

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

Application for the Correction of
the Coast Guard Record of:

BCMR Docket No. 2012-108

**XXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXX**

FINAL DECISION

This is a proceeding under 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 March 28, 2012, and assigned it to staff member J. Andrews to prepare the decision for the Board as required by 33 C.F.R. § 52.61(c).

This final decision, dated December 21, 2012, 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 was honorably discharged on March 13, 1995, after completing 6 months and 28 days of active service, asked the Board to correct the reentry code, separation code, and narrative reason for separation on his discharge form, DD 214. His DD 214 shows that he was discharged for "Unsuitability" under Article 12-B-16 of the Personnel Manual, with separation code JFX (which denotes separation due to a diagnosed personality disorder¹) and reen-

¹ The Coast Guard relies on the American Psychiatric Association's DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS when diagnosing members with psychological conditions. See Coast Guard Medical Manual, Chap. 5.B.1. Under the DSM-IV-R, a "personality disorder" is "an enduring pattern of inner experience and behavior that deviates markedly from the expectations of the individual's culture, is pervasive and inflexible, has an onset in adolescence or early adulthood, is stable over time, and leads to distress or impairment." American Psychiatric Association, DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS, FOURTH EDITION, TEXT REVISION (2000) (DSM-IV-R), p. 685. Types of personality disorders include paranoid, schizoid, schizotypal, antisocial, borderline, histrionic, narcissistic, avoidant, dependent, and obsessive-compulsive. *Id.* "The diagnosis of Personality Disorders requires an evaluation of the individual's long-term patterns of functioning The personality traits that define these disorders must also be distinguished from characteristics that emerge in response to specific situational stressors or more transient mental states The clinician should assess the stability of personality traits over time and across different situations." *Id.* at 686. Dependent personality disorder is a "pervasive and excessive need to be taken care of that leads to submissive and clinging behavior and fears of separation, beginning by early adulthood and present in a variety of contexts, as indicated by five (or more) of the following:

listment code RE-4 (ineligible to reenlist). The applicant asked that his narrative reason for separation be corrected to “Breach of Contract,” that his separation code be corrected to JDP,² and that his reentry code be corrected to one that would show that he is eligible to reenlist.

The applicant alleged that when he enlisted, his Coast Guard recruiter led him to believe that he would be able to attend Marine Science Technician (MST) “A” School after serving at his first duty station for six months. For that reason alone, he alleged, he left college where he was studying for a degree in marine science and enlisted for what he thought would be just a four-year commitment. However, he later learned that he had unknowingly been enlisted for eight years. Moreover, upon completing six months at his first duty station, a cutter based in Rhode Island, he was told that “there was a four year long waiting list for MST school. None of the other available rates satisfied [his] career goals or [his] reasons for enlistment.” Therefore, he voluntarily submitted a request to be discharged due to breach of contract. While waiting for his discharge, which was stalled, he once voluntarily visited a civilian counselor in the Coast Guard work/life program. The counselor offered to get him a recommendation that would speed up his discharge. The counselor referred him to a Navy doctor who had authority to make such a recommendation. Thereafter, he was quickly discharged, and for 17 years that he thought he “had earned a normal Honorable discharge, took pride in [his] service, and believed [he] was eligible for reenlistment.” However, on March 11, 2012, he learned that he was not eligible for reenlistment when he tried to join the Coast Guard Auxiliary. He believes that “the counselor’s and doctor’s well-meaning assistance resulted in the negative and unfounded reentry code of RE-4 and a separation code of JFX.” These codes had never been explained to him before he tried to join the Coast Guard Auxiliary. The applicant stated that if he had been told what codes were going to be entered on his DD 214, he would not have chosen to be discharged.

The applicant stated that contrary to the JFX code implies, he has never been diagnosed with or suffered from any mental health issues. The “negative codes were assigned, without [his] knowledge as an administrative quick fix to expedite [his] stalled discharge process” and were not a “true reflection of [his] work performance, character, or mental health.

The applicant stated that he needs the Board to make the requested corrections because the negative codes are negatively affecting his future employment opportunities even though he

(1) Has difficulty making everyday decisions without an excessive amount of advice and reassurance from others

(2) Needs others to assume responsibility for most major areas of his or her life

(3) Has difficulty expressing disagreement with others because of fear of loss of support or approval ...

(4) Has difficulty initiating projects or doing things on his or her own ...

