



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

WMP  
Docket No. 5258-02  
15 January 2003

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) 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, applied to this Board requesting that his reenlistment code be changed.

2. The Board, consisting of Messrs. Pfeiffer, Zsalman, and Haney, reviewed Petitioner's allegations of error and injustice on 15 January 2003 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. Petitioner's application to the Board was filed in a timely manner.

c. Petitioner enlisted in the Navy on 20 April 1996 for four years at age 19 in pay grade E-3. Petitioner served without incident until 23 December 1996, when he received nonjudicial punishment (NJP) for a 30 day period of unauthorized absence, from 22 November to 21 December 1996.

d. During almost five years of service after his NJP of 23 December 1996, including over a year of service as a second class petty officer, Petitioner received three performance evaluations which assigned overall trait averages of 3.29, 4.00, and 4.29,

respectively. The evaluation for the period of 16 March 2001 to 3 July 2001, completed on the USS BOXER (LHD-4), assigned marks of 4.0 in all categories with the exception of "Professional Knowledge" and "Quality of Work", which was rated as 5.0. The commanding officer remarked that "(Petitioner) was a superior electrician. Consistently relied upon to mentor junior personnel." He further stated that, "he continually provided training to his peers and subordinates greatly increasing the proficiency of electrical watchstanders and the reliability of BOXER's electrical plant." The commanding officer also recommended him for retention, and for advancement in the "Early Promote" grouping.

e. Petitioner was released from active duty on 6 September 2001, upon the completion of required active service, and was transferred to the naval reserve and assigned an RE-4 reenlistment code.

#### CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action. It appears to the Board that Petitioner may have been issued an RE-4 reenlistment code due to administrative error. In this regard, the Board notes the above average to excellent evaluations and concludes that Petitioner was clearly recommended for retention and advancement. Without any documentation stating that he was not so recommended, the Board believes that assignment of an RE-4 reenlistment code was unjust, given his apparent eligibility for the more favorable RE-1 reenlistment code. In view of the foregoing, the Board finds the existence of an injustice warranting the following corrective action.

#### RECOMMENDATION:

a. That Petitioner's naval record be corrected by changing the RE-4 reenlistment code, assigned on 6 September 2001, to RE-1.

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 a copy of 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.

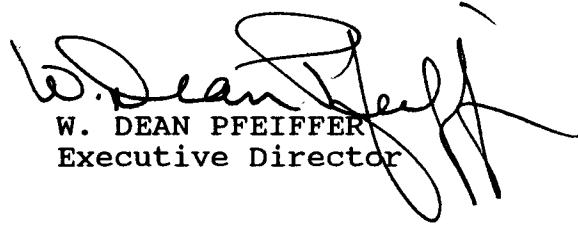
4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

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.



W. DEAN PFEIFFER  
Executive Director