



**DEPARTMENT OF THE NAVY**  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

[REDACTED]  
Docket No: 6934-21  
Ref: Signature date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED],  
XXX-XX-[REDACTED], USMC

Ref: (a) Title 10 U.S.C. § 1552  
(b) USD memo, "Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations," of 25 July 2018

Encl: (1) DD Form 149  
(2) Case summary  
(3) Naval record (excerpts)

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to adjust his reenlistment code to RE-1 or RE-1A in order to allow him the opportunity for reenlistment without the need of a waiver. Petitioner also requests a change to his SPD code from KBD-1 to KDB-1. Enclosures (1) through (3) apply.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 24 November 2021, 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, relevant portions of his naval service records, applicable statutes, regulations, and policies to include reference (b).

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 enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits.

c. Petitioner enlisted in the Marine Corps and began a period of active service on 21 June 200, and was discharged on 13 July 2009.

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED],  
XXX-XX-[REDACTED], USMC

d. Although the complete administrative separation documentation was not contained in Petitioner's record, at the time of his discharge he was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) which reflects a narrative reason for separation as hardship, separation code as KBD-1, and a reentry code of RE-3H.

e. Petitioner contends his discharge was approved due to hardship therefore he should be issued a SPD code of KDB-1. Further, Petitioner contends his current reentry code does not allow him to reenlist without a waiver, which, will make it difficult to reenlist and continue to serve his country. Petitioner contends that the hardship situation that resulted in his discharge no longer exists.

f. The Marine Corps Separations Manual (MARCORSEPMAN) indicates the appropriate SPD Code for a hardship discharge is KDB-1. An RE-3H reentry code is commensurate with a hardship discharge. Additionally, in order to be approved for a hardship discharge, the hardship must not be temporary.

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board determined that the Petitioner is entitled to partial relief in the form of a change to his SPD Code. In reaching its decision, the Board noted that his current SPD Code listed does not match the narrative reason for separation as required.

In regards to Petitioner's request to change his reentry code to one that does not require a waiver for reenlistment, the Board determined that change is not warranted. Without the Petitioner's administrative separation documentation, the Board was unable to confirm that the reason for Petitioner's hardship discharge no longer existed. The Board further felt that the reenlistment waiver process was the best course to determine Petitioner's eligibility for further service.

In view of the above, the Board directs the following partial corrective action.

## RECOMMENDATION:

That Petitioner be issued Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215) for period of active duty ending on 13 July 2009, to reflect a separation code of KDB-1.

That no further changes be made to Petitioner's record.

That a copy of 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.

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED],  
XXX-XX-[REDACTED], USMC

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.

12/15/2021

[REDACTED]

Executive Director

Signed by: [REDACTED]