

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

Application for Correction of
the Coast Guard Record of:

BCMR Docket No. 2025-182

GROUP APPLICATION

Submitted by the Secretary of Homeland Security

On behalf of members discharged solely for refusal to receive the COVID-19 vaccination

FINAL DECISION

This proceeding was conducted by the Board for Correction of Military Records of the Coast Guard (hereinafter "Board") 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 September 24, 2025, 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 February 12, 2026, is approved and signed by the three duly appointed members who were designated to serve as the Board in this case.

INTRODUCTION

This application was submitted by the Secretary of Homeland Security (Secretary) on May 29, 2025 to request correction of military records on behalf of a group of Coast Guard members who were similarly harmed by the same error or injustice, pursuant to 10 U.S.C. § 1552(b). In particular, the Secretary applied to this Board to correct the military records of Coast Guard members who were discharged solely for refusal to receive the COVID-19 vaccine and subsequently returned to service. In accordance with Executive Order (EO) 14184, these members will receive constructive service credit that may, based on the specific facts of each member's record, entitle the members to back pay and allowances, bonus payments, rank, and/or seniority in grade, as determined by the Coast Guard.

In making this application, the Secretary directed the Coast Guard to provide all necessary documents to the Board to facilitate our decision. These were received by the Board on September 24, 2025, and consisted of significant military service records for 59 potential group members. This Final Decision grants relief in 56 of these cases. For reasons described below, some of the potential group applicants are not being included in the Board's action. This Final Decision neither grants nor denies relief for applicants

outside of this group, and current and former Coast Guard members having potential claims before this Board – including group members – retain the right to submit an application for relief pursuant to 10 U.S.C. § 1552 and 33 C.F.R. § 52.

Attached to this Final Decision is an Order specifying the relief granted to each group member.

SUMMARY OF THE RECORD

On August 21, 2021, the Secretary of Defense mandated that all service members receive the COVID-19 vaccine. This mandate was rescinded on January 10, 2023. While not subject to the Secretary of Defense’s authority, the Coast Guard implemented the same mandate, which it rescinded on January 11, 2023.

During the nearly fifteen months that the Coast Guard’s COVID-19 vaccine mandate was in effect, it discharged 274 enlisted members solely on the basis of their refusal to receive the vaccination.

Beginning with the Coast Guard’s rescission of the vaccine mandate in 2023, it began offering reinstatement to the Coast Guard for members discharged solely for vaccine refusal. These reinstatements were effectuated using existing Coast Guard authorities and did not require action by this Board to correct Coast Guard records. Prior to the application in this case, 69 of the 274 involuntarily separated members were identified as having been reinstated.¹

On January 27, 2025, the President issued Executive Order (E.O.) 14184. It directed the Secretary to take all necessary action permitted by law to make reinstatement available to all members discharged solely for vaccine refusal, and to enable reinstated members to “revert to their former rank and receive full back pay, benefits, bonus payments, or compensation”

In requesting the Secretary submit this group application, the Commandant of the Coast Guard confirmed that all of the remaining 205 members had been contacted by the Coast Guard’s “Return 2 Service” team, which offered them the opportunity for reinstatement at their previously held rate and rank via a streamlined accessions processes when possible.

¹ The record before us is not clear as to why 69 members were represented as being reinstated in May 2025, but only 59 appeared on the list the Board obtain from the Coast Guard in September. However, as discussed below, all reinstated members may not have been eligible for relief in this group application. It is also possible that some reinstated members chose not to participate. The Board considers the Coast Guard’s list of 59 dispositive, as it was compiled in response to the Secretary’s direction and for the purpose of this application.

On May 29, 2025, the Secretary approved a group application to the Board for the purpose of correcting applicable Coast Guard records to award constructive service credit, which will enable the Coast Guard to award back pay and other benefits in accordance with E.O. 14184. When making the application, the Secretary directed the Coast Guard to provide all necessary documents to the Board to facilitate our review and decision.

The Coast Guard provided a memorandum to the Chair on September 24, 2025 identifying 59 former members who, upon review of their records, were determined to be eligible for inclusion with the group application. This memorandum was accompanied by substantial military personnel records for each applicant. However, it appears to the Board that the Coast Guard had previously directed removal of some documents related to vaccine refusals for individual members. Therefore, those were not reviewed by the Board in reaching this decision. Instead, we rely on the Coast Guard Personnel Service Center's (PSC) review of each member's records to determine the period during which they were separated due to vaccine refusal.

On November 4, 2025, the staff of the Board began contacting the 59 individual members by email to inform them of the pending decision in this case and give them the opportunity to elect out of the group application. Two members did so. One chose not to have his case considered with the group without providing a reason. The Chair determined that one other had been previously granted the same relief in an individual application decided in Docket Number 2024-082. This applicant also chose not to be considered with the group.

On January 20, 2026, the Chair asked for assistance from the Coast Guard in identifying service dates for the 59 potentially eligible members, as this information was not included in the original September 2025 memorandum. The Chair received this information on February 6, 2026 and confirmed that one additional member had not actually been separated. Therefore, 56 members remain a part of this group request.

FINDINGS AND CONCLUSIONS

The Board makes the following findings and conclusions based on the relevant military records, the Coast Guard's submission, and applicable law and policy:

1. This application was made to the Board by the Secretary of Homeland Security pursuant to the authority to request "correction of a military record . . . on behalf of a group of members or former members . . . who were similarly harmed by the same error or injustice" in accordance with 10 U.S.C. § 1552(b). The Board has jurisdiction over this matter pursuant to 10 U.S.C. § 1552(a).

