



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

[REDACTED]
Docket No: 5952-17 /
11952-14

OCT 20 2017

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

Subj: REVIEW NAVAL RECORD OF [REDACTED] USN,
[REDACTED]

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

Encl: (1) DD Form 149 (NR20140011952)
(2) Case summary

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the Navy, filed enclosure (1) with this Board requesting that his record be corrected to reflect a change in his reenlistment (RE) code from RE-4 to RE-3G. Petitioner's request was granted by a Board in December 2015; this petition is being considered pursuant to a request from Navy Personnel Command (NPC) for clarity on Petitioner's separation reason and separation code. Petitioner's current discharge reflects a separation reason of "Fraudulent Entry" and a separation code of "JDA."

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 17 July 2017, 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, pertinent sections of his 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. On 1 July 2014, Petitioner began a period of active duty in the Navy.

d. On 18 August 2014, Petitioner was separated from active duty with a narrative reason of "Fraudulent Entry" for failure to disclose adolescent medical history pertaining to cysts on his kidneys. Petitioner received an RE-4 code due to polycystic kidney disease and his failure to disclose medical information pertaining to the cysts on his kidneys.

e. On 18 September 2014, Petitioner submitted a petition to the Board for Correction of Navy Records (BCNR) requesting a change to his RE-4 code on the basis of injustice. Petitioner noted that his failure to disclose the cysts was an unintentional oversight due to the fact that the cysts create no impediment to life. He also stated that he does not have polycystic kidney disease. Finally, Petitioner stated that he would like to serve his country. The previous Board granted Petitioner's request for a change to his RE-4 to an RE-3G. Upon receipt of the Board's decision, NPC asked that BCNR provide clarity on his separation reason and separation code as they were consistent with an RE-4, but not the RE-3G.

f. In consideration of Petitioner's original petition and the grant of that request, the current Board determined that a change to Petitioner's narrative separation reason from "Fraudulent Entry" to a "Condition not a Disability," and a change of separation code from "JDA" to "JHD" were warranted.

CONCLUSION:

Upon review and consideration of all the evidence of record and Petitioner's original request, and especially in light of the previous panel's determination to grant a change from RE-4 to RE-3G, the Board concludes that Petitioner's Certificate of Release or Discharge from Active Duty (DD Form 214) should contain consistent information throughout.

The record reflects that Petitioner did not intentionally fail to disclose that he had cysts on his kidneys, that his medical history is such that he does not have a definitive diagnosis of polycystic kidney disease, and that the RE-4 code is unnecessarily prohibitive on Petitioner's ability to seek re-entry into military service. Since the RE-4 has been corrected by a previous panel to reflect an RE-3G, the Board determines that Petitioner's separation reason and separation code should also be change in order for them to align with the issuance of an RE-3G.

In view of the foregoing, the Board finds the existence of an error warranting the following corrective action:

RECOMMENDATION:

That Petitioner's naval record be corrected by changing his Narrative Reason for Separation to "Condition not a Disability" and his Separation Code changed to "JHD."

That Petitioner's Reentry Code be changed to "RE-3G."

That Petitioner be issued a Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215).

That a copy of this report of proceedings be filed in Petitioner's naval record.

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[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.

[REDACTED]
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 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.

[REDACTED]
Executive Director