

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2015-038

Discharge Issued

Character: Honorable

Narrative Reason: Homosexual Admission

SPD/RE Code: HRB / RE4

Authority of Discharge: COMDTINST M1000.6 ARTICLE 12-E-6

Date of Separation: 2010-03-19

DRB Decision

Character: No Change

Narrative Reason: Secretarial Authority

SPD/RE Code: JFF / RE1

New Authority: No Change

Discharge Review Board Discussion and Decision:

DISCUSSION:

The applicant was discharged for Homosexual Admission.

The applicant's record shows satisfactory service and there is no record of any disciplinary or performance issues. The applicant was discharged based solely upon Don't Ask Don't Tell, and there were no aggravating factors in his record.

PROPRIETY: The Board finds no issues with propriety in this case. The applicant was properly discharged under policy in effect at the time of discharge.

EQUITY: In light of the repeal of Section 654 of Title 10, United States Code and as specified in Under Secretary of Defense (Personnel and Readiness) Memorandum, the Board finds that the applicant's discharge is inequitable. The applicant was discharged solely under the provisions of Section 654 of Title 10, United States Code, therefore the terms of discharge should be corrected accordingly.

RECOMMENDATION: The Board members thoroughly reviewed the applicant's record of service and all available documentation and recommends that the applicant be issued a new DD-214 with "JFF" as the SPD Code, "Secretarial Authority" as the Narrative Reason for Separation, "12.B.12" as the Authority, and "RE1" as the Reentry Code.

Propriety: Discharge was proper.

Equity: Discharge is not equitable based upon subsequent policy/legislative change.

Final Adjudication by Assistant Commandant for Human Resources: Concur with Board. Aforesaid relief is granted.

In reviewing discharges, the Board presumes regularity in the conduct of governmental affairs unless there is substantial credible evidence (to include evidence submitted by the Applicant) to rebut the presumption.