

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

Application for Correction of
the Coast Guard Record of:

BCMR Docket No. 2023-002


LT (O-3)

TECHNICAL AMENDMENT

Following the issuance of the BCMR's Final Decision in Docket No. 2023-002 on April 17, 2024, the applicant contacted the Board and requested the following amendments be made to the Board's Order:

1. Regarding the Continuity OER, the applicant requested that the following language be added to the OER: "The Secretary has corrected this servicemember's Official Military Personnel File in accordance with 10 U.S.C. § 1552. No adverse inference of any kind is to be drawn from the lack of a substantive OER during this period."
2. Require the Coast Guard to ensure that the applicant's 2023 Commendation Medal must be part of his Electronic Personnel Data Record (EPDR) that will be furnished to the PY2023 SSB.
3. Require the applicant's communication to the PY2024 ADPL LCDR Selection Board be removed before he is considered by the corresponding SSB (if that SSB proves necessary).
4. Pursuant to the Board's decision in BCMR Docket No. 2016-045, the applicant again requested that the PRRB decisions and rating chain statements not be retained anywhere in the applicant's EPDR, especially since the Coast Guard JAG recommended their removal. The applicant defended his request by citing to the Board's analysis in Docket No. 2016-045, wherein the Board found that removal of a previous Discharge Review Board decision and BCMR from the applicant's record was in the interest of justice because they "contain substantial discussions of the circumstances of the applicant's unsuitability discharge and reentry code," even though those decisions would not be viewable by future boards or panels.

FINDINGS AND CONCLUSIONS

As these parts of these issues were mentioned in the original case but not expressly addressed in the Board's findings, the Board makes the following additional findings:

1. The Board agrees with the applicant's requested amendment. The Coast Guard should include the following language in the applicant's Continuity OER:

The Secretary has corrected this servicemember's Official Military Personnel File in accordance with 10 U.S.C. § 1552. No adverse inference of any kind is to be drawn from the lack of a substantive OER during this period.

2. The Board agrees with the applicant’s requested amendment. The Coast Guard should include the applicant’s 2023 Commendation Medal as part of his Electronic Personnel Data Record (EPDR) that will be furnished to the PY2023 SSB.
3. The Board agrees with the applicant’s requested amendment. The Coast Guard should remove any communication by the applicant to the PY2024 ADPL LCDR Selection Board before he is considered for promotion by the SSB.
4. The Board finds that this request was properly considered and denied in its original decision. The fact that the Board has removed board decisions from a veteran’s record in a very different case in the past is not evidence that the board decisions constitute an error or injustice in this applicant’s record. All such decisions are masked when an officer’s record is reviewed by any selection board. The applicant is free to request reconsideration of this issue with new evidence or material information.

AMENDMENT TO ORDER

The request of LT [REDACTED] [REDACTED] USCG, for technical amendments to the original Order of the Board in this case is granted in part as follows. In addition to the relief granted in the Final Decision, the Coast Guard shall—

1. Place the following statement in the new Continuity OER: “The Secretary has corrected this servicemember’s Official Military Personnel File in accordance with 10 U.S.C. § 1552. No adverse inference of any kind is to be drawn from the lack of a substantive OER during this period.”
2. Ensure that his 2023 Commendation Medal is part of his Electronic Personnel Data Record (EPDR) that will be furnished to the Special Selection Board.
3. Remove his personal communication to the PY2024 ADPL LCDR Selection Board from his record before he is considered for promotion by a Special Selection Board.

May 8, 2024

[REDACTED] [REDACTED] Digitally signed by [REDACTED]
[REDACTED] [REDACTED] Date: 2024.05.08 12:30:20 -04'00'

[REDACTED] [REDACTED] Digitally signed by [REDACTED]
[REDACTED] [REDACTED] Date: 2024.05.09 08:06:55 -04'00'

[REDACTED] [REDACTED] Digitally signed by [REDACTED]
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