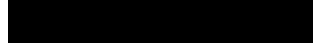


**DEPARTMENT OF HOMELAND SECURITY  
BOARD FOR CORRECTION OF MILITARY RECORDS**

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Application for the Correction of  
the Coast Guard Record of:

**BCMR Docket No. 2024-075**

  
BMC (former)

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**FINAL DECISION**

This proceeding was conducted according to the provisions of 10 U.S.C. § 1552 and 14 U.S.C. § 2507. The Chair docketed the case after receiving the completed application on July 16, 2024 and assigned the case to a staff attorney to prepare the decision pursuant to 33 C.F.R. § 52.61(c).

This final decision, dated March 20, 2025, 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 retired from the Coast Guard in 2009 after serving more than twenty years on active duty, asked the Board to combine his two DD Form 214s<sup>1</sup> and issue him one DD Form 214 covering his two separate periods of service and including the schools he attended prior to February 5, 1988.

The applicant stated that he has requested copies of his DD 214s several times but only receives one that does not document his entire period of active service or all of the service schools that he attended prior to 1988.

In support of his application, he submitted a copy of two separate DD 214s. The first one documents his active service from July 7, 1981 to February 4, 1988, totaling six years, six months, and twenty-eight days of net service. The second DD 214 documents his active service

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<sup>1</sup> The DD Form 214 provides the member and the service with a concise record of a period of service with the Armed Forces at the time of the member's separation, discharge or change in military status (reserve/active duty). In addition, the form is an authoritative source of information for both governmental agencies and the Armed Forces for purposes of employment, benefit and reenlistment eligibility, respectively. The DD Form 214 is issued to members who change their military status among active duty, reserve, or retired components or are separated/discharged from the Coast Guard to a civilian status. COMDTINST M1900.4D.

from February 5, 1988 to August 31, 2009, totaling six years, six months, and twenty-eight days of net service

The applicant did not state when he discovered the alleged error in his record nor did he state why he failed to discover the alleged error sooner.

### SUMMARY OF THE APPLICANT'S RECORD

The applicant enlisted in the Coast Guard on July 7, 1981. On February 4, 1988, he was counseled on a Page 7 that he was being discharged from active duty pursuant to Article 12-B-11 of the Coast Guard Personnel Manual because he had reached the end of his enlistment. The Page 7 also stated that he was being recommended for reenlistment. He was issued a DD 214 documenting this period of service, and the form indicates that he had completed the following schools and military education:

Quartermaster Class "A" School	Emergency Medical Technician
Coastal Search and Rescue	C3 Standard Terminal Operators Course
Maritime Law Enforcement	

After being separated on February 4, 1988 the applicant immediately reenlisted by signing a four-year reenlistment contract on February 5, 1988, and another Page 7 was placed in his record documenting his reenlistment.

The applicant retired from active duty on August 31, 2009, and upon his retirement he received another DD 214 documenting this second period of active service. Block 12d (Total prior active service) shows the six years, six months, and twenty-eight days of prior active service that he completed during his first enlistment. The form indicates that he completed the following schools and military education during his second period of service:

Mixed Basic Police Training	Command Intelligence Officer
Critical Incident Stress Management	Drug and Alcohol Awareness
Sexual Harassment Prevention	Basic Boarding Officer
Substance Abuse	HAZWOPER FR Awareness EXP
Instructor Development Course	USAF Senior NCO Academy
TCT Facilitator Training	Maritime SAR Training
Leadership and Management	DWO International/Inland Renew
Damage Control	Rapid Radar Plotting
Course Designer	OFF Ship hand
Advance Signalman	Nav/CEL Ref
Watchstanding the Conning	DWONR
Maneuvering Boards	Navigation Rules
Search and Rescue	EMT Qualification

### **VIEWS OF THE COAST GUARD**

On February 10, 2025, a judge advocate (JA) of the Coast Guard submitted an advisory opinion in which he recommended that the Board deny relief in this case and adopted the findings and analysis provided in a memorandum prepared by the Personnel Service Center (PSC).

The JA argued that the application is untimely because the applicant was separated in 2009 but did not submit his application to the Board until 2024.

