



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

Application for the Correction of
the Coast Guard Record of:

BCMR Docket No. 2018-084

 CWO4 (Retired)

FINAL DECISION

This proceeding was conducted according to 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 February 7, 2018, and assigned it to staff member  to prepare the decision for the Board as required by 33 C.F.R. § 52.61(c).

This final decision, dated October 26, 2018, 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, a former chief warrant officer (CWO4) who retired from the Coast Guard on October 31, 1976, after serving more than thirty years on active duty, asked the Board to correct his DD 214¹ to show all of the service that he performed as an officer. He stated that he served at numerous units and on several cutters from 1956 to 1976 but that none of these are listed on his Notice of Separation, DD 214s, or DD 215s. He also asked the Board to ensure that his DD 214s reflect all of the medals he is eligible to receive, particularly for his service in Vietnam.

In support of his request, the applicant submitted copies of a Notice of Separation reflecting his service from October 11, 1946, to October 20, 1949; a Report of Discharge reflecting his service from October 21, 1949 to October 20, 1955; and a DD 214 documenting his active service from October 21, 1955, to March 30, 1960. The applicant also submitted several photos of various Coast Guard personnel in Vietnam and a photo of himself taken in Vietnam in 1965.

The applicant stated that he discovered the alleged errors in his record on December 12, 2001, and argued that the Board should find it in the interest of justice to consider his application because he needs the corrections made to join his local VFW for Coast Guard combat veterans.

¹ A DD 214 is prepared to document a member's release or discharge from a period of active duty and a DD 215 is used to correct or add information to a DD 214.

SUMMARY OF THE RECORD

Discharge Documentation

The applicant's military record includes the following separation documentation:

- A Notice of Separation (precursor of the DD 214) shows that the applicant enlisted in the Coast Guard on October 11, 1946,² at age 18, and was honorably discharged on October 20, 1949. The Notice of Separation includes a block that has been checked to show that he had performed foreign and/or sea service and another block listing the vessels and stations where he had served. The list includes several shore units located in the United States, the CGC Barberry, and Lightship #189.
- A DD 214 shows that the applicant immediately reenlisted on active duty on October 21, 1949, and was honorably discharged on October 20, 1955. Block 26 shows that he had served 1 year, 11 months, and 18 days of foreign and/or sea service during the enlistment. The DD 214 has no block for listing all of the member's duty stations, but the CGC Coos Bay is listed in block 28 as his "Most Significant Duty Assignment." Block 27 shows that he was entitled to wear the National Defense Service Medal (NDSM) and two Good Conduct Bars. The DD 214 also shows that he had 3 years and 10 days of previous active duty and had served exactly 6 additional years of active duty during the enlistment, for a total of 9 years and 10 days of total active service.
- A second DD 214 shows that the applicant immediately reenlisted on active duty on October 21, 1955, and was honorably discharged as chief petty officer on March 30, 1960, to accept a permanent appointment as a warrant officer (W-1) on March 31, 1960. (He had received a temporary appointment to W-1 on August 1, 1958.) The DD 214 shows that he had served 4 years, 5 months, and 10 days of active duty during the enlistment, which when added to his prior service, made a total of 13 years, 5 months, and 20 days of active duty. It also shows that he had served 1 year, 4 months, and 9 days of foreign and/or sea service during the enlistment. This DD 214 has no block for listing all of a member's duty stations or the most significant duty assignment. It shows that he was authorized to wear the NDSM and a Good Conduct Medal with three stars.
- A third DD 214 shows in block 15 that the applicant entered active duty on August 1, 1958 (before the date of discharge on his second DD 214) and was retired as a CWO4 on October 31, 1976, which a date of rank of August 1, 1967. Block 18 shows that he was credited with 18 years, 3 months, and 1 day of "Net Active Service This Period"—the time between August 1, 1958, and October 31, 1976—and just 11 years, 9 months, and 20 days of "Prior Active Service." This DD 214 has no block for listing all of a member's duty stations or the most significant duty assignment. It shows that he had not performed any foreign or sea service during the period and was authorized to wear the Meritorious Unit Commendation.