2. A thorough review of relevant Coast Guard records determined that 58 members or former members of the Coast Guard are entitled to relief pursuant to E.O.

14184.² The relevant criteria for membership in the applicant group is that a member was (1) discharged from the Coast Guard solely on the basis of refusal of the COVID-19 vaccine, and (2) subsequently voluntarily returned to active service in the Coast Guard component from which they were discharged. Specifically, members who were discharged from the regular Coast Guard (active duty) are eligible for relief through this application only if they were reinstated into the regular Coast Guard.³

3. The Board is satisfied with the Coast Guard's review of the military records of the group applicants and, based on its own review of the administrative record, agrees that 56 of the 59 originally identified members are entitled to and should be granted relief. Two members will not be considered with the group application by choice, and one was determined not to have been actually separated on the basis of COVID-19 vaccine refusal.

4. This group decision is not a limitation on the rights of any individual applicant before this Board. All members of the group retain their right to make individual applications for relief on any basis pursuant to 33 C.F.R. § 52.21. The Board's grant of relief through this decision should not be viewed as a denial of any other appropriate relief that may be available to applicants in future cases. The Board recognizes that E.O. 14184 was intended to correct a specific error and injustice by directing specific relief. Its purpose was not to limit the potential relief available to individual applicants who experienced other injustices related to the COVID-19 vaccine mandate.

5. The Coast Guard will retroactively reinstate these 56 members effective upon the date of their discharge, which will result in the award of constructive service as listed in the attached order for the dates corresponding to their names. This will ensure the service records of each group member reflect a period of unbroken and continuous active service between the date of their vaccine related discharge and their reinstatement to Coast Guard duty. The Board does not directly calculate or pay financial benefits to individual members. The Coast Guard will apply constructive service credit to calculate and pay such benefits, and make any other corrections necessary to effect this relief, such as restoration of rank, seniority in grade, or other benefits that return applicants to the position they would have been in, but for their discharge.

[ORDER AND SIGNATURES ON NEXT PAGE]

² It appears from the documents before the Board that only 57 of these 58 members remain on active duty. The Board acknowledges it is possible that some of this number may subsequently be discharged again by the time this opinion is issued. In the Board's view, the applicant's current military status is irrelevant to their entitlement to relief.

³ We acknowledge that there are members and former members who have been reinstated to Coast Guard service after a COVID vaccine-related discharge, but who are not eligible for relief through this group application. This may include members who voluntarily separated to avoid the COVID vaccine, or who were reinstated into a different Coast Guard component. This decision does not address the viability of any potential requests for record correction they may have before this Board based on alleged error or injustice.

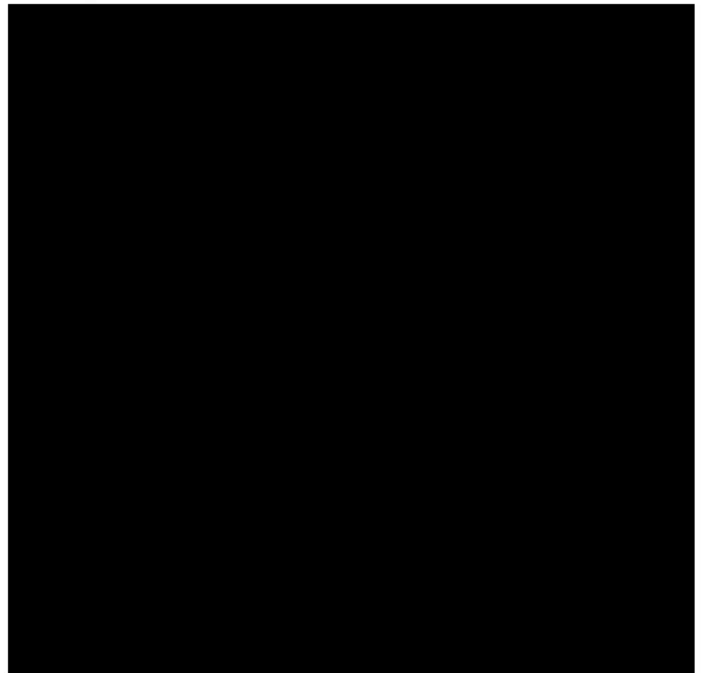
ORDER

The group application submitted by the Secretary of Homeland Security on behalf of Coast Guard members who were separated solely for refusal of the COVID-19 vaccine is granted.

The Coast Guard will correct each member's record, in accordance with the list of members and former members in the Attachment to this Order, to reinstate them to active Coast Guard service upon the separation date corresponding to their name. This will remove their COVID vaccine-related discharge from their record, and have the effect of creating a period of continuous and unbroken Coast Guard service between the "Separation Date" and "Date Rehired" corresponding to the member's name in the Attachment. This order is specific to the separation date listed in the Attachment and does not apply to other separations or discharges from Coast Guard service, if any.

The Coast Guard will calculate and pay such benefits, and make any other corrections necessary, to effect the Board's order by awarding constructive service credit for the period of separation. This includes restoration of rank, seniority in grade, or other benefits that return applicants to the position they would have been in, but for their discharge, in accordance with applicable law and regulation.

February 12, 2026



[ORDER CONTINUES ON PAGES 6-7]

**ATTACHMENT TO ORDER
(continues on page 7)**

