

**DEPARTMENT OF HOMELAND SECURITY  
BOARD FOR CORRECTION OF MILITARY RECORDS**

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Application for the Correction of  
the Coast Guard Record of:

**BCMR Docket No. 2006-149**

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**FINAL DECISION**

  
This proceeding was conducted according to the provisions of section 1552 of title 10 and section 425 of title 14 of the United States Code. The Chair docketed the case on July 21, 2006, upon receipt of the completed application and military records.

This final decision, dated February 28, 2007, is signed by the three duly appointed members who were designated to serve as the Board in this case.

**APPLICANT'S REQUEST**

The applicant asked the Board to correct her military record by changing the "3" in the Judgment performance dimension on her officer evaluation report (OER) for the period from October 1, 2003 to January 31, 2004 (disputed OER). She also asked the Board to further correct the disputed OER by removing a comment from the reporting officer's portion of the OER and by removing her reply to the disputed OER together with all rating chain endorsements.

**APPLICANT'S ALLEGATIONS**

The applicant alleged that the 3 in judgment was based on an unlawful order that required her to take a flu "vaccination against the direction of a medical prescription [and that the flu shot] had not been authorized by [the] prescribing physician." She further alleged that the 3 and the disputed comment resulted from a miscommunication and did not result from any action or inaction on her part. In this regard, she stated that she could not have acted sooner because doctors failed to keep scheduled medical appointments, that she was assigned to a training class, that she took leave that was already scheduled, and that the command's work tempo did not allow

for taking time to resolve the matter. She also alleged that the disputed mark and comment were based on factors expressly restricted by Article 10.A.4.f.5 & 7 of the Personnel Manual.<sup>1</sup>

## **Disputed OER**

The applicant was given a "3" in the judgment category, which was supported by the comment, "In one Instance, failed to comply w/COMDT policy and command direction. The applicant's other marks on the disputed OER were two 4s, fifteen 5s, and one 6. The comments supporting these marks were positive.

The reporting officer rated the applicant in the fourth block to the right in block 9. on the OER, which is where the reporting officer compares the applicant with all other LTGSs that he has known in his career. This mark equates to a 4 on a scale of 1 to 7, with 7 being the best. A mark of 4 describes an officer who is one of the many competent professionals who form the majority of the LTJG grade. The applicant was "Strongly recommended for promotion with peers."

The applicant submitted an OER reply setting forth many of the contentions she made in her BCMR application. Each member of the rating chain placed an endorsement on the OER reply stating that the 3 in judgment was an accurate assessment of the applicant's performance in that dimension during the reporting period.

## **BACKGROUND**

During the period covered by the disputed OER, the applicant served as the assistant chief of the security branch for a Marine Safety Office (MSO). Her supervisor was the Chief of the security branch, her reporting officer was the assistant chief of operations, and her reviewer was the commanding officer (CO).

On November 3, 2003, ALCOAST 497/03 was issued making it mandatory for all Coast Guard members on active duty for more than 30 days to be immunized with the flu vaccine (flu shot). The directive also stated that exemptions for the shot would be given for members with an allergy to any component of the vaccine.

The announcement about the flu shot was made at an all hands meeting which the applicant attended on November 12, 2003. The applicant stated that earlier on August 7, 2003, Dr. S, a civilian doctor who treated her at a women's clinic, had

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<sup>1</sup> These provisions state that members of the rating chain shall not mention any medical or psychological conditions, whether factual or speculative in the OER. Further the rating chain members may not expressly evaluate, compare, or emphasize tender, religion, color, race or ethnic background in an OER.

prescribed the drug Dexamethasone, which she was taking on November 12, 2003. She stated that she was concerned about taking the flu shot while on Dexamethasone. She submitted a copy of the information sheet accompanying the medication. It stated in pertinent part: "PRECAUTIONS: Do not have a vaccination, other immunization, or any other skin test while you are taking this drug unless your doctor specifically tells you that you may." The applicant stated that on November 12, 2003, she requested to meet with a doctor, but since no doctor was available she met with the senior chief health services technician (HSCS) and expressed her concerns about the contraindication of taking the flu shot while taking the prescribed medication. She also stated that she expressed her personal spiritual beliefs with regard to the flu shot (although she did not specifically state what those beliefs were). According to the applicant, the HSCS informed her that she could pursue a waiver but that she needed to inform her chain of command that she was doing so. The applicant stated that on the same day she informed her supervisor that she did not get the flu shot due to the medication that she was taking and that she would be pursuing a waiver.

