



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

[REDACTED]
Docket No. 798-17
DEC 13 2017

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 30 November 2017. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations and policies.

You enlisted in the Navy and began a period of active duty service on 18 December 1996. While serving, you became pregnant and began having personal issues that resulted in your desire to separate from the service. On 9 May 1997, you submitted a request to your Commanding Officer requesting separation from the service. Your request was approved and on 4 June 1997 you were separated with an Entry Level Separation (ELS) for "pregnancy" and assigned a reentry code of RE-3B.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. The Board carefully considered your request for a characterization upgrade due to your desire to document your honorable period of service, however brief. Unfortunately, the Board did not agree with your rationale for relief. Per Military Personnel Manual, Section 1910-308, when a separation is initiated while the service member is within the first 180 days of continuous active duty service, the characterization will be described as ELS. The period of service can be characterized if it is warranted by the presence of unusual circumstances involving personal conduct and performance, however, it can only be considered in cases involving separation due to disability, selected changes in service obligation, convenience of the

government, and best interest of the service. You served for 168 days, which is within the 180 day window of initial service, and does not otherwise qualify for a characterization. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

A large black rectangular redaction box covering the signature of the Executive Director.

Executive Director