

DEPARTMENT OF TRANSPORTATION
BOARD FOR CORRECTION OF MILITARY RECORDS

Application for Correction
of Coast Guard Record of:

BCMR Docket
No. 2000-064

FINAL DECISION

[REDACTED]

This is a proceeding under the provisions of section 1552 of title 10 and section 425 of title 14 of the United States Code. It was docketed on February 9, 2000, upon the Board's receipt of a complete application for correction.

This final decision, dated November 16, 2000, is signed by the three duly appointed members who were designated to serve as the Board in this case.

RELIEF REQUESTED

The applicant, a [REDACTED] asked the Board to correct the date in block 1.m. (date submitted) of his 1999 officer evaluation report (OER) by changing the date to "May 28, 1999". The applicant also asked the Board to raise the mark assigned him in block 8.e. (health and well-being) to a "5".

VIEWS OF THE COAST GUARD

On August 11, 2000, the Chief Counsel of the Coast Guard recommended to the Board that it grant all the relief requested by the applicant, plus one additional correction.

The applicant had said that block 1.m. of the OER was improperly submitted by the rating chain with the date the supervisor signed block 6.e. (July 10, 1999) rather than with the reported-on officer's date (May 28, 1999). The date in block 1.m. should, in the opinion of the Chief Counsel, be amended to "May 28, 1999."

The applicant had also said that the OER was returned to the rating chain for corrections after their review found the mark of "6" in block 8.e. was not supported by the comments. The mark of "4" was then entered in that block instead of a "5." The Chief Counsel found that the reporting officer on the OER endorsed the request that the mark should be changed to a "5" in this block because "[h]is explanation of the circumstances surrounding the error is reasonable and supports the contention that it was an admin error and not retrospective reconsideration." The mark in block 8.e.

should, in the opinion of the Chief Counsel, be changed to a mark of "5."

The Chief Counsel recommended one additional change that had not been requested by the applicant: "[T]he typed name of the reviewer should be added to Block 12.b."

APPLICANT'S RESPONSE TO COAST GUARD VIEWS

On August 14, 2000, the Board sent a copy of the views of the Coast Guard to the applicant with an invitation to submit a response in 15 days. No response was received.

FINDINGS AND CONCLUSIONS

The Board makes the following findings and conclusions on the basis of the applicant's military record and submissions, the Coast Guard's submission, and applicable law:

1. The Board has jurisdiction to determine the issues in this proceeding under section 1552 of title 10, United States Code. The application was timely.
2. The applicant alleged that the wrong date had been inserted in the date submitted block, 1.m. He also alleged that a "5" should have been entered in block 8.e. instead of a "4."
3. The Chief Counsel of the Coast Guard agreed with the allegations and said that the relief requested should be granted.
4. The Board concurs. The relief requested by the applicant should be granted.
5. The technical correction requested by the Coast Guard shall also be made.

ORDER

The application to correct the military record of USCG, is granted as follows:

1. On block 1.m. of the applicant's OER for the period August 11, 1998 to June 3, 1999, change the entry to "May 28, 1999".

2. On block 8.e. of the applicant's OER for the period August 11, 1998 to June 3, 1999, change the entry to "5".

3. On block 12.b. of the applicant's OER for the period August 11, 1998 to June 3, 1999, add the typed name of the reviewer.

