



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

TRG
Docket No: 1462-01
19 July 2001

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 United States Navy filed enclosure (1) with this Board requesting that her reenlistment code be changed.

2. The Board, consisting of Mr. Brezna, Mr. Dunn and Mr. Mackey, reviewed Petitioner's allegations of error and injustice on 10 July 2001 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. Although it appears that Petitioner's application was not filed in a timely manner, it is in the interest of justice to waive the statute of limitations and review the application on its merits.

c. Petitioner reenlisted in the Navy on 3 April 1989 for two years. The records shows that she had completed about four years of active service on a prior enlistment. On 4 January 1991 she signed an administrative remarks page (page 13) entry in which she agreed to incur additional obligated service until March 1993 in connection with her receipt of transfer orders. She also acknowledged that if she did not incur the obligated service, she would be assigned an RE-4 reenlistment code.

d. Petitioner reported aboard the USS GRAPPLE (ARS 53) on

22 February 1991. On 2 April 1991 she extended her enlistment, but only for five months and not two years. She was honorably discharged on 30 August 1991. At that time she acknowledged that she was being assigned the RE-4 reenlistment code because of her failure to incur obligated service.

e. Petitioner states in her application that she desires a change in the reenlistment code so she can enlist in the Naval Reserve.

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 Petitioner was aware of the requirement to extend her enlistment for two years and she declined to do so. However, the Board also notes that she was allowed to transfer with only about two months of obligated service remaining and she subsequently was allowed to extend that enlistment for five months instead of the required two years. Given the circumstances and her good record, the Board concludes that no useful purpose is now served by the RE-4 reenlistment code and it should now be changed to RE-1.

The Board notes that the reenlistment code was proper when it was assigned and 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 reenlistment code.

RECOMMENDATION:

a. That Petitioner's naval record be corrected by issuing a DD Form 215 to show that on 30 August 1991 she was assigned an RE-1 reenlistment code vice the RE-4 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.

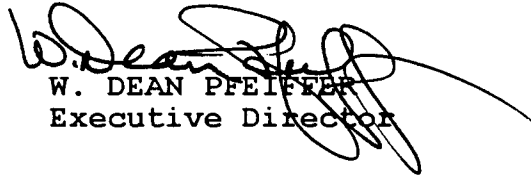
ROBERT D. ZSALMAN
Recorder



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