The applicant stated that on December 1, 2003, she informed the executive officer (XO) that she could not take the flu shot for medical reasons, that she had a physical scheduled for December 3, and that she planned on pursuing a waiver. According to the applicant, the XO told her to keep her chain of command informed. The applicant stated that the doctor was not available for her scheduled December 3 physical. According to the applicant, the nurse said no determination as to the safety of the flu shot could be made because the applicant's medical records had not been received from the women's clinic. The applicant stated that she informed her supervisor and reporting officer of this situation. She stated that she further told them that she could not pursue resolution of the matter if she continued in a training class that she had been assigned to and that was scheduled to last all that week. She stated her supervisors told her to stay in class.

The applicant submitted an email string that began with an email from a CWO2 on December 15, 2003, advising the applicant, among others, that they needed to get the flu shot that week. The same day, the XO emailed the operations officer, who was the applicant's department head, inquiring as to whether the applicant had had the flu shot since she had not submitted a waiver request that was due on December 5, 2003. On December 16, 2003, the operations officer directed the applicant, along with the others to take one of the following actions with a reply to him by close of business that day: provide proof to the administrative department that you have had the shot at the clinic; get the shot now and provide proof of same; or provide the waiver request that excuses you from the shot."

The applicant stated that on December 16, she discussed the situation with medical personnel, but no doctor was available. She stated that the HSCS told her that the medication might not be a complication but she should discuss it with a doctor. She

stated that she informed the XO of the situation, to which the XO replied "she would book me if I did not get it (waiver) in by Thursday (Dec 18))." The applicant stated that on the morning of December 18 she had an appointment with Dr. W, wherein she discussed an injury that she had received and that she was concerned about the changes in her physiology and wondered if it was due to the medication. She stated that Dr. W stated that he did not have knowledge in that area and told the applicant to contact her prescribing physician. The same day, the applicant stated that she consulted with the Chaplain who advised her on how to submit the waiver. She stated that she put the waiver in the XO's box for review at 1600 on December 18, 2003. There is no evidence in the record of any final action ever being taken on it.

The applicant stated that on December 19, 2003, the operations officer told her that the XO had signed her waiver request and given it to the CO, but that since she did not have an approved waiver she was not excused from the flu shot. According to the applicant, the operations officer told her that she had had sufficient time to process the waiver and that if she did not get the shot and continue to wait out the waiver, it would be reflected in her performance marks. She stated that she subsequently discussed the matter with her supervisor and told him that she had not been medically cleared to take the flu shot and that it was not right to mark her poorly when she had done all they requested her to do. She stated that she was under the impression that she was supposed to meet with the operations officer to further discuss the matter, but when she asked her supervisor about a meeting with the operations officer, he told her to "let sleeping dogs lie."

The applicant stated that on January 8, 2004, she met with Dr. W and discussed the flu shot. She stated that on January 9, 2004 Dr. W emailed her and stated "medicine should be safe to take." She stated that during a subsequent phone call Dr. W stated that if I had concerns, I should contact my physician and schedule a follow-up visit.

The applicant stated that on February 20, she had a follow-up appointment with Dr S, who had prescribed the medication and discussed certain physiological changes and the ability to take the flu shot. According to the applicant, Dr. S did not think the physiological changes were a side effect of the medication, but he took her off of it. The applicant stated that Dr. S gradually took her off of the medication over a two-week period and that it took another two weeks for it to clear her system. The applicant did not state whether Dr. S recommended that she not take the flu shot while on the medication.

On March 1, 2003, the applicant stated that she met with the reporting officer to review her OER, wherein she objected to the mark in judgment. The applicant stated that she also met with the XO and tried to explain her situation. She told the XO that she intended to follow the process for disagreeing with the mark, to which the XO

replied: "If you pursue this [option] you will be opening a Pandora's box. We can say anything we want in response."

The applicant took the flu shot on March 16, 2004. She stated that she received her copy of the OER around May 4 and routed her OER reply on May 18, 2004. She stated that she was advised by a Navy JAG to pursue relief from the BCMR.

