

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

Application for the Correction of
the Coast Guard Record of:

BCMR Docket No. 2008-095

XXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXX

FINAL DECISION

This proceeding was conducted 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 on March 21, 2008, upon receipt of the completed application, and assigned it to staff member [REDACTED] to prepare the decision for the Board as required by 33 C.F.R. § 52.61(c).

This final decision, dated December 17, 2008, 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 released from active duty in the Coast Guard on February 11, 2007, asked the Board to correct block 11 on his DD 214 to show that he had a job while in the military and how long he was an [REDACTED]. The applicant alleged that he recently applied for a federal government job and was told he was ineligible to be hired because his active duty job experience did not appear in block 11.

The applicant's DD 214 shows that he enlisted on August 12, 2002; attended [REDACTED] "A" School; advanced to [REDACTED] [REDACTED] pay grade E-4) on October 18, 2003; and was released to the Reserve on February 11, 2007, upon completion of his required active service. Block 11 of his DD 214 contains the notation "NA" and many Xes.

VIEWS OF THE COAST GUARD

On August 12, 2008, the Judge Advocate General of the Coast Guard submitted an advisory opinion adopting the findings and analysis of the case provided in a memorandum prepared by the Coast Guard Personnel Command (CGPC).

CGPC stated that DD 214s are prepared in accordance with the regulations published in COMDTINST M1900.4D. The instructions in the manual stated that, for enlisted personnel, block 11 should contain only the entry "NA." CGPC pointed out that the applicant's skill rating

and pay grade properly appear in blocks 4.a. and 4.b. of the DD 214. CGPC also pointed out that the applicant did not submit anything to support his claim that he was improperly denied federal employment because of the lack of information in block 11, which was completed in accordance with regulation. Because entering information in block 11 for an enlisted member would violate the regulation, CGPC recommended that the Board deny the applicant's request.

APPLICANT'S RESPONSE TO THE VIEWS OF THE COAST GUARD

On August 14, 2008, the Chair sent the applicant a copy of the views of the Coast Guard and invited him to respond within 30 days. No response was received.

APPLICABLE REGULATIONS

Chapter 1.E. of COMDTINST M1900.4D contains the following regulations for preparing DD 214s:

Block 4a. Grade, Rate, or Rank. Enter the abbreviation for grade or rate in which separated. The commissioned grade will be shown for a temporary officer reverting to permanent enlisted status for the purpose of retiring under the enlisted "20-year" bill and released from active duty effective on the same date. In the case of a cadet, enter "CADET".

Block 4b. Pay Grade. Enter the pay grade in which separated: "O-4", "W-1", "E-3", etc. For cadets enter "NA".

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Block 11. Primary Specialty Number, Title and Years and Months in Specialty.

1. Enlisted Personnel. Enter "NA".
2. Officers. Enter the specialty or experience indicator as shown in current Register of Officers (COMDTINST M1427.1 (series)), or the Register of Reserve Officers (COMDTINST M1427.2 (series)).

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Block 12h. Effective Date of Pay Grade. Enter the year, month, and day as follows:

1. Enlisted Personnel. Date of advancement.

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Block 14. Military Education. To assist the former service member in employment placement and job counseling, those formal service schools and in-service training courses captured in PMIS/JUMPS and successfully completed during the period of service covered by the form will be in this block, e.g., medical and dental, electronics, supply administration, personnel, or heavy equipment operations. Enter all course titles, number of weeks, and year completed, from the date entered in block 12a through the date entered in block 12b.

Chapter 1.D.2.c.(2) of COMDTINST M1900.4D states that any large blocks of blank space on the DD 214 should contain Xes.

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 10 U.S.C. § 1552. The application is timely.

2. The applicant alleged that block 11 of his DD 214 is improperly prepared because it fails to contain information about his job and how long he was in his rate. The Board begins its analysis in every case by presuming that the disputed information in the applicant's military record is correct, and the applicant bears the burden of proving by a preponderance of the evidence that the disputed information is erroneous or unjust. 33 C.F.R. § 52.24(b). The applicant did not submit any evidence to prove that his DD 214 is erroneous. In addition, although he alleged that he was ineligible for a federal job because of the lack of a substantive entry in block 11, he did not submit anything to prove this allegation of injustice.

3. Preparation of a DD 214 is governed by regulation. Chapter 1.E. of COMDTINST M1900.4D clearly states that, for an enlisted member, block 11 should contain only the notation "NA," meaning that the block is inapplicable for an enlisted member. Apparently, because enlisted members' skill ratings are shown in block 4.a., block 11 is only completed for officers, whose job skills are not revealed by the rank shown in block 4.a.

4. With the notation "NA" and many Xes, block 11 of the applicant's DD 214 is properly prepared in accordance with Chapters 1.E. and 1.D.2.c.(2) of COMDTINST M1900.4D. In addition, the Board notes that the applicant's rate of MK3 properly appears in block 4.a. of his DD 214; his date of advancement to MK3 is properly shown in block 12.h.; and his military education is shown in block 14. Therefore, the Board finds that the applicant has failed to prove that his DD 214 is improperly completed.

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

[ORDER AND SIGNATURES APPEAR ON NEXT PAGE]

ORDER

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

