



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

REC
Docket No: 00327-09
22 October 2009

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 with 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, filed enclosure (1) with this Board requesting that her RE-4 reenlistment code be changed.

2. The Board, consisting of Ms. [REDACTED], Mr. [REDACTED], and Mr. [REDACTED], reviewed Petitioner's allegations of error and injustice on 21 October 2009 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. Petitioner enlisted in the Navy on 16 November 1999, at age 18 and served without disciplinary incident. Her performance evaluations through August 2000 reflected satisfactory performance. Her final evaluation was positive and she was recommended for retention.

b. On 7 August 2000, Petitioner was notified of administrative separation action due to her nonavailability for deployment due to custody of a minor child. On 27 September 2000, Petitioner was honorably discharged by reason of parenthood and assigned an RE-4 reenlistment code.

c. An RE-3B reenlistment code may be assigned to Sailors separated due to parenthood, pregnancy, and/or childbirth. This code may not bar reenlistment, but requires that a waiver be obtained. Recruiting personnel are responsible for determining whether an individual meets the standards for reenlistment, and whether or not a request for a waiver of a reenlistment code is feasible. A Sailor separated for this reason may also receive an RE-4 reenlistment code, which means that he or she is not recommended for reenlistment.

CONCLUSION:

Upon review and consideration of all the evidence of record the Board concludes that Petitioner's request warrants favorable action based on Petitioner's overall record, which includes no disciplinary infractions and satisfactory duty performance. Since an RE-3B reenlistment code is authorized by regulatory guidance for a Sailor who is separated by reason of parenthood, the Board concludes that the interest of justice would better be better served by changing Petitioner's RE-4 reenlistment code to Re-3B rather than the RE-4 now of record.

RECOMMENDATION:

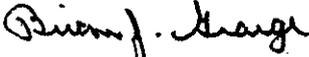
a. That Petitioner's naval record be corrected by changing the RE-4 reenlistment code, assigned on 27 September 2000, to RE-3B.

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.

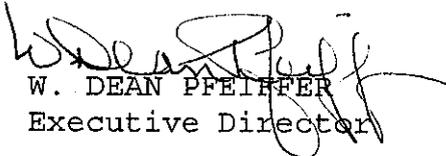
c. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of Petitioner's naval record.

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


BRIAN J. GEORGE
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 Regulation, 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