### **Statements from the Rating Chain**

The Coast Guard obtained letters from the rating chain. The supervisor and reporting officer stated that the 3 in judgment was an accurate mark. Each stated that he or she witnessed the operations officer direct the applicant to get the shot that day which was December 19, 2003. The reviewer stated that the supervisor, the reporting officer and he counseled the applicant about the flu shot situation. He stated that the applicant failed to obey a direct order and that he concurs with the mark and comments as written.

The Coast Guard also obtained a statement from the operations officer, the head of the Department to which the applicant was assigned. The operations officer stated that he directed the applicant to take action from the options that were available to her and to cease waiting. He stated the following:

The issue of getting the vaccination had dawdled along for some time (several weeks) and, given the prompting from the Executive Officer, I issued the ultimatum in the form of an order that [the applicant] should produce a result, of her choosing, from any of the options that was available to her. But, and I was quite clear about this, she should produce a result e.g. some documentation or proof that she received the vaccination or some documentation that she was exempt from the vaccination (for whatever reason). The order given to her was to take an avenue of action, of her choosing, from the available options and to cease waiting. This in my opinion . . . did not constitute an unlawful order. If a competent medical authority has reason to believe that the administration of some medication is contraindicated, the written opinion of that authority would have been sufficient to meet the demands of myself, and I presume, the [XO].

Knowing that the ISC Seattle clinic is prone to closing up early on Fridays and that there are on call personnel who can respond to a variety of circumstances, I indicated to [the applicant] that she should contact the Executive Officer directly if she felt either grieved or placed in an untenable situation for carrying out the order. Virtually any service member . . . would have made the effort in an emergency to rectify a

situation such as this and returned from liberty, if necessary, to provide some advice or opinion.

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[The applicant's] conduct of prolonging, unnecessarily delaying and not diligently pursuing constructive resolutions in the matter of obtaining the required vaccination or appropriate waiver indicated an inadequate weighing of the risks associated with a readiness posture for the unit and displayed substandard judgment. Further, her lack of motivation and expediency in resolving the matter consumed an inordinate amount of administrative effort; failure to prioritize tasks and follow through on higher priority items reflects poor judgment.

### **VIEWS OF THE COAST GUARD**

On December 1, 2005, the Board received the advisory opinion from the Judge Advocate General of the Coast Guard. The JAG recommended that the Board deny relief. The JAG argued that the applicant has not proved that the disputed OER is erroneous or unjust. The JAG stated that ALCOAST 490/03 made influenza immunizations mandatory for all active duty members including the applicant. Based on this ALCOAST the applicant's command gave her direct order to either receive the immunization or provide a waiver. The applicant did neither. The JAG stated that the applicant's failure to follow the direct order from her command was reflected in the mark of 3 in judgment on her OER and supported with the statement "in one instance failed to comply w/COMDT/policy & command direction" as required by Article 10.A.4.c.4. of the Personnel Manual.

The JAG further argued that the applicant has failed to demonstrate why the OER reply should be removed. In this regard, the JAG stated that the applicant offered no argument or justification for removal of the reply beyond her argument that the mark and comment were erroneous. The JAG asserted that without a finding that the 3 and corresponding comment are erroneous the OER reply should not be removed from the record.

The JAG attached a memorandum from CGPC as part of the advisory opinion. CGPC offered the following, in pertinent part:

The applicant's emphasis on the command's order to her in December as an unlawful order is misplaced. There is no indication from the rating chain that the command told the applicant to get a flu shot despite the consequences of her medication . . . They directed her to seek an exemption from the flu shot requirement due to the applicant's medication

or authorization to get the flu shot and made it a direct order based on the applicant's failure to address this in a timely manner . . . The applicant was given a reasonable period of time to comply with this requirement but she failed to do so and she cites several excuses which may account for some of the delay but it does not excuse her lack of due diligence in talking directly to the prescribing physician. Further, there is no evidence of miscommunication that would excuse such a delay on the applicant's part. Finally, there is no merit to the applicant's assertion that the disputed OER violated PERSMAN Article 10.A.4.f.5.&7. The comment that supports the mark of 3 does not mention the applicant's medical condition, race, gender, etc. It is a neutral sentence within the disputed OER that simply states the applicant failed to comply with the Commandant's policy and the command's direction.

