


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

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Application for Correction of  
the Coast Guard Record of:

**BCMR Docket No. 2014-022**

 (former)

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**FINAL DECISION**

This proceeding was conducted under the provisions of section 1552 of title 10 and section 425 of title 14 of the United States Code. After receiving the applicant's completed application on December 12, 2013, the Chair docketed it and assigned the case to  to prepare the decision for the Board as required by 33 C.F.R. § 52.61(c).

This final decision, dated August 22, 2014, is approved and signed by the three duly appointed members who were designated to serve as the Board in this case.

**APPLICANT'S REQUEST AND ALLEGATIONS**

The applicant asked the Board to amend his DD-214 to include a Reserve Obligation Termination date in Block 6. He states that he enlisted on March 25, 2008 for an eight-year initial obligation and still had time remaining after his Active Duty period. This remaining time is not reflected on his DD-214. His record confirms that he enlisted in the Coast Guard on March 25, 2008, and was discharged on September 25, 2013.

**SUMMARY OF THE RECORD**

On March 25, 2008, the applicant signed his enlistment documents, which include a Statement of Understanding for Original Enlistment in the Coast Guard, in which he agreed to a military service obligation of eight years in the Coast Guard, four of which were an active duty obligation, and the remaining four in the Reserve. The enlistment documents state that as an initial enlistment, the applicant must serve a total of eight years, unless he is sooner discharged or otherwise extended by the appropriate authority.

The applicant's record contains multiple negative administrative remarks and a Non-Judicial Punishment (NJP) for the offense of "Drunk and disorderly" dated October 17, 2012. The applicant was discharged on September 25, 2013 for "miscellaneous/general reasons." On his DD-214, Block 6 (Reserve Obligation Termination Date) was left blank.

## VIEWS OF THE COAST GUARD

On April 04, 2014, the Coast Guard submitted an advisory opinion recommending that the Board deny relief in this case, in accordance with the findings and analysis provided in a memorandum submitted by the Commanding Officer, Coast Guard Personnel Service Center (PSC).

PSC states that while the specific reason his Command initiated discharge is not evident from the applicant's record, his record shows a history of poor performance and repeated counseling for infractions. The applicant's career summary, final orders for transportation after discharge, and DD-214 all specify that applicant was discharged from the service rather than receiving a Release from Active Duty (RELAD). Although the applicant did have time remaining on his initial military service obligation, Commandant Instruction (COMDTINST) M1000.4, Military Separation Manual, defines "discharge" from the service as "a complete severance from all military status." A Release from Active Duty, on the other hand, does not terminate the military service obligation, but rather transfers the time remaining on the initial obligation to the Reserve.

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

On April 25, 2014, the Chair of the BCMR sent the applicant a copy of the Coast Guard's views and invited him to respond within 30 days. The BCMR did not receive a response.

## APPLICABLE LAW AND POLICY

### *DD Form 214 Rules – COMDTINST M1900.4D*

DD-214s are completed in accordance with COMDTINST M1900.4D. Chapter 1.E. of the manual provides the following instructions for completing block 6 on a DD-214:

Block 6. Reserve Obligation Termination Date. Enter, when applicable, the terminal date of the member's Reserve obligation under the Universal Military Training and Service Act. (Personnel, including women, entering service on and after 1 September 1984 acquire a statutory obligated service requirement of 8-years per Title 10 USC 651. Prior to 1 September 1984, the statutory obligated service requirement was 6-years, except for women. Women were placed under a statutory obligated service requirement effective 1 February 1978.)

Chapter 1.D.2.c. of the manual provides the following instructions for completing a DD-214 and instructions for when information is not applicable to a member:

Completeness of Items. Block-by-block instructions for the entries to be made on the DD Form 214 are contained in paragraph E of this Chapter. No block will be left completely blank, nor will entries of any kind be made outside the margins of the form. When information is not available or more space is needed, the following instructions apply:

(1) Information Not Applicable. When information in a block is not applicable to the member being separated, the notation "None" or "Not Applicable" will be made in the space provided. When the space is limited, the abbreviation "NA" may be used.

*Coast Guard Military Separations Manual - COMDTINST M1000.4*

Article 1.B.1.f.2. of the Military Separations Manual defines “discharge” as a “complete severance from all military status.”

Article 1.B.1.f.3. defines “Release from Active Duty” as the “termination of active duty status and transfer or reversion to a Reserve component not on active duty.”

**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 10 U.S.C. § 1552.
2. Under 10 U.S.C. § 1552(b) and 33 C.F.R. § 52.22, an application to the Board must be filed within three years after the applicant discovers the alleged error or injustice. The application was timely. The Applicant was discharged from the service in 2013 and submitted his BCMR application on October 16, 2013.
3. The applicant's enlistment documents clearly indicate that he agreed to the statutory obligated eight-year service requirement, per 10 U.S.C. 651, in the Coast Guard or Coast Guard Reserve on March 25, 2008. The applicant's DD-214 specifically states that he was discharged from the service, rather than being released from active duty, on September 25, 2013, for miscellaneous/general reasons. As noted in applicant's enlistment documents and Article 1.B.1.f.2. of the Military Separations Manual, receiving a discharge during an initial enlistment terminates a member's military service obligation.
4. Therefore, the applicant has not proven by a preponderance of the evidence that the lack of a date in Block 6 of his DD-214 is erroneous or unjust. Pursuant to 1.D.1.c.1. of the manual for completing DD-214s, COMDTINST M1900.4D, when a member has no remaining military service obligation upon separation from active duty, Block 6 should include either “none” or “not applicable” (for officers). The applicant did not request this relief, but if he wants Block 6 of his DD-214 corrected to state “none,” he should submit another application requesting this correction.
5. Accordingly, relief should be denied, but if the applicant wants Block 6 of his DD-214 to correctly show “none,” he should submit another application to the Board.

**(ORDER AND SIGNATURES ON NEXT PAGE)**

**ORDER**

The application of former [REDACTED] [REDACTED] USCG, for correction of his military record is denied.

August 22, 2014

