



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

SJN
Docket No: 04679-13
5 June 2014

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
(b) OPNAVINST 1160.5C

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 his RE-4 (not recommended for reenlistment) reentry code, which was issued on 13 April 2013. He requested that it be changed to RE-1 (recommended for retention).

2. The Board, consisting of Mr. Gattis, Mr. Grover, and Ms. Trucco, reviewed Petitioner's allegations of error and injustice on 3 June 2014 and, pursuant to its regulations, determined that the limited 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 and began a period of active duty on 14 April 2009. The Board found that based on his record, he served without incident for four years, was awarded the Good Conduct Medal, and was honorably released from active duty at the completion of his required service on 13 April 2013 and transferred to the Navy Reserve. At that time he was recommended for promotion and continued service in the Navy Reserve, and assigned an RE-4 reentry code.

c. Reference (b) sets forth the Department of the Navy's policy, standards, and procedures for separating enlisted service members at the expiration of their obligated service. Professional growth criteria must be met before an individual may reenlist. The instruction states, in part, as follows:

To satisfy professional growth criteria for the first reenlistment... the member must be: (1) serving as a petty officer or, (2) serving in paygrade E-3 having passed and examination for advancement to paygrade E-4 and be currently recommended for advancement, or (3) have formerly been a petty officer in current enlistment and be currently recommended for advancement to paygrade E-4. Failure to meet the professional growth criteria may result in denial of further extensions or reenlistment.

An individual separated in paygrade E-3 who fails to meet the above criteria may receive an RE-3R (professional growth criteria) reentry code if recommended for advancement to paygrade E-4 at the time of separation. If not, the individual must be assigned an RE-4 reentry code. Such a code may also be assigned if the commanding officer does not recommend the individual for reenlistment.

d. A review of available records does not indicate if Petitioner had taken and/or passed an advancement exam. However, he was recommended for promotion and retention on his separation evaluation. In this regard, the reentry code of RE-4 means that he is not recommended for promotion or reenlistment. However, he could have been assigned a code of RE-3R, meaning that he failed to meet the professional growth criteria.

CONCLUSION:

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

In this regard, the Board notes Petitioner's overall record of military service, including four years of service with no disciplinary action and the award of the Good Conduct Medal. Further, he was recommended for promotion and retention. The Board therefore concludes that no useful purpose was served by assignment of the most restrictive reentry code of RE-4, and assignment of the RE-3R code more accurately reflects the quality of his service.

The RE-3R 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 he wishes to reenlist, re-affiliate, or be reinstated in the Navy, he would have to contact the Navy Recruiting Command via his nearest recruiting facility.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that on 13 April 2013, he was issued a RE-3R reentry code vice the RE-4 reentry code actually issued on that date.

b. That no further relief be granted.

c. That a copy of this report of proceedings be filed in Petitioner's naval record.

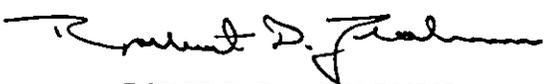
d. That upon request, the Department of Veterans Affairs be informed that Petitioner's application was received on 9 April 2013.

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