

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2020-046

Discharge Issued

Character: Uncharacterized

Narrative Reason: Entry Level Performance and Conduct

SPD/RE Code: JGA / RE4

Authority of Discharge: COMDTINST M1000.4, Art 1.B.19

Date of Separation: 2019-02-06

DRB Decision

Character: No Change

Narrative Reason: No Change

SPD/RE Code: No Change / RE3L

New Authority: No Change

Discharge Review Board Discussion and Decision:

DISCUSSION:

The applicant was discharged for Entry Level Performance And Conduct.

Separation Authorization included a handwritten note that unsuitability was due to previous Board and CG Investigative Service (CGIS) investigation. The included character witnesses' cited accusations of bullying. After 169 days of training, the recruit was unable to meet the minimum training requirements set forth. The applicant acknowledged via signature the required notification of intent to separate and the discharge documents presented during the process of separation for unsuitability for military service, inaptitude. Separation documentation reflects that the applicant was counseled regarding reenlistment at the time of discharge.

An uncharacterized character of service is not derogatory in nature. COMDTINST M1000.4 CH 3 Art. 1.B.19, in accordance with 10 U.S.C. § 1169, prescribes this character for individuals who were separated while in an entry-level status (fewer than 180 days of active service) when there was no associated conduct to warrant a less desirable character of service. The applicant's Separation Program Designator (SPD) is in alignment with COMDTINST M1000.4 CH-3 Art. 1.B.2.g and DoDI 1336.01, Encl. 2 which authorizes JDA (Fraudulent Entry) to be used with uncharacterized discharges.

On the propriety standard, the Board referred to the Separation Program Designator Handbook with regard to the Reenlistment Code for his separation. This discharge was inconsistent with the procedural and substantive requirements of policy within the discretion of the separation authority. The former member was properly discharged for misconduct, however, the RE code issued is not in alignment with policy. The discharge authority assigned an SPD of JGA which only authorizes RE-3L. Therefore, the Board recommends the RE-4 be amended to RE-3L.

An RE3L reentry code represents entry-level separation & must have waiver to reenlist. Depending on the circumstances of the discharge and disqualification, a request for a waiver may be submitted as part of the request for reenlistment through a recruiter of the gaining service.

RECOMMENDATION: The Board members thoroughly reviewed the applicant's record of service and all available documentation. The Board deemed that the applicant's character of service and reason for separation are appropriate and should not be changed.

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.

