



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

TAL  
Docket No: 12221-09  
25 August 2010

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 his RE-4 reenlistment code which was issued on 15 January 2008.

2. The Board, consisting of Mr. [REDACTED], Ms. [REDACTED] and Mr. [REDACTED], reviewed Petitioner's allegations of error and injustice on 18 August 2010 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 25 February 2004 and served honorably for over three years and ten months. He received a National Defense Service Medal, a Global War on Terrorism Service Medal, a Good Conduct Medal, a Sea Service Deployment Ribbon, a Navy and Marine Corps Achievement Medal, an Iraqi Campaign Medal, and a Navy Rifle Sharpshooter Ribbon.

c. Petitioner submitted a request through his chain of command for an early discharge from active duty to attend

college. The discharge authority approved his request, directed an honorable discharge to attend school and assigned a reenlistment code of RE-4. He was discharged on 15 January 2008.

d. In his application, he states that he wants to reenlist. The reenlistment code of RE-4 means that Petitioner is not recommended for reenlistment. However, his last two evaluation reports show he was recommended for retention and he had no disciplinary action during this enlistment.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action based upon his 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-1 code more accurately reflects the quality of his service.

RECOMMENDATION:

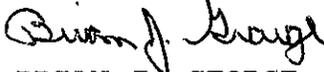
a. That Petitioner's naval record be corrected to show that on 15 January 2008 Petitioner was issued a RE-1 reenlistment code vice the RE-4 actually issued on that date.

b. 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.

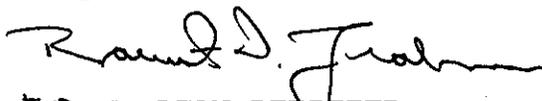
c. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of Petitioner's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) 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 PFEFFER  
Executive Director