



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

TAL  
Docket No: 01907-09  
30 November 2009

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  
(b) OPNAVINST 1160.5C

Encl: (1) DD Form 149  
(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 a change in her RE-4 reenlistment code.

2. The Board, consisting of Mr. [REDACTED], Mr. [REDACTED], and Mr. [REDACTED] reviewed Petitioner's allegations of error and injustice on 18 November 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. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to waive the statute of limitations and review the application on its merits.

c. Petitioner enlisted in the Navy on 30 March 2004. During her brief enlistment, she served without disciplinary incident, was advanced to paygrade E-3, and received a National Defense Medal, a Battle E Ribbon and a Global War on Terrorism Service Medal.

d. Petitioner submitted a request for hardship discharge through her chain of command to take care of her mother who was in failing health. The discharge authority directed an honorable discharge by reason of convenience of the government due to hardship and assigned a reenlistment code of RE-4. Petitioner was discharged on 11 May 2005.

e. In her application, Petitioner contends that she wants to reenlist to complete her obligation to the Navy or join the Navy Reserves.

f. The reenlistment code of RE-4 means that Petitioner is not recommended for reenlistment. However, she could have been assigned a code of RE-3H, meaning that she was discharged due to hardship.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action based upon her overall record of military service. The Board therefore concludes that no useful purpose is served by assignment of the most restrictive reenlistment code of RE-4, and the RE-3H code more accurately reflects the quality of her service.

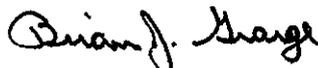
RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that on 11 May 2005 Petitioner was issued a RE-3H reenlistment code vice the RE-4 actually issued on that date.

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

  
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