



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

[REDACTED]
Docket No: 6507-16
JUN 27 2017

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]
[REDACTED] USN, [REDACTED]

Ref: (a) 10 U.S.C. §1552

Encl: (1) DD Form 149 (NR20160006507)
(2) Case summary

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the Navy filed enclosure (1) with this Board requesting correction to Certificate of Discharge, to include a change to his reenlistment (RE) code of RE-4 to RE-1. Enclosure (2).

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 10 April 2017 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 review the application on its merits.

c. Petitioner enlisted in the Navy on 1 January 1983, and performed 7 years and 10 months of inactive service, and approximately 13 years of active service prior to his honorable discharge on 5 June 2001.

d. In November 2000, while assigned to duty onboard the [REDACTED] Petitioner's record indicates that his performance began to decline, with a shift from being a highly motivated petty officer to an average performer.

e. In January 2001, Petitioner began to suffer insomnia due to high levels of stress.

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[REDACTED] USN, [REDACTED]

f. On 20 February 2001, Petitioner submitted a chit requesting a temporary transfer from his current work assignment to a different division. The chit was denied. On 28 February 2001, Petitioner submitted a leave chit which was also denied.

g. In his request for correction to his record, Petitioner states that upon receipt of the disapproved leave chit, he "broke down." He was admitted to [REDACTED] Medical Center where he spent two weeks receiving treatment for situational depression and insomnia.

h. Upon returning to the [REDACTED] Petitioner was informed that he was being recommended for separation on the grounds of having a "long standing personality disorder."

i. On 5 June 2001, Petitioner was discharged from the Navy with an honorable characterization of service, on the basis of Personality Disorder and received an RE-4 code.

j. The Board, in its review of Petitioner's entire record and application, carefully weighed all potentially mitigating factors, such as Petitioner's contention that he sought a second opinion to the diagnosis of Personality Disorder prior to his discharge, but that the doctor with whom he spoke did not want to refute the original diagnosis given at [REDACTED]

k. The Board noted that Petitioner's diagnosis of depression was situational and concluded that based on his honorable performance of duty for well over a decade Petitioner has proven his capacity to contribute to the Navy. The Board found that an RE-1 was not warranted, but that Petitioner's record should be corrected to reflect an RE-3G, Condition (not a physical disability), instead of an RE-4.

l. The Board determined that an RE-3G, a waivable medical code, is reflective of Petitioner's in-service diagnosis, but still affords him the opportunity to seek reenlistment upon appropriate authorization.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of Petitioner's honorable service record and in-service medical diagnosis, the Board concludes that Petitioner's request warrants partial relief.

In this regard, the Board concludes that that relief in the form of a change to Petitioner's RE-4 code to RE-3G is warranted. In view of the above, the Board directs the following corrective action.

RECOMMENDATION:

That Petitioner's naval record be corrected to show that on 5 June 2001, he received an RE-3G reenlistment code.

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It is further directed that he be issued a new DD Form 215, Correction to Certificate of Release or Discharge from Active Duty (DD Form 214).

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

That, upon request, the Department of Veterans Affairs be informed that Petitioner's application was received by the Board on 22 July 2016.

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.

[REDACTED]
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.

[REDACTED]
Executive Director