



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

TRG  
Docket No: 6232-01  
24 January 2001

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) Case Summary  
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the United States Navy filed an application with this Board requesting a change in her reenlistment code.

2. The Board, consisting of Mr. Milner, Ms. McCormick and Ms. Gilbert, reviewed Petitioner's allegations of error and injustice on 8 January 2002 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. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Petitioner's application was filed in a timely manner.

c. Petitioner enlisted in the Navy on 11 December 1996 at age 20. She successfully completed initial training and, on 12 May 1997, reported aboard the USS JOHN F. KENNEDY (CV 67). She was married on 5 February 1998 and subsequently had a child. On 19 November 1998 she was notified of separation processing due to parenthood because she could not comply with family care requirements if she had duty or deployments. On 17 December 1998, the commanding officer directed an honorable discharge, but stated that "(Her) performance and conduct during her enlistment to date has been outstanding." She was honorably discharged on 18 December 1998 with an RE-4 reenlistment code. At that time, she was serving in pay grade E-2.

d. Normally, an individual is not advanced from E-2 to E-3

before serving 18 months on active duty.

e. Regulations allow for the assignment of an RE-3B or an RE-4 reenlistment code when an individual is discharged due to parenthood. Regulations also require the assignment of an RE-4 reenlistment code when an individual does not meet professional growth criteria by advancing to pay grade E-3 during an extended period of active duty.

MAJORITY CONCLUSION:

Upon review and consideration of all the evidence of record, the majority, consisting of Mr. Milner and Ms. McCormick, concludes that Petitioner's request warrants favorable action. The Board notes the commanding officer's comments concerning her excellent performance. Further, the only reason she was discharged was because of parenthood. The majority disregards the fact that she was only an E-2 when discharged because she was not eligible to be advanced to E-3 until 11 June 1998, and after that date she was pregnant and having child care problems. Accordingly, the majority concludes that no useful purpose is now served by the RE-4 reenlistment code and it should now be changed to RE-3B as an exception to policy.

The majority further concludes that this Report of Proceedings should be filed in Petitioner's naval record so that all future reviewers will understand the reasons for the assignment of the RE-3B reenlistment code.

MAJORITY RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that on 18 December 1998 she was assigned an RE-3B reenlistment code vice the RE-4 reenlistment code now of record.

b. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

MINORITY CONCLUSION:

Ms. Gilbert disagrees with the majority and concludes that Petitioner's request does not warrant favorable action. She notes that Petitioner had over six months to advance to E-3 and did not do so. Since Petitioner has been treated no differently than others who failed to advance to E-3, the minority could not find an error or injustice in the assignment of the RE-4 reenlistment code.

**MINORITY RECOMMENDATION:**

That Petitioner's request be denied.

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



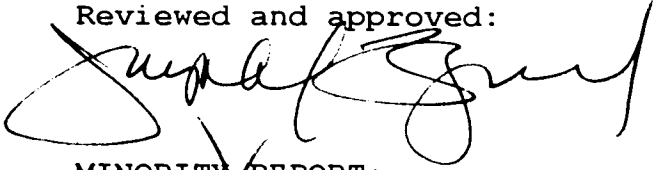
ALAN E. GOLDSMITH  
Acting Recorder

5. The foregoing report of the Board is submitted for your review and action.



W. DEAN PFETTER

MAJORITY REPORT:  
Reviewed and approved:



~~MINORITY REPORT:  
Reviewed and approved:~~

JOSEPH G. ...  
... And Reserve ...

APR 24 2001