



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

TRG
Docket No: 6065-02
17 December 2002

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) Case Summary
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member in the Navy, filed an application with this Board requesting that her reenlistment code be changed to RE-3B.

2. The Board, consisting of Mr. Rothlein, Mr Lippolis and Mr. Caron, reviewed Petitioner's allegations of error and injustice on 10 December 2002 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 9 February 1994 for six years. At that time, she had completed over seven years of active duty on prior enlistments. Her son was born on 20 August 1996. On 18 July 1997 she reported aboard the USS WASP (LHD 1). Shortly thereafter she was processed for discharge due to parenthood. She was honorably discharged by reason of "parenthood or custody of minor children" on 3 October 1997. At that time, she was assigned an RE-4 reenlistment code. Her discharge evaluation indicates that her performance was not observed, however, her previous evaluations show many years of excellent service and she was always recommended for retention in

the Navy.

d. Regulations require the assignment of an RE-3B or an RE-4 reenlistment code when an individual is discharged by reason of parenthood or custody of minor children. An RE-3B code means that an individual is recommended for reenlistment except for the disqualifying factor. An RE-4 reenlistment code means an individual is not recommended or eligible for reenlistment.

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 nearly 11 years of excellent service, and that she was apparently only assigned an RE-4 reenlistment code because she was not eligible for reenlistment due to parenthood. Given the circumstances, the Board believes that no useful purpose is served by the RE-4 reenlistment code and concludes it should now be changed to the less restrictive RE-3B reenlistment code. This code will alert recruiters that her parenthood problems must be resolved before reenlistment is authorized.

The Board further 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 to show that on 3 October 1997 she was assigned an RE-3B 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.



For W. DEAN PFEIFFER
Executive Director