



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

SJN
Docket No: 04892-12
27 March 2013

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

Subj: REVIEW OF NAVAL OF RECORD [REDACTED]

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

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 a change in her RE-4 (not recommended for retention) reentry code, that was issued on 27 December 2010.

2. The Board, consisting of Ms. Bianchi, Ms. Trucco, and Mr. Hedrick, reviewed Petitioner's allegations of error and injustice on 26 March 2013 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 and began a period of active duty on 17 March 2004. She served over six years without disciplinary action, was awarded two Navy and Marine Corps Achievement Medals, a Good Conduct Medal, was advanced to petty officer second class, and her evaluations reflect generally satisfactory performance.

d. On 27 December 2010, Petitioner signed an enlisted performance evaluation for the period 16 March to 27 December 2010 in which she was not recommended for advancement or retention. That evaluation assigned adverse marks in the category of military bearing, but satisfactory marks in all other categories. The evaluation also notes that she was unable to participate in physical readiness due to pregnancy, and was unable to meet one or more physical readiness standards. She was honorably discharged on 27 December 2010. At that time, she was assigned an RE-4 reentry code. In this regard, the reentry code of RE-4 means that she is not recommended for reenlistment. However, she could have been assigned a code of RE-3F, meaning that she failed to meet established physical readiness standards per prescribed Navy regulations.

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 Petitioner's overall record of military service, including over six years of honorable service without any disciplinary infractions. Further, she was advanced in rate to second class petty officer and awarded two Navy and Marine Corps Achievement Medals and a Good Conduct Medal. The Board therefore concludes that no useful purpose is served by assignment of the most restrictive reentry code of RE-4, and assignment of the RE-3F more accurately reflects the quality of her service. The RE-3F reentry code may not prohibit reenlistment, but requires that a waiver be obtained from recruiting personnel who are responsible for reviewing the feasibility of satisfying the Navy's personnel manning goals by determining whether or not an individual meets the standards for reenlistment. If she wishes to reenlist, re-affiliate, or be reinstated in the Navy, she would need to contact the Navy Recruiting Command via her nearest recruiting facility. In view of the above, the Board directs the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that on 27 December 2010, she was issued an RE-3F reentry 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.

c. That upon request, the Department of Veterans Affairs be informed that Petitioner's application was received on 2 May 2012.

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.


ROBERT D. ZSALMAN
Acting Executive Director