

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

Application for the Correction of
the Coast Guard Record of:

BCMR Docket No. 2007-038

XXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXX

FINAL DECISION

AUTHOR: Andrews, J.

This proceeding was conducted according to the provisions of section 1552 of title 10 of the United States Code. The Chair docketed the case on December 4, 2006, upon receipt of the application and the applicant's military records.

This final decision, dated August 16, 2007, is approved and signed by the three duly appointed members who were designated to serve as the Board in this case.

RELIEF REQUESTED

The applicant, a [REDACTED]; pay grade E-7) in the Reserve, asked the Board to correct the DD Form 214 covering her active duty from March 8, 2004, through April 1, 2005, to show that she has completed 1 year, 9 months, and 13 days of sea service.

SUMMARY OF THE RECORD

On March 21, 1988, the applicant enlisted in the Coast Guard. On March 19, 1992, she was released into the Reserve. Her DD 214 for the enlistment shows that she completed 1 year, 9 months, and 13 days of sea service. The applicant has continued to serve as a reservist occasionally performing extended periods of active duty.

A DD 214 in the applicant's record dated May 31, 2000, reflects the same 1 year, 9 months, and 13 days of sea service shown in her prior DD 214. However, the applicant's DD 214s dated October 31, 2001, and April 1, 2005, reflect no sea service. The April 1, 2005, DD 214 shows that the applicant was assigned to a port security unit, but there is no evidence in her record to show that she performed any sea service between her date of entry on active duty, March 8, 2004, and her date of release from active duty, April 1, 2005.

VIEWS OF THE COAST GUARD

On January 23, 2007, the Judge Advocate General of the Coast Guard recommended that the Board deny the requested relief. He adopted the facts and analysis in a memorandum on the case prepared by the Coast Guard Personnel Command (CGPC).

CGPC stated that Chapter 1.E. of the manual for preparing DD 214s, COMDTINST M1900.4 (series), provides that each DD 214 should show only the years, months, and days of sea service performed during the enlistment or period of active duty, not the member's cumulative sea service throughout her military career. CGPC stated that there is no evidence that the applicant performed any sea service during her most recent period of active duty.

APPLICANT'S RESPONSE TO THE VIEWS OF THE COAST GUARD

On January 23, 2007, the Chair sent the applicant a copy of the views of the Coast Guard and invited to respond within 30 days. No response was received.

APPLICABLE REGULATIONS

Commandant Instruction M1900.4D governs the preparation of DD Form 214s. Article 1.E. of the instruction contains the following:

Block 12a. Date Entered Active Duty This Period. Enter the date of entry on the current period of active duty. . . .

Block 12 b. Separation Date This Period. Enter the effective date of release, discharge, or change of status. . . .

• • •

Block 12g. Sea Service. Enter the years, months, and days of sea service from the date entered in block 12 a through the date entered in block 12 b. . . .

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 concerning this matter pursuant to section 1552 of title 10 of the United States Code. The application was timely.

2. The applicant alleged that her DD 214 issued on April 1, 2005, should show that she performed 1 year, 9 months, and 13 days of sea service. However, there is no evidence in the record showing that she performed sea service during the period of active duty covered by the DD 214—March 8, 2004, through April 1, 2005. Under Chapter 1.E. of COMDTINST M1900.4D, only the sea service actually performed during the period of active duty documented by the DD 214 should be entered into block 12g. of the DD 214. Therefore, the Board finds that the applicant has not proved by a preponderance of the evidence that block 12g. of her DD 214 dated April 1, 2005, is erroneous in showing no sea service.

3. The applicant's DD 214 dated May 31, 2000, may be erroneous in that it appears to show the same sea service documented on her DD 214 dated March 19, 1992. However, the applicant has not asked the Board to correct her May 31, 2000, DD 214.

4. Accordingly, the applicant's request should be denied.

[ORDER AND SIGNATURES APPEAR ON NEXT PAGE]

ORDER

The application of xx, USCGR, for correction of her military record is denied.