(5) Goes to excessive lengths to obtain nurturance and support from others, to the point of volunteering to do things that are unpleasant

(6) Feels uncomfortable or helpless when alone because of exaggerated fears of being unable to care for himself or herself

(7) Urgently seeks another relationship as a source of care and support when a close relationship ends

(8) Is unrealistically preoccupied with fears of being left to take care of himself or herself

² The Coast Guard’s Separation Program Designator Handbook does not list or authorize a JDP separation code or provide its meaning.

has worked in the field of information technology for the last fifteen years and is studying for a master's degree in national security with a concentration in information security.

SUMMARY OF THE RECORD

On August 16, 1994, the applicant enlisted in the Coast Guard. Before enlisting, during his pre-enlistment physical, he denied ever having suffered from depression, excessive worry, or nervous trouble on a Report of Medical History. The contract he signed shows that he enlisted for four years of active duty and that if he did not then reenlist, he would be placed in the Ready Reserve for another four years. The contract does not reference or include an Annex L guaranteeing admission to any particular rating or school.³

On December 27, 1994, the applicant had an appointment with a Navy psychiatrist. On December 28, 1994, the psychiatrist prepared a three-page handwritten report. The doctor noted that the applicant had been referred for evaluation by a licensed social worker after the applicant telephoned his command earlier that same day that he told them that he

considered killing himself in a MVA [motor vehicle accident] Friday 23 December 94 because of feeling 'trapped' in the USCD. He is not motivated for continued military service, he wants out. He admits that he doesn't find his job disagreeable, but he feels he's 'not getting anything out of it.' He says he joined the CG because 1) he had no other choices, and 2) he hoped the decision would please his estranged father [and] allow them to build a closer relationship.

When he phoned his father on the day before leaving for basic training, his father said he didn't want to be keeping in touch. The [patient] realized he'd made a big mistake. His EAOS = 1998. Additionally, the [patient] said that a girl he's known [about] 2 months who lives in Orange, Ma., broke up [with] him [on] 26 Dec. 94. He's feeling depressed, lonely, and uncared about.

On Friday, 23 Dec. 94, as he was driving across a bridge in Ct. in a windstorm, he allowed the car to go across 2 lanes of ongoing traffic. He regained control before getting too close to [the] railing [and] he drove on. He's had recurrent suicidal thoughts since.

He admits to having had mood swings throughout his youth [with a] predominance of depression, feeling lost, apathetic, angry, [and] frustrated. He deals [with] these emotions by punching the ceiling or hitting himself or pulling his hair. Alcohol history includes 1st drink, 1st drunk [at] 14 [years old]. He'd drink on [weekends with] friends. He had one blackout. No DUIs. He now drinks 1 6-[pack] 2-3 nights a [week]. He's had no withdrawal symptoms. Drug use was prior to enlistment only, he smoked MJ regularly from 8 [sic] [years old] until college.

The patient is the only child of an unwed mother. His father has had very limited contact. They 1st met when [patient] was 14 [years old]. They've talked 'a total of one hour and 5 minutes' his entire life. His father has not been willing to establish any relationship.

[Patient] was raised by mother [and maternal] grandparents. Mother is 'like my best friend.' 'It's not like she's my mother.' [Patient] denied physical, sexual, verbal abuse. He had 'lots of friends' growing up. He graduated [high school at 18 years old]. He attended college [at 19 years old].

³ In 1994, guarantees of admission to a particular "A" school for training to earn a particular Coast Guard rating, such as MST, were documented on an Annex L that was incorporated into the enlistment contract by reference.

A relaxed young man wearing civilian clothing. He made adequate eye contact. He spoke logically in a normal rate [and] volume. There was no psychomotor agitation or depression. He exhibited no signs or symptoms of a thought process or thought content disorder. His mood was euthymic to anxious. Affect was congruent. A [and] O x 3. He denied suicidal or homicidal plans [or] intent. Cognition was intact. Insight is limited. Impulse, judgment are influenced by his personality style.

Diagnosis: Axis I: None. [Need to rule out] alcohol abuse.
 Axis II: Dependent personality disorder
 Axis III: None

Recommendations:

- 1) Return to full duty, fit for same.
- 2) [Patient] is responsible for his behavior.
- 3) He does not have a mental illness but he manifests a longstanding disorder of conduct [and] character that is of such severity as to interfere [with] serving adequately in the USCG. He is not suicidal or homicidal but he represents a continuing risk of harm to himself or others. I recommend consideration of ADMINISTRATIVE SEPARATION processing for unsuitability on the basis of a personality disorder.
- 4) The servicemember may make [follow-up appointment] for supportive therapy at this clinic by calling [phone number redacted].
- 5) Plan/diagnosis/recommendations were discussed with [patient] and [the Executive Officer of the applicant's assigned cutter].

