



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

CRS
Docket No: 8462-08
26 March 2009

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

Subj: FORMER [REDACTED]
REVIEW OF NAVAL RECORD

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

Encl: (1) Case Summary
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner applied to this Board requesting his naval record be corrected by changing the reentry code he was assigned on 26 November 1993.

2. The Board, consisting of Ms. [REDACTED], Mr. [REDACTED] and Mr. [REDACTED] reviewed Petitioner's allegations of error and injustice on 7 January 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. Petitioner enlisted in the Navy on 22 November 1989. He was honorably released from active duty and transferred to the Navy Reserve on 26 November 1993 in grade E-3, after being reduced at nonjudicial punishment. At the time of his discharge he was recommended for reenlistment and advancement. He was assigned a reentry code of RE-3R.

c. OPNAV Instruction 1160.5C, in effect at that time, provided that an individual who had formerly been a petty officer officer in the current enlistment and was currently recommended for advancement to pay grade E-4 satisfied professional growth criteria for the first enlistment. Such an individual would have been eligible for a reentry code of RE-1. Individuals serving in pay grade E-3 who failed to meet professional growth criteria for the first enlistment but were eligible in all other respects and recommended for advancement would be assigned a reentry code of RE-3R.

CONCLUSION:

Upon review and consideration of all the evidence of record the Board concludes that Petitioner's request warrants favorable action. The Board concludes that a reentry code of RE-1 should now be assigned since he had formerly been a petty officer and was recommended for reenlistment and advancement at his discharge, thus satisfying professional growth criteria for first enlistment.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that on 26 November 1993, he was assigned a reentry code of RE-1.

b. That a copy of 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



JAMES R. EXNICIOS
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