

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

Application for the Correction of
the Coast Guard Record of:

BCMR Docket No. 2014-177



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 after receiving the applicant's completed application on July 8, 2014, and assigned it to staff member [REDACTED] to prepare the decision for the Board as required by 33 C.F.R. § 52.61(c).

This final decision, dated April 24, 2015, 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, who served as a Health Services Technician, [REDACTED] on active duty in the Coast Guard and was discharged in 2010, asked the Board to correct her DD 214¹ to show that she attended a Health Services Technician course. She stated that she completed the school but that it does not appear on her DD 214.

Regarding the delay in submitting her application to the Board, the applicant stated that it is in the interest of justice to consider her application because she did not discover the error until June 20, 2014, when a Department of Veterans Affairs representative at her college pointed it out.

In support of her allegations, the applicant submitted a Coast Guard print-out "Summary" of her military training, which shows that she completed various training courses, including recruit training, #566666; Health Services Technician "A" School, course #210090; an Enlisted Professional Military End of Course Test (EOCT) #0230-3, which is necessary to compete for advancement to HS2; and Instructor Development, #230140. The applicant asked that these courses be included in a blank section of her DD 214.

¹ A DD 214 is prepared to document a member's release or discharge from a period of active duty.

SUMMARY OF THE RECORD

The applicant enlisted in the Coast Guard on October 11, 2005, attended Recruit Training and various other courses, including Health Services Technician “A” School on September 21, 2007. On January 29, 2009, she passed the HS2 End of Course Test (EOCT) #0230-3.

The applicant was honorably discharged on January 29, 2010, after serving 4 years, 3 months, and 29 days on active duty. Her DD 214 shows “NA” (not applicable) in block 11, titled “Primary Specialty,” and lists the following military service courses in block 14, titled “Military Education”: Instructor Development Course, Leadership & Management Roadshow Course, Emergency Response – First Responder Operations Training, Team Coordination Training – Unit Training, Civil Rights/Human Relation Awareness Basic Human Awareness Training, Civil Rights/Human Relations Awareness Sexual Harassment Prevention Training. Block 14 does not mention her completion of Recruit Training, HS “A” School, or HS2 EOCT #0230-3

APPLICABLE LAW AND REGULATIONS

COMDTINST M1900.4D contains the Commandant’s instructions for completing the DD 214, and Chapter 1.E. of the instruction states that Block 11 - Primary Specialty, should indicate “NA” for enlisted personnel.²

Chapter 1.E of COMDTINST M1900.4D states that “[t]o assist the former service member in employment placement and job counseling, those formal service schools and in-service training courses captured in PMIS/JUMPS and successfully completed during the period of service covered by the form will be in this block, e.g., medical and dental, electronics, supply administration, personnel, or heavy equipment operations. Enter all course titles, number of weeks, and year completed.”

VIEWS OF THE COAST GUARD

On December 18, 2014, the Judge Advocate General (JAG) of the Coast Guard submitted an advisory opinion recommending that the Board grant alternative relief in accordance with a memorandum submitted by the Commander, Personnel Service Center (PSC). PSC argued that the application is untimely because the applicant was discharged in 2010. PSC further argued that alternative relief should be granted because contrary to the applicant’s claim that her military schooling should be reflected in Block 11 of her DD 214, COMDTINST M1900.4D requires that it be reflected in Block 14 of the DD 214. The PSC recommended that the Board grant relief by ordering the Coast Guard to amend her DD 214 by adding her Health Services Technician courses and the Enlisted Professional Military course to Block 14 of her DD 214.

APPLICANT’S RESPONSE TO THE VIEWS OF THE COAST GUARD

On January 16, 2015, the BCMR sent the applicant a copy of the Coast Guard’s views and invited her to respond within 30 days. The Board did not receive a response.

² DD 214s prepared for officers will have the officer’s specialty or experience indicator reflected in Block 11 of the DD 214, but an enlisted member’s specialty is reflected in block 4.a. Chapter 1.E. of COMDTINST M1900.4D.

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 submission and applicable law:

1. The application is timely because it was filed within three years of the applicant's discovery of the alleged error or injustice in her record, as required under 10 U.S.C. § 1552(b). Although the applicant received her DD 214 in 2010 and did not apply until 2014, the Board finds that her claim that she was unaware that her training as a medical professional was missing from her DD 214 until it was pointed out to her by the DVA is credible and so the preponderance of the evidence shows that her application is timely.

2. The applicant alleged that her DD 214 is erroneous in that it does not list the Health Services Technician "A" School course and other courses that she completed while on active duty in the Coast Guard, and she asked that they be added to her DD 214. The Board begins its analysis in every case by presuming that the disputed information in the applicant's military record is correct as it appears in his record, and the applicant bears the burden of proving by a preponderance of the evidence that the disputed information is erroneous or unjust. 33 C.F.R. § 52.24(b). Absent evidence to the contrary, the Board presumes that Coast Guard officials and other Government employees have carried out their duties "correctly, lawfully, and in good faith." *Arens v. United States*, 969 F.2d 1034, 1037 (Fed. Cir. 1992); *Sanders v. United States*, 594 F.2d 804, 813 (Ct. Cl. 1979).

3. Although the Coast Guard is correct that block 11 of the applicant's DD 214 properly states "NA," the applicant has proven by a preponderance of the evidence that her DD 214 is incomplete because it does not show her completion of Recruit Training, #566666, Health Services Technician "A" School, #210090, or the Enlisted Professional Military course for advancement to HS2, EOCT # 0230-3, while serving on active duty. Although the applicant complained that her DD 214 does not list course #230140, Instructor Development, that course is listed first in block 14 of her DD 214. Chapter 1.E of COMDTINST M1900.4D states that Block 14 of a member's DD 214 shall list all of the formal service-schools and in-service training courses shown in PMIS/JUMPS as being completed by the member during her enlistment. PSC agreed that the applicant's DD 214 does not accurately reflect the completion of her Health Services Technician courses or her Enlisted Professional Military course. The Board finds that the applicant has proven by a preponderance of the evidence that she completed at least three schools/courses that should be added to her DD 214.

4. Accordingly, relief should be granted.

(ORDER AND SIGNATURES ON NEXT PAGE)

ORDER

The application of former [REDACTED], USCG, for correction of her military record is granted. The Coast Guard shall issue her a DD 215 to correct her DD 214 to reflect all of the “formal service schools and in-service training courses captured in PMIS/JUMPS and successfully completed during the period of service,” as required by COMDTINST M1900.4D, including her Recruit Training, Health Services Technician “A” School, and the enlisted professional military course for advancement to HS2 designated #0230-3.

April 24, 2015