On January 19, 1995, the applicant's commanding officer (CO) notified him that he was initiating the applicant's discharge for "Unsuitability by reason of personality disorders as diagnosed by [the psychiatrist's name]." The CO noted that the applicant could disagree with the proposed discharge and submit a statement on his own behalf. The applicant acknowledged the notification, noted that he did not object to being discharged, and submitted the following statement:

I, [name], do humbly request to be separated immediately from the United States Coast Guard due to my failing mental health. A condition induced by an overwhelming combination of past trauma, the demands of military life, and my inability to cope with them. The violently rapid progression of my affliction has been such that I have had no control over it. It can be characterized as an intense depression with a general apathy towards every aspect of my life. I sought out professional help in the form of civilian and military counseling, from which a recommendation, concurring with my request, is enclosed.

Up to this point I feel my attitude and performance at work has been adequate. But taking into account the rate of my deteriorating psychological state, solely held up by the hope of being released from active duty, I can no longer attest to my stability. Thus, I feel I am no longer an asset to the Coast Guard, its goals, or missions.

I have nothing left to hope for should you deny my request. I feel it to be very likely that without the hope of getting out of the service to sustain me I will slip into a deeper depression.

I have been as blunt as possible in hopes that you will recognize the sensitivity of this matter and act accordingly. I also wish to thank you for giving of your time.

On January 23, 1995, the applicant's CO submitted the discharge package and recommended that the applicant be honorably discharged because of his unsuitability due to the diagnosed personality disorder. The District Commander endorsed the package and recommended

approval. On February 17, 1995, the Military Personnel Command issued orders to discharge the applicant within thirty days for “Unsuitability” with a JFX separation code.

On February 10, 1995, the applicant underwent a pre-discharge physical examination. He admitted having suffered from depression, and the doctor wrote, “Situational depression surrounding anticipated discharge. Suicidal ideations in past. Currently resolved.”

On March 13, 1995, the applicant was discharged for “Unsuitability,” pursuant to Article 12-B-16 of the Personnel Manual, with a JFX separation code and RE-4 reentry code.

VIEWS OF THE COAST GUARD

On August 8, 2012, the Judge Advocate General (JAG) submitted an advisory opinion in which he recommended that the Board grant partial relief. In so doing, he adopted the facts and analysis provided in an enclosed memorandum prepared by the Coast Guard Personnel Service Center (PSC).

PSC stated that although the application was not timely filed, it appears to be in the interest of justice to grant partial relief. PSC stated that the record shows that the applicant was properly informed of the reason for his discharge and did not object. However, PSC noted, under current policy issued in ALCOAST 252/09, the applicant would have received separation JFY, which denotes a discharge due to an adjustment disorder,⁴ and RE-3G reentry code, and “Adjustment Disorder” as the narrative reason for separation. PSC noted that an RE-3G “would allow for reenlistment in any branch of the military upon proving the original disqualifying factor had been resolved.” PSC noted that neither the JPD separation code nor “Breach of Contract” is an authorized entry on a DD 214. PSC recommended that the Board correct the applicant’s DD 214 to show a JFY separation code, RE-3G reentry code, and “Adjustment Disorder” as the narrative reason for separation.

APPLICANT’S RESPONSE TO THE VIEWS OF THE COAST GUARD

In response to the views of the Coast Guard, the applicant initially sent the Board an email stating that he had no objection to the Coast Guard’s recommendations for correcting his DD 214. The next day, he sent the Board a request that he receive a separation code denoting a voluntary separation or resignation, such as BFY or KFY, as long as it would not affect his honorable discharge or reentry code.

⁴ An “adjustment disorder” is “a psychological response to an identifiable stressor or stressors that results in the development of clinically significant emotional or behavioral symptoms. ... The clinical significance of the reaction is indicated either by marked distress that is in excess of what would be expected given the nature of the stressor or by significant impairment in social or occupational (academic) functioning.” DSM-IV-R, at 79. Adjustment disorders are normally temporary, as the symptoms last “no longer than 6 months after the stressor or its consequences have ceased.” *Id.* at 81. The common symptoms of adjustment disorders are anxiety, depression, and disturbance of emotions and conduct. *Id.* at 80. Adjustment disorders are not personality disorders. *Id.* at 82.

