

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 28 March 2025

DOCKET NUMBER: AR20240010630

APPLICANT REQUESTS:

- In effect, amendment of items on her DD Form 214 (Certificate of Release or Discharge from Active Duty): item 25 (Separation Authority); item 26 (Separation (Separation Program Designator (SPD)) Code); item 27 (Reentry (RE) Code); and item 28 (Narrative Reason for Separation)
- Permission to appear personally before the Board, via video/telephone

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- Service record documents, 34 pages
- Service Treatment Record documents, 6 pages

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.

2. The applicant states, in effect:

- She has been trying to use the home loan program offered by the Department of Veterans Affairs (VA), and they have not allowed her to participate
- According to VA, to qualify you must have either completed 24 months of continuous active duty or served at least 90 days before receiving a hardship discharge
- When the Army separated her, she completed a little over 1 year of active duty; although her DD Form 214 lists the reason for her separation as "Parenthood of Married Service Woman," her separation was actually based on hardship; this is why it is necessary for the Board to grant her requests

- The applicant explains, while on active duty, she gave birth to premature twins, and her babies required a level of care that made it difficult for her to perform her military duties
- Not only did she require specialized prenatal treatment during her pregnancy, but she had to be medically evacuated to a civilian hospital for her delivery; once her twins were born, they were placed in intensive care and required specialized treatment; her commander suggested she seek a hardship separation

3. The applicant's service record shows the following:

- On 7 April 1992, the applicant enlisted into the Regular Army for 4 years; following the completion of initial entry training, orders assigned her to Fort Bragg, NC, and she arrived, on or about 19 October 1992
- On 26 July 1993, the applicant's commander completed an affidavit, in which he stated the applicant had given birth to premature twins; since then, unexpected circumstances beyond the applicant's control made it difficult for her to fulfill her military obligations
- The commander went on to state the applicant's husband had been unable to find stable employment in the Fort Bragg vicinity; as a result, the husband returned to Ohio, where he had secured a reliable job
- With her husband gone, the lack of affordable daycare, and the absence of a reliable babysitter, the applicant was left with no other option
- The commander added that the applicant's duty performance and conduct had been excellent; he felt the applicant's separation would be in the best interests of both the Army and the applicant
- On 28 July 1993, the applicant submitted a DA Form 4187 (Personnel Action), requesting a hardship separation, citing the provisions of chapter 6 (Separation Because of Dependency or Hardship), Army Regulation (AR) 635-200 (Personnel Separations – Enlisted Personnel)
- At some point prior to 18 August 1993, the separation authority approved the applicant's request and directed her honorable release from active duty
- On 26 August 1993, orders honorably released the applicant from active duty and transferred her to the U.S. Army Reserve Control Group (Annual Training); her DD Form 214 shows she completed 1 year, 4 months, and 20 days of her 4-year enlistment contract
- Her DD Form 214 additionally shows the following:
 - Item 25 – AR 635-200, paragraph 6-3b (1) (Hardship – Parenthood of Married Service Woman)
 - Item 26 (SPD) – "MDG"
 - Item 27 (RE Code) – RE-3
 - Item 28 – "Parenthood of Married Service Woman"

BOARD DISCUSSION:

1. After reviewing the application and all supporting documents, the Board found that relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition, and executed a comprehensive review based on law, policy, regulation, and published DoD guidance for liberal consideration of discharge upgrade requests. The Board determined that based upon the applicant's outstanding service and the unfortunate and extenuating circumstances, and that there were no negative reasons for her discharge, the Board determined, based upon a preponderance of evidence, an injustice occurred, and therefore, the applicant should be granted relief. The Board determined a change to the narrative reason for separation, and corresponding codes is appropriate.

2. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

XX	XX	XX	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending the applicant's DD Form 214, for the period ending 26 August 1993 to show in:

- item 25 (Separation Authority): Army Regulation 635-200
- item 26 (Separation Code): JFF
- Item 27 (RE-Code): RE-1
- item 28 (Narrative Reason for Separation): Secretarial Authority


X //SIGNED//

CHAIRPERSON

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.

