



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

JRE

Docket No: 292-01  
5 February 2001

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 his naval record be corrected to show that he was assigned a reenlistment (RE) code of RE-1, vice the code of RE-4 he received on 19 July 2000
2. The Board, consisting of Messrs. Pfeiffer, Kastner and Lippolis, reviewed Petitioner's allegations of error and injustice on 1 February 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 Navy on 22 June 2000. He was discharged on 19 July 2000, for failing to meet medical/physical procurement standards because of a hearing loss.
  - d. Petitioner contends that he passed the hearing test during his pre-enlistment physical examination, and that his hearing was tested and found to be normal shortly after his discharge. His personal physician is of the opinion that he suffered from an idiopathic neurosensory hearing loss during his enlistment in the Navy, which subsequently cleared.
  - e. SECNAVINST 1900.8 provides, in effect, that Sailors discharged for failing to meet

procurement medical/physical standards will be assigned an RE-4. Those discharged for erroneous enlistment-other will be assigned either an RE-4 or an RE-3E, in the discretion of the commanding officer.

**CONCLUSION:**

Upon review and consideration of all the evidence of record, the Board is not persuaded that Petitioner's discharge was erroneous. As indicated by his naval record, and supported by the findings of his personal physician, he suffered from a disqualifying hearing loss during his enlistment. As the hearing loss has since resolved, and as he did not have any performance problems or disciplinary infractions during his brief period of service, the Board concludes that his record does not warrant the assignment of the stigmatizing reenlistment code of RE-4.

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 to show that on 19 July 2000, he was discharged by reason of erroneous enlistment-other, and assigned a reenlistment code of RE-3E.

b. That so much of his request for correction of his naval record which exceeds the foregoing be denied.

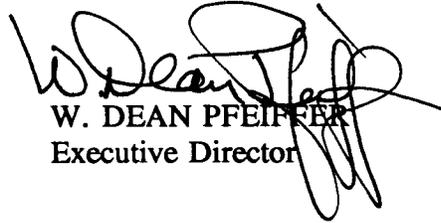
c. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

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