



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

SJN
Docket No: 02405-06
4 April 2007

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

Subj: REVIEW OF NAVAL OF RECORD [REDACTED]

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

Encl: (1) DD Form 149 with attachments
(2) Case Summary
(3) Subject's naval record

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

2. The Board, consisting of Mr. [REDACTED], Ms. [REDACTED], Mr. [REDACTED] reviewed Petitioner's allegations of error and injustice on 28 March 2007 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. Enclosure (1) was filed in a timely manner.

c. Petitioner enlisted in the Navy on 23 September 1992 at age 20. During her short period of service, Petitioner received no disciplinary actions and was advanced to paygrade E-2.

d. On 23 December 1993, after 15 months of active duty, Petitioner was honorably released from active duty by reason of pregnancy. At that time, she was assigned and RE-4 reenlistment code.

e. In her application, Petitioner contends that she became pregnant and informed her chain-of-command. She was confused and did not understand all of her options. After discussing her options, she elected to accept separation from the service, and was discharged about a month before the birth of her son. Further, she states that she never had and disciplinary problems and there are no medication conditions preventing her from serving in the military. Finally, Petitioner states that her son is now 12 years old and arrangements can be made if necessary to reside with his father and step-mother.

f. The reenlistment code of RE-4 means that Petitioner is not recommended for reenlistment. However, she could have been assigned a code of RE-3B, meaning that she was discharged due to pregnancy.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action based upon Petitioner's overall record, including more than a year of service, during which she was advanced in rank and had no disciplinary actions. The Board therefore concludes that assignment of an RE-3B code more accurately reflects the quality of her service.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that on 23 December 1993 Petitioner was issued a RE-3B reenlistment code vice the RE-4 reenlistment code actually issued on that date.

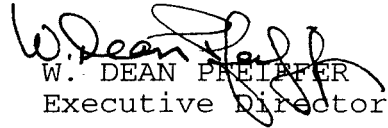
b. That a copy of this report of proceedings be filed in Petitioner's naval record.

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. 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.


W. DEAN PFEIFFER
Executive Director