APPLICABLE REGULATIONS

Chapter 5.B.2 of the Medical Manual in effect in 1995 lists the personality disorders that qualify a member for administrative discharge pursuant to Article 12 of the Personnel Manual. Dependent personality disorders are on the list. Adjustment disorders do not appear on the list of personality disorders. Instead, adjustment disorders are listed in Chapter 5.B.3 of the Medical Manual, which states that they “are generally treatable and not usually grounds for separation. However, when these conditions persist or treatment is likely to be prolonged or non-curative (e.g. inability to adjust to military life ...) process in accordance with [Article 12 of the Personnel Manual] is necessary.”

Article 12.B.16.b. of the Personnel Manual (COMDTINST M1000.6A) in effect in 1995 authorizes enlisted personnel to be administratively discharged due to unsuitability if they are diagnosed with one of the personality disorders listed in Chapter 5 of the Medical Manual.

Article 12.B.16.d. of the Personnel Manual states that members with less than eight years of service who are being recommended for discharge by reason of unsuitability must (a) be informed in writing of the reason they are being considered for discharge, (b) be afforded an opportunity to make a statement in writing, and (c) be afforded an opportunity to consult with counsel if a less than honorable discharge is contemplated.

Under the SPD Handbook, members who are being discharged because they have been diagnosed with a personality disorder must be assigned a JFX separation code, “personality disorder” as the narrative reason for separation, and either an RE-3G or RE-4 reenlistment code.

ALCOAST 252/09, issued on April 29, 2009, states that the Department of Defense has created new separation codes to address the situation in which a member is unsuitable for military service because of a diagnosed adjustment disorder that prevents the member from adapting to military life. The ALCOAST specifies that the new separation code JFY should be used, and the re-entry code assigned can be either RE-3G or RE-4.

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 over this matter under 10 U.S.C. § 1552(a). The Board finds that the applicant has exhausted his administrative remedies, as required by 33 C.F.R. § 52.13(b), because there is no other currently available forum or procedure provided by the Coast Guard for correcting the alleged error or injustice.⁵

2. Under 10 U.S.C. § 1552(b) and 33 C.F.R. § 52.22, an application to the Board must be filed within three years after the applicant discovers, or reasonably should have discovered, the alleged error or injustice. The applicant alleged that in 1995 he did not know the type

⁵ Under 10 U.S.C. § 1553(a), the Discharge Review Board has authority to upgrade veterans' discharges only within the first 15 years from the date of discharge.

of honorable discharge he received, which was documented in his military record on a DD 214. While the applicant might have forgotten the nature of his discharge and he may not have known the meaning of all the codes on his DD 214, documents in his military record show that he was fully informed of the reason for his discharge in 1995 and did not object to it. Therefore, the Board finds that his application is untimely.

3. Pursuant to 10 U.S.C. § 1552(b), the Board may excuse the untimeliness of an application if it is in the interest of justice to do so. In *Allen v. Card*, 799 F. Supp. 158, 164 (D.D.C. 1992), the court stated that to determine whether the interest of justice supports a waiver of the statute of limitations, the Board “should analyze both the reasons for the delay and the potential merits of the claim based on a cursory review.” The court further instructed 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.”⁶

4. The applicant has long delayed seeking correction of the alleged error in his record. However, a cursory review of the record reveals that the JAG has recommended that the Board grant partial relief. Therefore, the Board finds that it is in the interest of justice to excuse the untimeliness of the application to consider the merits of the case.

5. The applicant alleged that his DD 214 is erroneous and unjust and that he should have received a JDP separation code, “Breach of Contract” as his narrative reason for separation, and a reentry code that would allow him to reenlist. 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.⁷ 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.”⁸

6. The separation code and narrative reason for separation originally requested by the applicant are unauthorized. DD 214s are prepared in accordance with the regulations in COMDTINST M1900.4D and the SPD Handbook, and the requested code and narrative reason for separation do not appear therein. Therefore, the relief originally requested by the applicant should be denied.

