

DEPARTMENT OF TRANSPORTATION
BOARD FOR CORRECTION OF MILITARY RECORDS

Application for Correction of
Coast Guard Record of:

BCMR Docket
No. 5-96

FINAL DECISION

██████████ Attorney-Advisor:

This is a proceeding under the provisions of section 1552 of title 10, United States Code. It was commenced on October 11, 1995, by the filing of an application for relief with the BCMR.

This final decision, dated October 11, 1996, is signed by the three duly appointed members who were designated to serve as the Board in this case.

The applicant, a former ██████████; pay grade E-4), asked the BCMR to correct his date of discharge on his DD Form 214 (certificate of release or discharge from active duty). He claimed that the discharge date listed on his DD Form 214, October 27, 1993, was incorrect. He asserted that his correct date of discharge from the Coast Guard was November 1, 1993. In support of his application, he submitted a copy of his DD Form 256 (honorable discharge certificate) that listed his date of discharge as November 1, 1993.* He did not submit any other evidence in support of his claim.

Views of the Coast Guard

On March 22, 1996, the Coast Guard recommended that the applicant's request for relief be denied. The Service stated that the applicant was discharged on October 27, 1993, "as indicated on the DD-214 and as verified by the Coast Guard Personnel Data System."

The Coast Guard stated that the DD Form 214 is the official record of discharge from active duty and that the DD Form 256 is "a ceremonial representation of the discharge." The Service asserted that the discharge date on the applicant's DD Form 256, November 1, 1993, was erroneous and that it should be changed to the correct date,

* The applicant's military record contains a copy of his DD Form 214 that lists his discharge date as October 27, 1993. There is no copy of his DD Form 256 in his record.

October 27, 1993. The Coast Guard submitted a revised DD Form 256 in which the applicant's discharge date had been changed to October 27, 1993.

Applicant's Response to the Coast Guard's Views

A copy of the views of the Coast Guard, along with a copy of the revised DD Form 256, was sent to the applicant. He was advised that he could submit a response to the Coast Guard's views within 15 days. He did not do so.

FINDINGS AND CONCLUSIONS

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

1. The BCMR has jurisdiction concerning this matter pursuant to section 1552 of title 10, United States Code. The application is timely.
2. The applicant has failed to demonstrate that the Coast Guard committed either error or injustice with regard to his discharge date as it was stated on his DD Form 214.
3. The Coast Guard has established that the applicant's DD Form 256 erroneously listed his discharge date as November 1, 1993, when, in fact, his actual discharge date on his DD Form 214 was October 27, 1993. As a result, the Coast Guard issued a new DD Form 256 with the correct discharge date. A copy of this revised DD Form 256 was forwarded to the applicant.
4. Accordingly, the applicant's request for relief should be denied.

[ORDER AND SIGNATURES FOLLOW ON THE NEXT PAGE]

ORDER

The application for correction of the military record of:
USCG, is denied.

