



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

█
Docket No. 1685-24
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, XXX-XX-█

Ref: (a) 10 U.S.C. § 1552
(b) SECDEF memo, "Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations," of 25 July 2018 (Wilkie Memo).

Encl: (1) DD Form 149 with attachments
(2) Case summary

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 reentry code be changed on his Certificate of Release or Discharge from Active Duty (DD Form 214). Enclosure (2) applies.

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 4 March 2024, and, pursuant to its regulations, determined the 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 his naval service records, and applicable statutes, regulations, policies to include reference (b).

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 duty on 20 November 2006. On 18 January 2007, Petitioner was discharged with an Uncharacterized (Entry Level Separation) by reason of fraudulent entry into military service and assigned an RE-4 reentry code.

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d. On 19 September 2018, the Naval Discharge Review Board (NDRB) denied the Petitioner's request for a discharge characterization upgrade. However, the NDRB changed Petitioner's narrative reason for separation from "Fraudulent Entry" to "Erroneous Entry," with a corresponding separation code of "JFC." However, the reentry code shall remained unchanged. On 4 April 2019, Petitioner was issued a Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215) reflecting the previous changes decided by the NDRB. On 24 March 2021, this Board denied Petitioner's request for a reentry code change.

d. Petitioner is requesting a reentry code change to one that fits his narrative reason for separation.

CONCLUSION:

Upon review and consideration of the evidence of record, the Board determined Petitioner's request warrants partial relief. Specifically, the Board determined Petitioner's DD Form 214 contains an error since his reentry code is not in line with his narrative reason for separation. The Board noted Petitioner is requesting his reentry code be change to "RE-3F," which corresponds to "Physical Standards" as narrative reason for separation. Based on existing regulations, the Board determined that an "RE-8" code is most appropriate for his new "Erroneous Entry" narrative reason for separation.

RECOMMENDATION:

That Petitioner be issued a "Correction to DD Form 214, Certificate of Release or Discharge from Active Duty" (DD Form 215) reflecting a change to his reentry code from "RE-4" to "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 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.

3/21/2024