² World War II had ended by this date.

- A DD 215 dated August 30, 2001, corrects the final DD 214 by changing the date of entry in block 15 to March 31, 1960. It likewise corrects his “Net Active Service This Period” to show 16 years, 7 months, and 0 days—the time between March 31, 1960, and October 31, 1976—instead of 18 years, 3 months, and 1 day. However, it does not correct his “Prior Active Service” to show all 13 years, 5 months, and 20 days of active duty shown on his 1955 DD 214.
- A second DD 215, which was issued by the Personnel Service Center on June 19, 2018, in response to the BCMR application, corrects the applicant’s final DD 214 to show that he is entitled to wear the NDSM; a Navy Unit Commendation Ribbon; a Third Good Conduct Medal for the period ending October 10, 1955; the World War II Victory Medal; and the Coast Guard Sea Service Ribbon with a bronze star in lieu of a second.

Medals and Awards Documentation

The applicant’s record contains documentation of the following medals and awards:

- A World War II Victory Medal.
- A Good Conduct bar for the three-year period October 11, 1946, to October 10, 1949.
- An NDSM issued sometime before October 20, 1955 (also noted on 1955 DD 214).
- A second Good Conduct bar for the three-year period ending October 10, 1952.
- A third Good Conduct bar for the three-year period ending October 10, 1955.
- An NDSM issued on January 10, 1959.
- A Vietnam Service Medal for his service while attached to Coast Guard Division Twelve from July 12, 1965, to June 22, 1966.
- A Navy Unit Commendation Medal for his service during the period June to December 1965 while attached to RONONE (Squadron One) in Vietnam.
- A Coast Guard Unit Commendation Ribbon for the period July 1967 to December 1968, when he was assigned to Supply Center Brooklyn.
- A Coast Guard Meritorious Unit Commendation Ribbon for the period January 1, 1973, through June 30, 1975, when he was assigned to Training Center Governor’s Island.

Foreign and Sea Service

The applicant record also contains documentation of his assignments to sea duty and foreign service:

- A CG-3698, which was completed and signed by the applicant, list his duty stations and cutters from 1946 through 1975. The forms show that he performed a total of 52 months of sea duty aboard various cutters from 1946 to 1957 but did not perform any sea service after April 1957: CGC Barberry: 4 months of sea duty; CGC Chincoteague: 7 months; CGC Coos Bay: 18 months; CGC Cook Inlet: 9 months; and CGC Chincoteague (again):

14 months. They show that he was permanently assigned to the following overseas units: a LORAN Station in Guam from June 1954 to February 1955; a LORAN Station in Cataduanes, Philippines, from February to April 1955; a unit in Naples, Italy, from November 1960 to October 1962; Squadron One of Division 12 in Vietnam from July 1965 to September 1966; and a unit in Fuchu, Japan, from July 1969 to August 1970. The applicant noted on the forms above his signature that he had completed them to the best of his knowledge but that a few dates might not be accurate.

- Fitness reports show that the applicant was assigned to a unit in Naples, Italy from November 6, 1960, to September 18, 1962.
- Fitness reports show that he was assigned to Squadron One in Division Twelve from July 12, 1965 to June 22, 1966. Squadron One was a Coast Guard combat unit under the authority of the U.S. Navy. His assignment involved “MARKET TIME operations in Republic of Viet Nam – (Counter Infiltration Patrol),” which was run by the Military Assistance Command. His duties are listed as electronics engineering officer and staff duty officer. A comment notes that he had “been able to effectively run his department from the packing crates stowed in the tank deck of an LST.”
- Fitness reports show that he was assigned to an office in Japan, from July 2, 1969, to August 19, 1970.

