



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TRG
Docket No: 1419-01
27 February 2002

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

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

Encl: (1) DD Form 149 w/attachments
(2) Case Summary
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the Navy filed enclosure (1) with this Board requesting that her record be corrected to show a better reenlistment code than the RE-2 reenlistment code assigned on 5 January 2001.

2. The Board, consisting of Mr. Milner, Mr. Cooper and Ms. Nofziger, reviewed Petitioner's allegations of error and injustice on 20 February 2002 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and 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. Enclosure (1) was filed in a timely manner.

c. Petitioner enlisted in the Navy on 15 June 1999. She was honorably discharged on 5 January 2001. The narrative reason for discharge is "accept commission or warrant in another branch of service" with a separation program designator (SPD) code of "KGN". The only authorized reenlistment code for this reason for discharge is RE-2. The program she entered was the Air Force Reserve Officer Training Corps (ROTC).

d. Petitioner has submitted a copy of an Air Force memorandum which advises her to petition this Board to change the reenlistment code to RE-1. Apparently, they are concerned that the RE-2 code will complicate her future commissioning in the Air

Force, or an enlistment in the Air Force Reserve.

e. As indicated, Navy regulations require the assignment of an RE-2 reenlistment code in cases such as this and waivers are not granted. The Navy Recruiting Manual indicates that members with RE-2 reenlistment codes should not be reenlisted, and that the Air Force states that RE-2 codes are a bar to reenlistment.

f. The Board is aware that the regulations allow for the discharge of an individual with a narrative reason for separation of "interdepartmental transfer", with an SPD code of MGP. Such a separation occurs when an individual transfers from one DOD component to another, i.e. USN to USAF. An RE-1 reenlistment code is authorized with this reason for discharge.

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 there is nothing derogatory in her record and she was accepted into an Air Force commissioning program. The Board believes that requiring the assignment of the apparently restrictive RE-2 reenlistment code in cases such as this is somewhat unfair and should not make her future commissioning problematic. Therefore, the Board concludes that no useful purpose is now served by the RE-2 reenlistment code and it should be changed to RE-1.

Rather than change the reenlistment code as an exception to policy, the Board believes that the best way to correct the record is to change the narrative reason and SPD code to one that allows the assignment of an RE-1 reenlistment code. Since an interdepartmental transfer has occurred, the Board concludes that a narrative reason of interdepartmental transfer with an SPD code of MGP, is appropriate.

The Board further concludes that this Report of Proceedings should be filed in Petitioner's naval record so that all future reviewers will understand the reason for the change in the reason for discharge, SPD code, and reenlistment code.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that 5 January 2001 she was honorably discharged by reason of interdepartmental transfer, SPD code of MGP, with an RE-1 reenlistment code, vice the narrative reason, SPD code, and reenlistment code now of record.

b. That this Report of Proceedings be filed in Petitioner's

naval record.

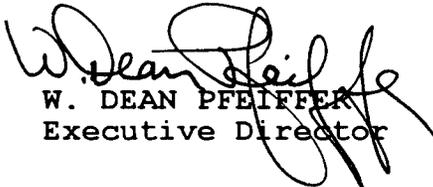
4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder



ALAN E. GOLDSMITH
Acting Recorder

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 Regulations, 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.



W. DEAN PFEIFFER
Executive Director