

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 25 October 2024

DOCKET NUMBER: AR20240004132

APPLICANT REQUESTS: amendment of the Reentry (RE) Code on his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show RE-1.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:  
DD Form 149 (Application for Correction of Military Record)

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.
2. The applicant states the change is requested so that he can apply for reenlistment. He believes the "NA" entry next to the RE Code is a clerical error.
2. The applicant enlisted in the U.S. Army Reserve on 11 September 2008.
  - a. He entered active duty for training (ADT) on 5 November 2008 and completed training for award of military occupational specialty 35M (Human Intelligence Collector).
  - b. He was honorably released from ADT on 2 July 2009 after completing basic combat and MOS training of 7 months and 2 days and returned to the control of his U.S. Army Reserve unit. His DD Form 214 shows in:
    - Block 26 (Separation Code) MBK
    - Block 27 (Reentry Code) NA
    - Block 28 (Narrative Reason for Separation) Completion of Required Active Service
  - c. He was honorably discharged from the U.S. Army Reserve on 13 September 2016. His DA Form 5016 (Chronological Statement of Retirement Points), shows he completed 6 qualifying years of service for non-regular retirement.

3. AR 635-5 (and now AR 635-8) states the following regarding RE codes for Reserve Component Soldiers. For Item 27 (RE Code), AR 601–210 determines Regular Army and U.S. Army Reserve reentry eligibility and provides regulatory guidance on the RE codes. These codes are not applicable to officers, USMA cadets who fail to graduate or enter USMA from active duty status, or to RC soldiers being separated for other than cause.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition, and executed a comprehensive review based on law, policy, and regulation. The evidence of record shows the applicant was honorably released from active duty training on 2 July 2009 for completion of required training with separation code MBK. The Board concluded the corresponding reentry code should be 1 for a Soldier honorably released from active duty training for completion of required training and therefore granted relief.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

█	█	█	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending item 27 (Reentry Code) of her DD Form 214 to show RE-1.

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I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.
2. Army Regulation 635-5 (Separation Processing and Documents) provides for the processing of the DD Form 214. Chapter 5 states for Item 27(REENTRY CODE), Army Regulation 601-210 determines RA and USAR reentry eligibility and provides regulatory guidance on the RE codes. These codes are not applicable to officers, U.S. Military Academy (USMA) cadets who fail to graduate or enter USMA from active duty status, or to RC soldiers being separated for other than cause.
3. Army Regulation 635-5-1 (Separation Program Designator (SPD) Codes) provides the specific authorities (regulatory or directive), reasons for separating Soldiers from active duty, and the SPD codes to be entered on the DD Form 214. It identifies the SPD code of "MBK" as the appropriate code to assign enlisted Soldiers who are released from active duty for completion of their required service in accordance with Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), chapter 4.
4. Army Regulation 601-210, Active and Reserve Components Enlistment Program, covers eligibility criteria, policies, and procedures for enlistment and processing in the Regular Army, U.S. Army Reserve, and Army National Guard. It determines Regular Army and Reserve reentry eligibility and provides regulatory guidance for the RE codes. Table 3-1 contains a list of RE codes.
  - a. RE-1 applies to Soldiers completing their terms of active service who are considered qualified to reenter the U.S. Army. They are qualified for enlistment if all other criteria are met.
  - b. RE-3 applies to Soldiers who are not considered fully qualified for reentry or continuous service at time of separation, but disqualification is waivable. They are ineligible unless a waiver is granted.
  - d. RE-4 applies to Soldiers who are separated from their last period of service with a nonwaivable disqualification. They are ineligible for enlistment.

//NOTHING FOLLOWS//