The applicant’s record contains a Statement of Creditable Service (SOCS) and appointment letters which show that he received a temporary appointment to the rank of W-1 on August 1, 1958; was permanently appointed to W-1 on March 31, 1960; received a temporary appointment to CWO2 on August 1, 1960; was permanently appointed to CWO2 on July 21, 1961; received a temporary appointment to CWO3 on August 1, 1964; received both a permanent appointment to CWO3 and a temporary appointment to CWO4 on August 1, 1967; and was permanently appointed to CWO4 on August 1, 1973.

On May 20, 1971, the applicant submitted a request to the Commandant to be considered for selection to temporary Lieutenant in the electronics engineering specialty. It was endorsed by the Commander, Third Coast Guard District on May 28, 1971, but there is nothing in the record to show that he ever received the appointment.

VIEWS OF THE COAST GUARD

On June 20, 2018, a judge advocate (JAG) of the Coast Guard submitted an advisory opinion and adopted the findings and analysis in a memorandum submitted by the Commander, Personnel Service Center (PSC). PSC determined that he is eligible for several awards that are not in his record or on his DD 214/DD 215s. Accordingly, PSC created a DD 215 for him which shows that he received the following medals:

1. National Defense Service Medal
2. Navy Unit Commendation
3. Third Coast Guard Good Conduct Medal
4. World War II Victory Medal
5. Coast Guard Sea Service Ribbon with a Bronze Star in lieu of a second medal

After sending the applicant copy of the DD 215, PSC and the JAG attorney recommended to the Board that the case be administratively closed.

APPLICANT'S RESPONSE TO THE VIEWS OF THE COAST GUARD

On June 27, 2018, the BCMR sent the applicant a copy of the Coast Guard's recommendation along with a copy of the DD 215 that it prepared for him. He responded on July 16, 2018, stating the he disagreed with the Coast Guard's recommendation that his case be administratively closed because his record still does not reflect any medals for his service in Vietnam; nor does it reflect all of his foreign and sea service. He noted that during his time as an enlisted man he had "two tours of duty out of country," at the LORAN Stations in Guam from 1950 to 1951 and in the Philippines from 1951 to 1952. The applicant also noted that after he was appointed a Chief Warrant Officer, he had three more tours of duty out of country, including Naples, Italy, from 1959 to 1962; Squadron One, Division 12 in Vietnam from 1965 to 1966; and Tokyo, Japan, from 1968 to 1970.

The applicant also stated that he disagrees with the recommendation that his case be administratively closed because the copy of the DD 214 from 1976 that he received with the Coast Guard's recommendation does not have his correct date of rank, which he alleged was 1958 and not 1967. He also stated that the DD 214s in his record and the DD 215 that he received from the Coast Guard do not reflect the sea service or foreign service that he performed aboard the CGC Mendota; CGC Coos Bay; the CGC Cook Inlet, two tours on the CGC Chincoteague; and a tour on the CGC Eastwind. Finally, the applicant restated his request to have his DD 214 corrected to show all of the medals and awards that he is eligible to receive, including an Extended Cutterman's Medal.

APPLICABLE LAW AND REGULATIONS

DD 214 Manual

COMDTINST 1900.4A, issued in 1975, is the oldest edition of the Commandant's instructions for completing the DD 214 available to the Board. Enclosure (1) of the instructions state that the decorations, medals, and awards block on the DD 214 should show "all decorations, medals, badges, commendations, and campaign ribbons awarded or authorized during the *current* tour of active service." More recent editions of the DD 214 manual state that the medals and awards earned during *all* periods of service should be listed on a member's DD 214 and that the DD 214 should be accurate as of the date of discharge. In addition, the manual provides that a DD 214 may be corrected no more than twice by DD 215. If a third correction is required, a new DD 214 is issued.

COMDTINST 1900.4A states that the Date of Rank block of the DD 214 for officers should contain the "[d]ate of rank, as distinguished from date of appointment."

