

DEPARTMENT OF THE NAVY

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

TLG

Docket No. 7594-22 Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW NAVAL RECORD OF FORMER MEMBER R

USMC

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

Encl: (1) DD Form 149 with attachments

(2) Case summary

(3) Subject's naval record (DD Form 214)

- 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 that his naval record be corrected by reflecting his correct reentry code on his Certificate of Release or Discharge from Active Duty (DD Form 214). Enclosures (1) through (3) apply.
- 2. The Board, consisting of particle, 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.
- 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 waive the statute limitation and review the application on its merits.
- c. Petitioner enlisted in the Marine Corps and entered active duty on 30 November 1971. On 20 February 1973, Petitioner signed a Page 11 acknowledging not being recommended for reenlistment due to his attitude.
- d. On 29 November 1973, Petitioner was discharged with Honorable characterization of service by reason of completion of required active service with an RE-3E reentry code.
 - e. Petitioner contends that his RE-3E reentry code is incorrect.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action. The Board notes that a review of Petitioner's record revealed that the RE-3E reentry code assigned to the Petitioner is incorrect. In this regard, a RE-3E reentry code is assigned to an individual when the single disqualifying factor is failure to meet educational standards. As a result, the Board concluded that relief is warranted in the form of changing his RE-3E reentry code to RE-1A is appropriate in light of his Honorable characterization of service and lack of any misconduct or failure to meet educational standards.

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

RECOMMENDATION:

That Petitioner's naval record is corrected to show that Petitioner was issued an "RE-1A" reentry code on 29 November 1973.

Petitioner be issued a Correction to DD Form 214, Certificate of Release or Discharge From Active Duty (DD Form 215) reflecting the change to his reentry code.

That no further changes be made to the 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 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.

