



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

JRE  
Docket No: 1101-03  
4 September 2003

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

Subj: FORMER [REDACTED]  
REVIEW OF NAVAL RECORD

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

Encl: (1) DD Form 149  
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that her naval record be corrected to show that she was received a more favorable reentry code than the RE-4 code she was assigned on 24 January 2000.
2. The Board, consisting of Mses. Davies and Moidel and Mr. Zsalman, reviewed Petitioner's allegations of error and injustice on 14 August 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. Enclosure (1) was filed in a timely manner.
  - c. Petitioner enlisted in the Navy on 7 December 1999. She received emergency medical care on 28 December 1999 because of difficulty breathing. She reported that she had had similar difficulties and had used inhalers prior to enlisting, but had not been diagnosed with asthma or treated by a physician for a pulmonary condition. Based on her symptoms, and the results of a methacholine challenge test, she was given a diagnosis of asthma, and recommended for an entry level separation on that basis. She was discharged from the Navy on 24 January 2000 because of her failure to meet minimum physical standards for enlistment due to asthma. She was assigned a reentry code of RE-4, as required by governing

directives.

**CONCLUSION:**

Upon review and consideration of all the evidence of record, the Board concludes that as Petitioner apparently performed her duties to the best of her ability, as limited by her medical condition, it is unfair for her to have to bear the stigma often associated with a reentry code of RE-4. Accordingly, it finds the existence of an injustice warranting the following corrective action.


**RECOMMENDATION:**

a. That Petitioner's naval record be corrected to show, as an exception to policy, that she was assigned a reentry code of RE-3E on 20 January 2000, in place of the RE-4 code she actually received on that date.

b. That a copy of the Board's proceedings be file in Petitioner's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) 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

  
JAMES R. EXNICIOS  
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