Regarding the merits of the applicant's request for a combined DD 214, the JA adopted the findings and analysis provided by PSC and recommended that the Board deny relief because the two DD 214s were completed in accordance with policy and in combination account for his entire military service.

PSC stated that at the time of the applicant's separation in 1988 it was Coast Guard policy to discharge and reenlist a member the following day if they wanted to continue serving on active duty, so it was correct that the applicant received a DD 214 upon his separation on February 4, 1988. Moreover, PSC stated that the applicant was properly counseled on a Page 7 that he was being discharged on February 4, 1988 and was again counseled on another Page 7 on February 5, 1988, that he was reenlisting for another four years.

Finally, PSC argued that the applicant's request to add more schools to his DD 214 should be denied because he did not provide any evidence that he completed schools or received training that are not already documented on his two DD 214s.

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

On February 10, 2025, the Chair sent the applicant a copy of the Coast Guard's views and invited him to respond within thirty (30) days. The Chair did not receive a reply.

### **APPLICABLE LAW AND POLICY**

Chapter 1.C of the Commandant's instructions for preparing the DD 214, COMDTINST M1900.4B, effective September 25, 1979, states that block 14 of a DD 214 should show all formal service schools and in-service training courses completed during the period of service covered by the form, with course titles, number of weeks, and year completed, from the service dates in Blocks 12a through 12b. The DD 214 instructions in effect when the applicant retired in 2009 are the same with respect to listing all schools and training completed during the period of service covered by the form.

Chapter 12.B.11 of the Coast Guard Personnel Manual, COMDTINST M1000.6, January 8, 1988, states that unless a member voluntarily or involuntarily remains beyond the normal enlistment expiration date, a member shall be discharged or released from active duty and transferred to the Reserve to fulfill any remaining service obligation on the day before the applicable enlistment anniversary date.

## 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. An application to the Board must be filed within three years after the applicant discovers the alleged error or injustice.<sup>2</sup> The applicant retired from the Coast Guard on August 31, 2009, and did not submit his application to the Board until October 2, 2023. Moreover, he did not explain the delay in discovering the error nor did he argue why the Board should waive the statute of limitations and consider his request. Thus, his application is untimely.

2. The Board may excuse the untimeliness of an application if it is in the interest of justice to do so.<sup>3</sup> In *Allen v. Card*, 799 F. Supp. 158 (D.D.C. 1992), the court stated that the Board should not deny an application for untimeliness without “analyz[ing] both the reasons for the delay and the potential merits of the claim based on a cursory review”<sup>4</sup> to determine whether the interest of justice supports a waiver of the statute of limitations. The court noted that “the longer the delay has been and the weaker the reasons are for the delay, the more compelling the merits would need to be to justify a full review.”<sup>5</sup> In accordance with this direction, the Board has conducted a cursory review of the merits and finds no reason to excuse the untimeliness of the application:

a. The applicant did not explain or justify why he waited 14 years after his retirement to request correction of his military record. He failed to show that anything prevented him from seeking correction of the alleged error or injustice more promptly.

b. The applicant has not submitted any evidence of error or injustice. His DD 214s are correct because they document his two separate periods of active service and were prepared in accordance with the Coast Guard Personnel Manual in effect in 1988 and the Separations Manual in effect in 2009.

c. The applicant is not eligible to receive one comprehensive DD 214 documenting his entire military service because the Personnel Manual in effect in 1988 and the Separations Manual in effect in 2009 both state that the DD 214 will be issued for each separate period of active service.

d. The applicant has failed to overcome the presumption that that his record is correct and that each of his DD 214s documents all of the schools he attended and the training he received during that period of service. He has not provided the Board with any evidence that he completed any schools or training that are not already documented on his DD 214s.

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<sup>2</sup> 10 U.S.C. § 1552(b) and 33 C.F.R. § 52.22.

<sup>3</sup> *Id.*; 33 C.F.R. 52.22.

<sup>4</sup> *Allen v. Card*, 799 F. Supp. 158, 164 (D.D.C. 1992).

<sup>5</sup> *Id.* at 164, 165; *see also Dickson v. Secretary of Defense*, 68 F.3d 1396 (D.C. Cir. 1995).

3. Accordingly, the Board will not excuse the application's untimeliness, and his request should be denied.

**ORDER**

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

March 20, 2025

