



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

TRG
Docket No: 8640-00
6 June 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
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, an enlisted member of the United States Naval Reserve filed enclosure (1) with this Board requesting that his record be corrected to show a better reenlistment code than the RE-4 reenlistment code assigned on 11 October 1997.

2. The Board, consisting of Mr. Shy, Mr. Morgan and Mr. Mazza, reviewed Petitioner's allegations of error and injustice on 30 May 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. Enclosure (1) was filed in a timely manner.

c. Petitioner enlisted in the Naval Reserve on 1 July 1994 at age 23 and reported for three years of active duty on 12 October 1994. He successfully completed initial training and on 2 March 1995 reported to the USS REID (FFG 30). The record shows that he was advanced to FN (E-3), received letters of appreciation and was commended by the commanding officer for his professionalism and devotion to duty.

d. In the performance evaluation for the period 16 July to 11 October 1997, Petitioner was assigned no marks below 3.0 and the individual trait average is 3.67. The evaluation comments

state that "his attitude and ability to work with others is exemplary." He was recommended for promotion and retention in the Navy. He was released from active duty on 11 October 1997 with his service characterized as honorable. At that time, he was assigned an RE-4 reenlistment code.

e. Petitioner believes the reenlistment code was assigned in error because he has an excellent record and there is no basis for the assignment of the RE-4 reenlistment code.

f. Regulations allow for the assignment of an RE-3R reenlistment code when an individual does not meet professional growth criteria by at least passing an advancement examination prior to the completion of an initial period of extended active duty. That code means an individual is recommended for a probationary reenlistment, during which he must be advanced to petty officer. Regulations would allow for the assignment of an RE-1 reenlistment code if an individual passed the advancement examination but was not advanced.

CONCLUSION:

Upon review and consideration of all the evidence of record the Board concludes that Petitioner's request warrants favorable action. The Board notes Petitioner's excellent record and concludes that there is no basis for the RE-4 reenlistment code and it must have been assigned in error. However, since there is no evidence that he passed an advancement examination, the RE-4 reenlistment code should be changed to RE-3R and not RE-1.

RECOMMENDATION:

a. That Petitioner's naval record be corrected by issuing a DD Form 215 to show that he was assigned an RE-3R reenlistment code on 11 October 1997 vice the RE-4 reenlistment code now of record.

b. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

c. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of 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

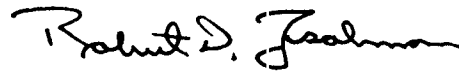
complete record of the Board's proceedings in the above entitled matter.

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.



For W. DEAN PFEIFFER
Executive Director