2. Army Regulation (AR) 635-200 (Personnel Separations – Enlisted Personnel), in effect at the time, prescribed policies and procedures for enlisted administrative separations.

a. Section II (Secretarial Authority), chapter 5 (Separation for the Convenience of the Government) stated the separation of Soldiers was the prerogative of the Secretary of the Army. Except as otherwise delegated, such separations only occurred by the Secretary's authority and were to be based on a determination that the separation was in the best interests of the Army.

b. Paragraph 6-3b (Criteria – Hardship). A hardship existed when, in circumstances not involving death or disability of a member of the Soldier's (or spouse's) immediate family, the Soldier's separation would materially affect the care or support of the family by alleviating undue and genuine hardship.

(a) Subparagraph 6-3b (1) (Parenthood of Married Service Woman). A married service woman who became a parent by birth, adoption or marriage, and whose child (or children) were under 18 years of age and resided within the household, could apply for separation under hardship. The female Soldier had to provide evidence that the roles of parent and Soldier were incompatible, and that she could not fulfill her military obligation without neglecting her child or children.

(b) Subparagraph 6-3b (4) (Supporting Evidence). Soldiers had to meet the application criteria and show that unexpected circumstances beyond their control warranted their separation. As an example, cases where the Soldier's child was born with a serious birth defect requiring constant care.

c. Paragraph 6-6 (Application for Separation). The Soldier had to submit a written application with supporting documentation.

d. Paragraph 6-10 (Type of Soldiers separated for dependency, hardship, or parenthood of a married service woman could be discharged or released from active duty and transferred to the U.S. Army Reserve.

e. Paragraph 6-11 (Characterization or Description of Service). Service could be characterized as honorable or under honorable conditions.

3. AR 635-5 (Separation Documents), in effect at the time, prescribed policies and procedures for DD Form 214 preparation.

a. The regulation stated the narrative reason for separation was tied to the Soldier's regulatory separation authority and directed DD Form 214 preparers to AR 635-5-1 (Separation Program Designators (SPD)) for the appropriate entries in item 28 (Narrative Reason for Separation).

b. For item 27 (RE Code), the regulation referred preparers to the regulations governing enlistment/reenlistment.

4. AR 635-5-1, in effect at the time, stated Soldiers separated under the provisions of paragraph 6-3b (1) received an SPD of "MDG"; the associated narrative reason for separation was " Parenthood of married service woman." Soldiers separated per chapter 5, section II received "MFF" as their SPD and the narrative reason for separation was "Directed by the Secretary of the Army."

5. AR 601-210 (Regular Army and Army Reserve Enlistment Program), in effect at the time, covered eligibility criteria, policies, and procedures for the Active Army and RC enlistment program. Table 3-6 (Armed Forces RE Codes, RA (Regular Army) RE Codes) included the following list of the RE codes:

- RE-1 – for Soldiers who completed their term of active service and were considered qualified to reenter the U.S. Army
- RE-3 – applied to Soldiers who were not considered fully qualified for reentry or continuous service at time of separation, but the disqualification was waivable

6. The SPD/RE Code Cross Reference Table, in effect at the time, provided instructions for determining the RE code for Active Army Soldiers. This cross reference table showed the SPD code and a corresponding RE code. The SPD code of "MDG" had a corresponding RE code of "3." Soldiers issued an SPD of "MFF" normally received an RE code of "3."

7. The ABCMR does not grant requests solely to make an applicant eligible for Veterans' benefits; however, in reaching its determination, the Board can consider the applicant's petition, her evidence and assertions, and her service record in accordance with the published equity and injustice guidance.

8. AR 15-185 (Army Board for Correction of Military Records (ABCMR), currently in effect, states applicants do not have a right to a hearing before the ABCMR; however, the Director or the ABCMR may grant a formal hearing.

//NOTHING FOLLOWS//