



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

█
Docket No: 3535-22

Ref: Signature date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER █, USN
[PRESENTLY █, XXX-XX-█]

Ref: (a) Title 10 U.S.C. § 1552
(b) BUPERSINST 1900.8 dtd 28 Jun 93
(c) USD memo of 25 Jul 18

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 her reentry code be adjusted to allow reenlistment. Enclosures (1) through (3) apply.

2. The Board, consisting of █, █, and █ reviewed Petitioner's allegations of error and injustice on 3 June 2022, 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 her naval service record, applicable statutes, regulations, and policies, to include the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice or clemency determinations (Wilkie Memo).

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 Navy and began a period of active duty on 16 June 1994.

d. On 21 July 1995, Petitioner was notified of the initiation of administrative separation by reason of pregnancy/childbirth. On the same day, Petitioner elected her right to consult with

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counsel. The discharge authority approved Petitioner's separation by reason of pregnancy/childbirth and to transfer her to the Ready Reserve.

e. Petitioner's Enlisted Performance Record (EPR) indicated a final performance average of 4.0 (a 2.0 was required for an honorable characterization of service). Her EPR also indicated an 11 August 1995 entry "NOT RECOMMENDED FOR ENLISTMENT."

f. On 11 August 1995, Petitioner was released from active duty and transferred to the naval reserve with an honorable characterization of service, narrative reason for separation of pregnancy or childbirth, MDF separation code, and a RE-4 reentry code.

g. On 25 August 1998, Petitioner was discharged from the naval reserve with an honorable characterization of service. Petitioner was recommended for reenlistment at the time of her discharge.

h. Per reference (b), service members separated with a MDF separation code are authorized either a RE-3B (parenthood/pregnancy/childbirth) or RE-4 (Not eligible for reenlistment without prior approval) reentry code

i. Petitioner contends since her discharge she has become a certified nurse practitioner and is looking for options for the future, and she would like the opportunity to support her community.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board concluded that in accordance with reference (b) Petitioner's request warrants relief.

The Board reviewed Petitioner's OMPF and notes Petitioner's had no disciplinary infractions or negative counseling entries which would have warranted a reenlistment code that precluded her from reenlisting.

Additionally, the Board determined Petitioner's Enlisted Performance Record (NAVPERS 1070/609) entry, dated 11 August 1995, "Not recommended for reenlistment," should be redacted from her record.

In view of the above, the Board directs the following corrective action:

RECOMMENDATION:

Petitioner be issued a Correction to Certificate of Release or Discharge from Active Duty (DD Form 215) to indicate a reentry code of RE-3B.

Petitioner's Enlisted Performance Record (NAVPERS 1070/609) entry, dated 11 August 1995, "Not recommended for reenlistment," should be redacted from her record.

That a copy of this report of proceedings be filed in Petitioner's naval record.

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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.

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.

6/27/2022

[REDACTED]

Executive Director
Signed by: [REDACTED]