7. The preponderance of the evidence shows that the applicant was diagnosed with a dependent personality disorder by a Navy psychiatrist after he attempted suicide by driving toward the rail of a bridge across two traffic lanes. When the psychiatrist recommended that he be discharged, the applicant was informed of the nature of his pending discharge, afforded due

⁶ *Allen v. Card*, 799 F. Supp. 158, 164-65 (D.D.C. 1992); see *Dickson v. Secretary of Defense*, 68 F.3d 1396 (D.C. Cir. 1995).

⁷ 33 C.F.R. § 52.24(b); see Docket No. 2000-194, at 35-40 (DOT BCMR, Apr. 25, 2002, approved by the Deputy General Counsel, May 29, 2002) (rejecting the “clear and convincing” evidence standard recommended by the Coast Guard and adopting the “preponderance of the evidence” standard for all cases prior to the promulgation of the latter standard in 2003 in 33 C.F.R. § 52.24(b)).

⁸ *Arens v. United States*, 969 F.2d 1034, 1037 (Fed. Cir. 1992); *Sanders v. United States*, 594 F.2d 804, 813 (Ct. Cl. 1979).

process, and discharged in accordance with Article 12.B.16. of the Personnel Manual. However, the Coast Guard has recommended that the applicant's record be corrected to reflect a discharge due to an adjustment disorder pursuant to ALCOAST 252/09 even though the applicant was never diagnosed with an adjustment disorder. The Coast Guard claimed that under current policy, the applicant would have been discharged for an adjustment disorder even though he was not diagnosed with one.

8. The applicant complained that he should not have been diagnosed with anything on the basis of a single session with a psychiatrist and that the psychiatrist made the diagnosis and recommended his discharge only because he knew that the applicant wanted to be discharged. However, the psychiatrist's report and diagnosis are presumptively correct, and the Board is not persuaded that a Navy psychiatrist would have made a diagnosis he knew to be false.⁹ Nevertheless, the Board notes that psychiatric conditions are not always clear, and diagnoses are not always accurate.¹⁰ The American Psychiatric Association's *Diagnostic and Statistical Manual Of Mental Disorders* (DSM-IV-R), which the Coast Guard relies on when diagnosing members with psychological conditions,¹¹ states that a "personality disorder" is "an enduring pattern of inner experience and behavior that deviates markedly from the expectations of the individual's culture, is pervasive and inflexible, has an onset in adolescence or early adulthood, is stable over time, and leads to distress or impairment."¹² It further states that "[t]he diagnosis of Personality Disorders requires an evaluation of the individual's long-term patterns of functioning The personality traits that define these disorders must also be distinguished from characteristics that emerge in response to specific situational stressors or more transient mental states The clinician should assess the stability of personality traits over time and across different situations."¹³ Therefore, while it may be possible for a psychiatrist to diagnose someone with a personality disorder based on a single appointment, the fact that the psychiatrist made the applicant's diagnosis after a single appointment casts some doubt on its accuracy.

9. The Board also notes that the psychiatrist failed to explain in his report how the applicant's condition met the diagnostic criteria for a dependent personality disorder shown in the DSM-IV-R. The report does show that the applicant had joined the Coast Guard to try to please his father and was upset because his father had rejected his attempt to strengthen their relationship and because his girlfriend had broken up with him. However, these events had all occurred within the previous five months and so do not necessarily reflect an enduring pattern of inner experience or a long-term pattern of functioning, as required under the DSM-IV-R. The psychiatrist may have based his diagnosis on other behavior not included in his report, but it is not in the record before the Board.

10. As the applicant alleged, the diagnosis of personality disorder can cause significant prejudice if known to a potential employer because personality disorders are considered

⁹ 33 C.F.R. § 52.24(b); *Arens v. United States*, 969 F.2d 1034, 1037 (Fed. Cir. 1992); *Sanders v. United States*, 594 F.2d 804, 813 (Ct. Cl. 1979).

¹⁰ See, e.g., DSM-IV-R, p. 743.

¹¹ Coast Guard Medical Manual, Chap. 5.B.1.

¹² DSM-IV-R, p. 685.

¹³ *Id.* at 686.

permanent. Because government and civilian employers often demand to see former service-members' DD 214s before hiring them, it is extremely important for DD 214s to be fair and accurate and not to unduly tarnish servicemembers' records without just cause. In the Board's experience, members assigned the separation code JFX usually have been diagnosed with a personality disorder or a chronic adjustment disorder that repeatedly leads to inappropriate behavior or misconduct which fully supports their diagnoses.¹⁴ However, in the applicant's case, the only evidence of misconduct is his self-reported suicidal gesture.

