



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

[REDACTED]
Docket No. 720-17

JAN 04 2018

[REDACTED]
Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 7 December 2017. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations and policies.

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issue(s) involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.


You enlisted in the Navy and began a period of active duty service on 24 October 2006. You served until your end of active obligated service (EAOS) date of 23 October 2011, and were discharged with an Honorable characterization of service based on "Non-retention on Active Duty" and assigned a reentry code of RE-3M.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. The Board carefully considered your argument that your basis of separation and reentry code is incorrect because you served honorably until your EAOS. However, the Board did not agree with your rationale for relief. Per Bureau of Personnel Instruction 1900.8C, the reentry code of RE-3M is assigned when the service member would be eligible for reenlistment except for a disqualifying factor. The Board concluded that the RE-3M reentry code was

accurately assigned due to your failure of the Physical Fitness Assessment (PFA) prior to your separation. Because of your PFA failure, you are not fully qualified for reenlistment in the service; therefore, you do not qualify for a RE-1 reentry code. The Board also concluded that the separation code "LGH," which indicates "Non-retention on Active Duty," was the most accurate basis of separation in your case. Even though your command allowed you to separate at your EAOS, you were not recommended for continued service due to your failure to meet minimum retention standards. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,


Executive Director