



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

██████████
Docket No: 8515-22

Ref: Signature date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER ██████████
██████████ USN, ██████████

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

Encl: (1) DD Form 149
(2) Naval record (excerpts)

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 to her naval record, specifically, to correct the record to reflect the proper spelling of her first name and to change her reentry code to RE-2 on her Certificate of Release or Discharge from Active Duty (DD Form 214).

2. The Board, consisting of ██████████, ██████████, reviewed Petitioner's allegations of error and injustice on 14 December 2022, and, pursuant to its regulations, determined that the partial corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of the service records, 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 and began a period of active service on 1 November 2000. At the time of her enlistment, her name was ██████████. On 3 May 2003, Petitioner's record indicates a name change to ██████████. On 24 August 2006, Petitioner's record indicates a name change to ██████████.

d. On 30 April 2005, Petitioner was counseled for failure to meet body composition assessment standards.

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[REDACTED] USN, [REDACTED]

e. On 12 March 2007, Petitioner received non-judicial punishment (NJP) for failure to obey a lawful order. The following day, Petitioner was counseled regarding her misconduct, specifically her unauthorized use of a government travel card and failure to display the honesty and integrity expected of all members of the U.S. Navy. She was notified further deficiencies may result in administrative separation proceedings. On 25 October 2007, Petitioner was notified of the initiation of administrative separation proceedings by reason of misconduct due to the commission of a serious offense and physical assessment failure. The least favorable characterization of service possible was general (under honorable conditions). Petitioner waived her right to counsel or make a statement on her behalf. On 8 January 2008, her commanding officer recommended her separation with an honorable character of service based on her twice failing the physical fitness assessment and her failure to make reason progress on the fitness enhancement program.

f. On 8 November 2007, the separation authority directed Petitioner's discharge with an honorable characterization of service, physical standards narrative reason for separation, and RE-4 reentry code.

g. Upon her discharge on 30 November 2007, Petitioner was issued a DD Form 214 with her name erroneously spelled as [REDACTED].

CONCLUSION:

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

In regards to the issue of Petitioner's first name on her DD Form 214, the Board determined that the spelling of her first name as [REDACTED] is an error and should be corrected.

In regards to Petitioner's request to change her reentry code to RE-2, the Board noted that based on Petitioner's narrative reason for discharge, regulations authorized either reentry code of RE-4 (Ineligible for reenlistment) or RE-3F (Failed the physical fitness assessment (PFA)). The separation authority directed an RE-4 reentry code based upon Petitioner's repeated failure of the PFA and her inability to meet body composition standards. The Board found no error or injustice in the issuance of a RE-4 reentry code. Additionally, Petitioner did not provide any justification why the code should be changed now, 15 years after her discharge.

RECOMMENDATION:

In view of the above, the Board directs the following partial corrective action:

Petitioner be issued a Correction to Certificate of Release or Discharge from Active Duty DD Form 214 (DD Form 215) which reflects the name [REDACTED]

That no further changes be made to the record.

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[REDACTED] USN, [REDACTED]

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.

1/9/2023

[REDACTED]

Executive Director

[REDACTED]