### **APPLICANT'S RESPONSE TO THE VIEWS OF THE COAST GUARD**

On January 5, 2007, the BCMR received the applicant's response to the views of the Coast Guard. The applicant took issue with almost each paragraph of the advisory opinion and restated many of the arguments that she made in her original statement to the Board, including the following: her actions showed good judgment, the order was unlawful, the mark was based on her medical condition, gender, and/or religion, and the comment was based on a medical event rather than her performance.

The applicant stated that she wanted to emphasize that she followed the regulations and did what she was told to do, but in retrospect she was given conflicting information. She further stated the following:

[T]he Coast Guard Regulations COMDTINST 6000.1C CH2<sup>2</sup> require the command to determine [whether] a refusal is unreasonable before taking

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<sup>2</sup> Chapter 2.A.4.a. of the Medical Manual restating Section 8-2-1 of the Coast Guard Regulations provides that:

(1) "Persons in the Coast Guard shall not refuse to submit to necessary and proper medical or dental treatment to render themselves fit for duty, or refuse to submit to a necessary and proper operation not endangering life."

(2) "Persons in the Coast Guard shall permit such action to be taken to immunize them against disease as is prescribed by competent authority."

Chapter 2-A-4.b. (1)(a) states that it is the Commandant's policy that compulsion is not permissible at any time to require Coast Guard personnel to submit to various types of medical or dental treatment, diagnostic procedures, or examinations. Subsection 2-A-4.b. (1)(c) states that individuals who refuse to submit to measures considered by competent medical or dental officers to be necessary to

disciplinary action. Although, as I have stated, my intent was not to refuse the shot but merely to seek clearance from a doctor for medical suitability, and to pursue a waiver as authorized by COMDTINST 6230.4E. I requested permission to pursue the waiver request prior to pursuing the medical suitability and was granted permission. Although all emails and conversations had indicated this approach was permissible by the command, after submitting the proper documentation, the command gave me an order to take the flu shot, which as previously described is against Commandant policy. In seeking clarification on this order, I was told the command was looking into it and to leave it alone. They would approach me when they wanted to talk. So the question once again remains: was my action unreasonable or unjustified. I was following prescribed course of action per COMDTINST 6230.4E Section 13, and informing my command of my progress while accomplishing a variety of significant and high priority missions. I, in fact, followed up on the medical suitability, was taken off the medication, and took the shot, prior to having received any response on the waiver request. All of these actions are within regulations and my rights as described in the Immunization and Chemoprophylaxis (joint publication), Medical Manual, and United States Coast Guard Regulations, 1992.

With respect to the OER reply, the applicant stated it "was to describe unrestricted parts of events that occurred during the incident that prompted the '3'. It is a digested description of the timeline, and was a futile and failed cry for help to persons outside the Chain of Command. If the Board finds in my favor, this document should no longer belong in my record."

The applicant submitted six character and performance references. Each individual spoke of her excellent performance of duties and stated that she was involved in several difficult and high priority projects during the period covered by the disputed OER.

## 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 submissions, and applicable law:

1. The Board has jurisdiction concerning this matter pursuant to section 1552 of title 10 of the United States Code. The application was timely.

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render them fit for duty may be processed for separation from the Coast Guard. Such individuals may be subjected to disciplinary action for refusal of necessary treatment or surgery if the refusal is determined to be unreasonable.



2. The applicant requested an oral hearing before the Board. The Chair, acting pursuant to 33 C.F.R. § 52.51, denied the request and recommended disposition of the case without a hearing. The Board concurs in that recommendation.

3. For the reasons discussed below, the Board finds that the applicant has failed to prove that the disputed below average mark of 3 in judgment and the supporting comment "In one instance, failed to comply w/COMDT policy & command directive" are in error or unjust. It is clear from the evidence that on November 3, 2003, the Commandant, in ALCOAST 497/03, made it mandatory for all active duty members to take the flu shot, except those who were granted exemptions because of allergies to a component of the vaccine. The applicant knew about the Commandant's directive because she admitted she learned about it at an all hands meeting on November 12, 2003. Therefore, ALCOAST 497/03 was an order from the Commandant that the applicant's chain of command had a duty to enforce and that the applicant had a duty to obey. Para 14.b.(2)(g) of the Manual for Courts-Martial states that "If an order does not indicate the time within which it is to be complied with, either expressly or by implication, then a reasonable time in compliance does not violate [the Uniform Code of Military Justice]." Although the ALCOAST contained no specific date by which the applicant had to take the flu shot or have an approved waiver, she was under an obligation to act within a reasonable time because flu shots work best if taken within a certain period of the year. The reporting period ended on January 31, 2004, and the applicant had neither an approved waiver nor had she taken the flu shot. She did not even submit her waiver request until December 18, 2003, after the XO threatened to place her on report if she did not do so. Therefore, the applicant should have acted more diligently in complying with the Commandant's directive and it was not unreasonable for the rating chain to consider the manner in which the applicant handled/mishandled the matter in evaluating her judgment in the performance of her duty to obtain the flu shot or an approved waiver.

