

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

Application for the Correction of
the Coast Guard Record of:

**FINAL DECISION
BCMR Docket No. 2018-038**

SUMMARY OF THE RECORD

The applicant, who served in the Coast Guard from 1970 to 2001 on active duty and in the Reserve, asked the Board to correct his record to show that he received the Coast Guard Commendation Medal or the Silver Lifesaving Medal for helping to save the life of a man who jumped from the Sagamore Bridge on July 9, 1979, in an apparent suicide attempt. The applicant stated that as a supplemental crew member and Emergency Medical Technician (EMT) on a Coast Guard cutter he responded to an emergency call and was better trained to administer treatment for shock and hypothermia than the ambulance crew that transported the patient to the hospital. He alleged that if not for his treatment the patient would have died on the way to the hospital. In support of his application, the applicant submitted a copy of a letter congratulating him on completing an EMT course; an electronic message from the Commandant to his unit on July 13, 1979, congratulating the crew of the cutter and specifically the applicant; and a copy of the congratulatory Flag letter that he received from the Coast Guard on July 20, 1979, commending him for the care that he provided to the bridge jumper. His DD 214 shows that he received a Good Conduct Medal and a Coast Guard Unit Commendation.

The Coast Guard recommended denying relief, noting that it is impossible to determine if an award submission was ever initiated for the applicant because the incident occurred more than 40 years ago. The Coast Guard argued that if the applicant was eligible to receive an award for the incident then one would have been initiated based on the July 13, 1979, message from the Commandant and the July 20, 1979, Flag letter. The applicant disagreed with the Coast Guard's recommendation and argued that it probably lost the paperwork for his award and that his case should not be dismissed as untimely because the "correction of an injustice is not diminished by the passage of time."

FINDINGS AND CONCLUSIONS

Under 10 U.S.C. § 1552(b), an application to the Board must be filed within three years after the applicant discovers the alleged error or injustice. The Board finds that the application is untimely because the applicant was discharged in 2001 and knew at the time that he had not been awarded the medal he is seeking, but he did not submit his application to the Board until 2017. The Board finds no grounds for excusing the untimeliness of the application because the applicant did not justify his considerable delay in applying to the Board. Nor has the applicant shown that he met the criteria for either medal when he was performing his assigned duty as an EMT. Chapter 4.A. of the Medals and Awards Manual provides that Silver Lifesaving Medals are awarded for demonstrating extraordinary effort to rescue someone from drowning, and they are not awarded to military members unless they are on liberty or leave at the time. Chapter 2.A.13. states that a Commendation Medal may be awarded for heroism or outstanding achievement well above that expected of the member. The record shows that the applicant performed his assigned duty as an EMT very well on July 9, 1979, and received praise for that performance, but there are no grounds for finding that his performance of his assigned duty as an EMT met the criteria for a medal. Therefore, the Board will not waive the statute of limitations. His request should be denied.

ORDER

The application of [REDACTED] USCGR (Retired), for correction of his military record is denied.

August 3, 2018