11. It is very clear from the record, however, that the applicant was very unhappy in the military and strongly desired to be discharged. If he had been discharged since 2009, he might well have received an adjustment disorder discharge due to his apparent inability to adapt to military life, in accordance with ALCOAST 252/09. Given the paucity of the documented evidence supporting the diagnosis of dependent personality disorder, the potential prejudice that can result from that diagnosis being reflected on the applicant's DD 214, the fact that the applicant clearly did not adjust to military life, and the Coast Guard's recommendation that the Board correct his record to reflect a discharge due to adjustment disorder with an RE-3G reentry code, the Board will order that these changes be made.

12. In response to the advisory opinion, the applicant asked the Board to change his separation code to a voluntary one, such as BFY or KFY, instead of the involuntary code of JFY. The BFY code denotes an officer's resignation of his commission and so would not be appropriate. The KFY code is the voluntary equivalent of the JFY code, but the record shows that the applicant's discharge was initiated by the command, not the applicant, and his agreement with his command's recommendation did not render his discharge voluntary. Moreover, members whose discharges are voluntary do not receive the same monetary transition benefits as members who are involuntarily discharged,¹⁵ and so changing his separation code to KFY could cause the Coast Guard to recoup any transition benefits he received. Therefore, the Board will not correct the applicant's separation code to a voluntary one.

13. The applicant asked the Board to upgrade his reentry code to one that makes him eligible to reenlist. Under ALCOAST 252/09, a member being discharged with the JFY separation code may receive either an RE-3G or an RE-4 reentry code. The Coast Guard recommended that the Board upgrade the applicant's reentry code to RE-3G, which would allow him to reenlist if he could prove to a military recruiting command that he no longer has the condition that caused him to be discharged from the Coast Guard in 1995. Because RE-3 codes are now the default codes to be used unless a member's record of misconduct clearly justifies an RE-4,¹⁶ the Board agrees that the applicant's reentry code should be upgraded to RE-3G.

¹⁴ See, e.g., the following cases in which members were discharged due to a diagnosed personality disorder: BCMR Docket Nos. 2012-021 (member threatened to harm others or the cutter if required to board); 2010-002 (member discharged after several petty offenses and arrest for dealing marijuana); 2007-028 (member installed history-destroying software on Coast Guard computer so he could browse pornographic websites and twice overdosed on drugs); 2005-082 (member was disruptive and disrespectful and repeatedly threatened to harm other members); 1999-037 (member frequently exhibited inappropriate sexual behavior over two-year period); 1998-099 (member twice arrested for indecent exposure).

¹⁵ COMDTINST 1900.2A, Enclosure (5).

¹⁶ ALCOAST 125/10, issued on March 18, 2010, states that, to align Coast Guard policy more closely to that of the Department of Defense, "[i]n cases where individuals are separated for cause and there is an option of assigning an

14. Accordingly, the Board finds that it is in the interest of justice to correct the applicant's DD 214 to show that he was discharged due to an "Adjustment Disorder" with a JFY separation code and RE-3G reentry code, as the Coast Guard recommended. Moreover, these corrections should be made by issuing a new DD 214, rather than on a DD 215 correction form.

[ORDER AND SIGNATURES APPEAR ON NEXT PAGE]

RE-1 (eligible for reenlistment), RE-3 (eligible for reenlistment except for disqualifying factor), or RE-4, the RE-3 is the normal standard unless a different code is authorized by the discharge authority." For example, the ALCOAST notes that for members discharged because of alcohol incidents, an RE-3 code is prescribed unless the member engages in misconduct by, for example, incurring a DUI or refusing rehabilitative treatment, in which case an RE-4 code is prescribed.

ORDER

The application of former xxxxxxxxxxxxxxxxxxxxxxxxx, USCG, for correction of his military record is granted in part as follows:

- Block 26 shall be corrected to show that he received the separation code JFY.
- Block 27 shall be corrected to show reentry code RE-3G.
- Block 28 shall be corrected to show “ADJUSTMENT DISORDER” as the narrative reason for separation.
- The Coast Guard shall issue him a new DD 214 reflecting these corrections, rather than issuing him a DD 215.
- The following notation shall be made in block 18 of the new DD 214: “Action taken pursuant to order of BCMR.”

Katia Cervoni

Donna A. Lewis

Lynda K. Pilgrim