4. The applicant alleged that the 3 in judgment was based on an unlawful command order that required her to take the flu vaccination against the direction of a medical prescription and without the approval of her prescribing physician and that it was in violation of Article 2.A.4.b.(1) of the Medical Manual, which states that that it is the Commandant's policy that compulsion is not permissible at any time to require Coast Guard personnel to submit to various types of medical or dental treatment, diagnostic procedures, or examinations. Further, Article 2.A.4.b.(1)(c) of the Medical Manual states such individuals may be subjected to disciplinary action for refusal of necessary treatment or surgery if the refusal is determined to be unreasonable. These provisions say nothing about immunizations. But, even if the provisions are read to include immunizations, the Board finds that the applicant failed to act reasonably in complying with her command's directions and could have been placed on report for disobeying an order. In support of its conclusion here, the Board finds that on

December 19, 2003, the operations officer stated that after learning that the applicant had not taken the flu shot and did not have an approved waiver, he ordered her to get the shot or produce an approved waiver by the end of that day or her failure to do so would be reflected in her OER. The applicant argued that the only option given to her by the operations officer was to get the shot, which she argued is corroborated by the statements of the reporting officer and supervisor.

5. Even if the order from the operations officer to the applicant included only the option of getting the shot, it was still a lawful order. The applicant was aware of her available options as early as November 12, 2003 and apparently had not presented her command with a medical opinion/waiver stating that it was not safe for her to take the shot by December 19, 2003. With this lack of medical evidence and the amount of time given to the applicant to resolve the situation, the operations officer determined that any further delay on her part was unreasonable. The applicant further exacerbated the situation by not acting immediately upon receiving the order from the operations officer and has not shown that it was impossible for her to comply with the operations officer's order. She provided no evidence that she attempted to talk with a Coast Guard medical officer or contract civilian doctor immediately after that order. While there is evidence that the clinic was closed that weekend, the applicant offered no evidence that she attempted to get the necessary medical documentation to support a medical waiver the following Monday. Rather her focus was the alleged unfairness of including this event in her OER, which was based upon her failure to act. One further note: the applicant's claim, even if true, that her supervisor told her to "let sleeping dogs lie" when she questioned him about meeting with the operations officer to further discuss the situation, does not excuse her disobedience of the order. The applicant was well aware that the order came from the operations officer and not her supervisor. Her duty was to the operations officer. She did not comply with the operations officer's order by close of business on December 19, 2003, nor did she comply with it by January 31, 2004 the end date for the disputed OER. The Board notes that the applicant did not comply with the command's directive until March 16, 2004, when she apparently determined it was safe to take the medication.

6. Nor has the applicant submitted evidence showing that complying with the operations officer's direction would have been injurious to her health. None of the doctors the applicant consulted with or who examined her during this entire process wrote a statement or made a finding that it was not safe for her to take the flu shot. According to the applicant, she consulted with Dr. W on December 18, 2003, but did not get an opinion about the flu shot due to the absence of certain medical records from her file. She met with Dr. W again on January 8, 2004, and he gave the okay for the shot, but apparently, the applicant was still not persuaded as to the safety of the flu shot and further delayed taking action. On February 20, 2004, the applicant met with Dr. S the prescribing physician. She stated that she discussed taking the flu shot with Dr. S as well as possible side effects of the medication she was taking. In this regard, the

applicant stated that Dr. S did not think her physiological changes were a side effect of the medication but that he would take her off of it. If she asked Dr. S about taking the flu shot while on the medication or while he was methodically taking her off of it, she did not provide his opinion in her statement. Nor has she presented this Board with any medical evidence that the flu shot would have been injurious to her health at any point. The applicant's command found that the *general warning* on the prescription information sheet was insufficient to excuse her from the flu shot. Otherwise, she would not have been required to seek a medical opinion. Accordingly, the Board is satisfied that the applicant had sufficient time to obtain a medical opinion as to the safety of the flu shot prior to the December 19, 2003, deadline given to her by the operations officer and certainly by January 31, 2004, the end date for the disputed OER.

