

**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. 2016-059**

SUMMARY OF THE RECORD

The applicant asked the Board to correct his DD 214 to show that he was an MST2 (E-5) upon his retirement in [REDACTED]. He stated that his DD 214 incorrectly shows that he retired as an MST3 (E-4) but alleged that he was an MST2 (E-5) at the time of his retirement. In support of his application, he submitted a copy of the DD 214 that he received upon his discharge on March 18, 1991, and it shows that he was discharged as an MST3 (E-4). The applicant stated that he discovered the alleged error on February 21, 2016, and argued that the Board should consider his application because it was the Coast Guard's clerical error and not his mistake. His official military record contains two DD 214s. One shows that he served on active duty from October 19, 1986, through March 18, 1991, and was discharged as an MST3 (E-4). The other shows that he served from March 19, 1991, through [REDACTED] and was retired as an MST2 (E-5) due to a disability.

On July 20, 2016, the Judge Advocate General of the Coast Guard submitted an advisory opinion recommending that the Board deny relief in accordance with a memorandum submitted by the Commander, Personnel Service Center (PSC). PSC argued that the application is untimely and that the applicant's two DD 214s are accurate and require no corrections. PSC stated that the applicant received two separate DD 214s for two different periods of service and argued that both DD 214s are correct. PSC argued that the DD 214 that he received upon his discharge on March 18, 1991, is correct because it shows that he was discharged at the end of his enlistment and that he was an MST3 (E-4) at the time of his discharge. PSC also argued that the applicant's second DD 214 is correct because it shows that the applicant was retired due to a disability on [REDACTED] and was an MST2 (E-5). Therefore, PSC stated, the applicant was indeed retired at the rank of E-5, as he alleged.

FINDINGS AND CONCLUSIONS

The application is untimely because the applicant was discharged in [REDACTED]. In addition, a cursory review of the merits reveals that he is unlikely to prevail. The record shows that he received two DD 214s covering two enlistments. It is not clear why he received the 1991 DD 214 since he was immediately reenlisting, but the DD 214 that he received upon his retirement on [REDACTED] correctly shows that he was being retired due to a disability as an MST2 (E-5). Moreover, PSC confirmed that the applicant was properly retired at the rank of E-5. The Board believes that the applicant has mistaken his 1991 DD 214 for the DD 214 that he received upon his retirement in [REDACTED] and the latter correctly shows that he retired at the rank of MST2. Accordingly, the Board finds that no correction of his record is necessary and it will not waive the statute of limitations. His request should be denied.

ORDER

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

January 27, 2017

