



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

CRS
Docket No: 4866-09
27 July 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) DD Form 149
(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 13 June 2008.

2. The Board, consisting of Ms. [REDACTED], Mr. [REDACTED], and Mr. [REDACTED] reviewed Petitioner's allegations of error and injustice on 8 July 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 5 February 2008. On 5 June 2008 his commanding officer directed separation based on his being diagnosed with a heart murmur. On 15 June 2008 he received an entry level separation by reason of a defective enlistment agreement because he did not qualify for service as an aircrewman due to the heart murmur. He was assigned a reentry code of RE-3R.

c. An RE-3R reentry code is assigned to individuals when discharged for a defective enlistment agreement. An RE-1 reentry code means that the individual is fully qualified for reenlistment.

CONCLUSION:

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

action. In this regard, the Board notes that Petitioner's record was free of any disciplinary action during his period of service. In addition, the Board concludes that the RE-3R reentry is inappropriate given the circumstances of Petitioner's case. Although he was not qualified for service as an aircrewman, it appears that he was physically qualified for general service and that it would be appropriate and just to change his reentry code to RE-1.

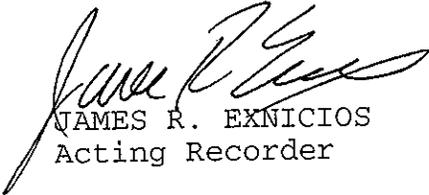
RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that on 13 June 2008, he was assigned an RE-1 reentry code instead of the RE-3R reentry code actually assigned on that date.

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

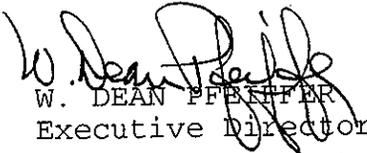
4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder



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