7. Para 14.c.(2)(a)(i) of the Manual for Courts-Martial states that "an order requiring the performance of a military duty or act may be inferred to be lawful and it is disobeyed at the peril of the subordinate." Section 8-2-1 of the Coast Guard Regulations (1992) states, "Persons in the Coast Guard shall permit such action to be taken to immunize them against disease as is prescribed by competent authority." The applicant's decision not to act on her command's direction was at her peril.

8. In light of the above, the Board finds that it was appropriate for the rating chain to comment on the applicant's judgment in handling/mishandling the flu shot situation. She did not timely carry through with the Commandant's directive even after being ordered by her command to do so. Nor did she obey the operation officer's December 16 or December 19 orders to get the shot or produce an approved waiver. The applicant set forth several arguments for not completing action on the flu shot. In this regard, she stated that scheduled medical examinations fell through, that she was in class, that she was on scheduled leave, or that the command's work tempo did not allow for resolving the matter. However, these are excuses and do not establish impossibility to comply with the directives. The applicant's inaction after being told to take action by the operations officer by a day certain constituted poor judgment and her decision not to act was properly reflected in the OER.

9. In addition, according to the prewritten standard on the OER form, a mark in the judgment category measures an officer's "ability to make sound decisions and provide valid recommendations by using facts, experiences, common sense, and analytical thought." In opinion of the rating chain, the applicant's performance in this area did not meet the standard for a 4 because it was not at the high level expected of all Coast Guard officers.<sup>3</sup> As the Board stated above, it was appropriate for the rating

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<sup>3</sup> Article 10.A.1.b.2. c. of the Personnel Manual states that there are prescribed expectation levels within each performance dimension. The standards are written to provide a common frame of reference among rating officials to which an officer's observed performance and qualities may be compared. Each dimension has three separate standards, as follows: below standard which is performance not measuring

chain to consider the applicant's handling/mishandling of the flu shot situation in evaluation her judgment for the period covered by the disputed OER. The applicant has not demonstrated by a preponderance of the evidence that the 3 in judgment or the disputed comment are in error or unjust.

10. The applicant's contention that the below average mark and disputed comment were inappropriate because they were based on her medical condition, her religious beliefs, and/or her gender is without merit. Nor has the applicant presented sufficient evidence to support the claim. The comment mentions none of these prohibited subjects. The Commandant issued the order requiring the flu shot unless excused for medical reasons and the applicant had a duty to obey the order.

11. The applicant contended that she showed good judgment by concentrating on the mission first, following the chain of command, adhering to Coast Guard rules and regulations, and preparing for multiple outcomes by continuing to follow-up with medical suitability. She further argued that her character references show that she was an excellent performer and exercised good judgment in her duties. The opinion of the applicant and those of her character witnesses are not a substitute for the opinion of the rating chain who is charged with the responsibility of evaluating their subordinates. Apparently, the members of her rating chain who had a responsibility to carry out the Commandant's directive with respect to the flu shot and to maintain a fit and ready unit did not share the applicant's opinion that she had exercised good judgment in this situation. The Commandant sets the policy not individual members of the Coast Guard.

12. The applicant contended that the events leading up to the comment being placed in the OER was medical and not performance based. While there may have been a medical component to the issue of whether the applicant should take the flu shot, the fact that the applicant showed poor judgment in not promptly resolving the matter and in disobeying an order as discussed above was a proper matter for comment by the reporting officer.

13. The Board will not remove the OER reply because the applicant has not shown that it was placed in the record in error or that it is unjust. Since the applicant has not proved an error or injustice in the OER proper, the Board has no basis on which to consider removal the OER reply and endorsements from the her record.

14. Accordingly, the applicant has failed to prove an error or injustice in this case and her request for relief should be denied.

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up to the levels expected; standard performance which is the high level of performance expected of all Coast Guard officers; and above standard which is superlative performance.

**[ORDER AND SIGNATURES ON FOLLOWING PAGE]**

**ORDER**

The application of sssssssssssssssssssssssssssssssssssss, USCG, for correction of her military record is denied.

