

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2014-009

Discharge Issued

Character: Honorable

Narrative Reason: Miscellaneous / General Reasons

SPD/RE Code: KND / RE4

Authority of Discharge: COMDTINST M1000.6A 12-B-16

Date of Separation: 2010-06-01

DRB Decision

Character: No Change

Narrative Reason: No Change

SPD/RE Code: No Change / RE3H

New Authority: COMDTINST M1000.6 Art 12.B.12

Discharge Review Board Discussion and Decision:

DISCUSSION:

The applicant was discharged for Separation For Miscellaneous/General Reasons due to a Voluntary Separation request per ALCGENL 46/10.

The nature of the request stemmed from pregnancy and fearing that she would soon be a single parent without proper family support being assigned in a remote duty location. The command endorsed her request and recommended an Honorable discharge. However, there are no administrative remarks or correspondence discussing the Reenlistment code at the command or PSC-epm level. The applicant received an RE-4 code that bars her from future reentry into military service.

The applicant was not advised or afforded an opportunity to dispute the reenlistment code of RE-4 issued to her. Furthermore, the genesis of the separation was due to her proactive nature to ask for a Voluntary Separation. Alas, this practical action somehow created an unfavorable outcome for future military service which was not supported or explained. This voluntary separation mechanism offered via ALCGENL 46/10 was not established to saddle 'undesirable' outgoing members with a banned from future military service categorization.

In order to support an RE-4, the applicant should have been notified by the command in writing prior to the separation. Or, a separation under different means should have been processed by the command. A recommendation of an RE-3H is the appropriate reenlistment code to indicate that her request to voluntary separate was due to family hardship. Additionally, the correct Separation Authority should be 12B.12 (authorized by epn) from the Legacy Personnel Manual vice 12B.16 which is for Unsuitability. All other items, the Character of Service, Narrative Reason for Separation and Separation code should stand as issued.

An RE3 reentry code is not an affirmative recommendation for reenlistment, rather it represents that the applicant is not recommended for reenlistment due to a disqualifying factor. The RE3 code may be waived based upon the policies and needs of the gaining Service.

Propriety: Discharge was NOT proper.

Equity: Discharge was NOT equitable.

Final Adjudication by Assistant Commandant For Human Resources: Partial relief is granted on the applicant's reentry code and will be properly aligned her Separation Authority as follows:

Re-entry code: RE-3H

Separation Authority: COMDTNST M1000.6A 12-B-12

All other items stand as issued.

In reviewing discharges, the Board presumes regularity in the conduct of governmental affairs unless there is substantial credible evidence (to include evidence submitted by the Applicant) to rebut the presumption.