

DEPARTMENT OF TRANSPORTATION
BOARD FOR CORRECTION OF MILITARY RECORDS

Application for Correction
of Coast Guard Record of:

BCMR Docket
No. 1997-165

FINAL DECISION

████████ Chairman:

This is a proceeding under the provisions of section 1552 of title 10, United States Code. It was commenced on August 13, 1997, upon the Board's receipt of the applicant's request for correction of his military record.

This final decision, dated June 25, 1998, is signed by three duly appointed members, who were designated to serve as the Board in this case.

Application for Relief

The applicant alleged that his military record indicated incorrectly that his home of record was ██████████. In 1986, he enlisted in the Coast Guard through the Recruit Office in ██████████. He assumed that putting his current ██████████ address as his home of record was "correct procedure for enlisting into service."

Views of the Coast Guard

The Chief Counsel of the Coast Guard recommended a denial of relief in this case.

The Chief Counsel also submitted a copy of the Coast Guard's advisory opinion and the final decision in a comparable case, BCMR 1996-97. The Board denied relief in that case. The Coast Guard recommended denial of relief of this case for the same reasons.

Applicant's Response to the Views of the Coast Guard

On December 31, 1997, the Board sent a copy of the views of the Coast Guard to the applicant, along with a cover letter urging him to respond to those views. The applicant did not submit a response.

FINDINGS AND CONCLUSIONS

The Board makes the following findings and conclusions on the basis of the submissions of the applicant and of the Coast Guard, the military record of the applicant, and applicable law:

1. The BCMR has jurisdiction of the case pursuant to section 1552 of title 10, United States Code. The application was timely.

2. The principal question in this case is whether the applicant's "home of record" was [REDACTED]

3. The applicant moved to [REDACTED] in 1983 when his father was transferred to an [REDACTED]. His residence was in [REDACTED] since approximately 1983.

4. The applicant enlisted in the Coast Guard in [REDACTED] in October 1986. On block 29 and 30 of his enlistment contract, he listed his home of record on the day of enlistment as [REDACTED]. The applicant's "home of record" is [REDACTED] pursuant to the Joint Federal Travel Regulations (JFTR). The JFTR defines "home of record" as an individual's home when ordered into active duty, enlisted, commissioned, etc. Even if the applicant were to prove that his determination of "home of record" was wrong, he has still not shown that the Coast Guard committed error or injustice.

6. Accordingly, the application should be denied.

ORDER AND SIGNATURES ON FOLLOWING PAGE

ORDER

The application to correct the military record of ...
USCG is denied.

