



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

[REDACTED]  
Docket No: 5481-22

Ref: Signature date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED], USN,  
XXX-XX [REDACTED]

Ref: (a) 10 U.S.C. § 1552  
(b) SECDEF Memo of 3 Sep 14 (Hagel Memo)  
(c) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149 w/ enclosures

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board) requesting upgrade of his characterization of service and reentry code. Enclosure (1) applies.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 12 August 2022, and, pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, applicable statutes, regulations, and policies, to include the references.

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. Although Petitioner's application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider the case on its merits.

b. Petitioner enlisted in the Navy and began a period of active duty on 20 September 2005. His recruit training was medically interrupted due to hospitalization after he lost consciousness. He was diagnosed with syncope and mitral regurgitation, for which he was informed that he could request a medical waiver. However, Petitioner declined to request a waiver and was subsequently counseled that he was not eligible for reenlistment without prior approval of Naval Personnel Command and may require a waiver for any other branch of service. He was processed for an entry-level administrative separation due to failure of medical / physical

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procurement standards with assignment of an "RE-4" reentry code. Petitioner was discharged with net active service of 64 days and "Uncharacterized" service on 23 November 2005.

c. Petitioner contends that he had no heart-related medical issues prior to recruit training or after he returned home and states that he would like to be eligible to be considered for reenlistment or for Federal employment. In support of his claim, he provides medical records of an echocardiogram report, from 8 December 2005, which indicates not only his in-service disqualifying condition of mitral regurgitation but also tricuspid regurgitation.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concluded that Petitioner's request warrants favorable action in the form of partial relief with respect to his reentry code. The Board reviewed his application under the guidance provided in the references.

The Board noted that Petitioner was advised of and given the opportunity to request a waiver, which clearly indicates that his condition was eligible for consideration of a waiver rather than distinctly prohibitive. There is no indication of misconduct in his record; rather, he failed to complete his initial recruit training due to medical reasons and was separated after not requesting waiver of his medical condition. Accordingly, the Board determined that the assigned reentry code of "RE-4" is unduly harsh and prohibitive and concluded that a reentry code of "RE-8" would be more appropriate.

With respect to Petitioner's request that his characterization of service be upgraded, the Board observed that Petitioner was processed for an entry-level separation with less than 180 days of service and found no evidence of error or injustice in his service remaining uncharacterized in accordance with applicable agency policy and regulation.

In view of the foregoing, the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

That Petitioner be issued a Correction to Certificate of Release or Discharge from Active Duty (DD Form 215) reflecting a reentry code of "RE-8."

That no further changes be made to Petitioner's record.

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.

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

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XXX-XX-[REDACTED]

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.

9/8/2022

[REDACTED]

Executive Director

Signed by: [REDACTED]