUSION:

Upon review and consideration of all the evidence of record the Board concludes that Petitioner's request warrants favorable action.

The Board notes that Petitioner served satisfactorily and without disciplinary infractions. The Board believes that the RE-4 reenlistment code assigned at the time of Petitioner's release from active duty was an error and that the nonrecommendation for reenlistment at the time of her discharge was based solely on this error. As such, the Board concludes that an RE-1 reenlistment code is appropriate for a Sailor who is recommended for advancement and retention when released from active duty. Accordingly, the Board believes that an RE-1 is now the most appropriate reenlistment code for Petitioner's situation.

#### RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that she was assigned an RE-1 reenlistment code on 25 June 2004 vice the RE-4 actually assigned on that date.

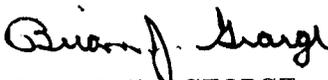
b. That Petitioner's naval record be corrected to show that she was recommended for reenlistment on 19 June 2008 vice the "Not recommended for reenlistment" as reflected on her Record of Discharge from the U. S. Navy Reserve (Inactive) certificate, NAVPERS 1070/615).

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 purposes, with no cross references being made a part of 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.

  
W. DEAN PFEIFFER  
Executive Director