COMDTINST 1900.4A states that the Foreign and/or Sea Service block on a DD 214 should list the years, months, and days of foreign and/or sea service performed from the date of entry in block 15 to the date of separation in block 9.d. on the DD 214.

Medals and Awards

Chapter 5.A.4. of the current Medals and Awards Manual, COMDTINST M1650.25E, states that the National Defense Service Medal (NDSM) was awarded for active service between June 26, 1950, and July 28, 1954, and again for service between December 31, 1960, and August 15, 1974. Subsequent awards of the medal are denoted by appending a 3/16" bronze star to the ribbon.

Chapter 5.A.1.a.(1) states that only enlisted service may be credited toward a Good Conduct Medal. With respect to temporary appointments as a warrant officer or commissioned officer, the manual states the following:

- (e) Temporary service as a warrant officer or commissioned officer is creditable only when the member has reverted to enlisted status and meets performance and conduct requirements. Temporary warrant officers and commissioned officers discharged from their enlisted status to accept permanent appointment as officers are considered as having reverted to their enlisted status for the purpose of computing service for a good conduct award.

Chapter 5.A.20. states that the Coast Guard Restricted Duty Ribbon is awarded to Coast Guard personnel who have completed a Permanent Change of Station (PCS) tour of duty at a shore unit listed in Enclosure 18. Enclosure 18 states that the Restricted Duty Ribbon is awarded to members who serve at a LORAN station, including CG LORSTA Guam and CG LORSTA Cataduanes. A 3/16-inch bronze star is authorized for subsequent awards of the Restricted Duty Ribbon and a 3/16-inch silver star denotes the sixth award.

Enclosure 16 of the current Medals and Awards Manual states that the Vietnam Service Medal is awarded to members of the armed forces who served in Vietnam, its contiguous waters, or airspace, between March 15, 1962, and March 28, 1973. Squadron One is on the list for the period July 4, 1965, through August 15, 1970. Enclosure 16 states that a bronze star is added to the ribbon for each period of campaign, including the first. The list of campaigns includes the "Vietnam Defense Campaign" from March 8, 1965, to December 25, 1965, and the "Vietnam Counteroffensive Campaign" from December 25, 1965, to June 30, 1966.

Enclosure 16 also states that the "Vietnamese Government issued the Gallantry Cross Medal Unit Citation to Naval Forces Vietnam and all subordinate units from 08 February 1962 to 28 March 1973" and "the Civil Actions Medal First Class Color Unit Citation With Palm with Palm to Naval Forces Vietnam and all subordinate units from 01 January 1965 to 28 March 1973." The list of units eligible for these awards appears in Enclosure 13 to an older edition of the Medals and Awards Manual, COMDTINST M1650.25B. The list in Enclosure 13 of COMDTINST M1650.25B includes Squadron One of Division Twelve for the period July 4, 1965, to August 15, 1970.

Article 6.B.8. of COMDTINST M1650.25B states that the Republic of Vietnam Campaign Medal was awarded for service in Vietnam on or after March 1, 1961, through the end of

the war in 1973. Eligibility requires having been wounded, killed, or captured or having served 6 months in Vietnam or outside of Vietnam “while contributing direct combat support.”

Chapter 5.B.8. of COMDTINST M1650.25B states that the World War II Victory Medal was authorized to all members on active duty between December 7, 1941, and December 31, 1946.

Chapter 5.B.21. of COMDTINST M1650.25B states that the Coast Guard Sea Service Ribbon is awarded to active and inactive duty members of the Coast Guard and Coast Guard Reserve or non-Coast Guard personnel who, under temporary or permanent assignment, satisfactorily complete a minimum of 12 months cumulative sea duty. For the purposes of the award, sea duty is defined as duty performed aboard any commissioned Coast Guard cutter 65 feet or more in length. A 3/16” bronze star is authorized for each additional three-year period of eligible sea duty. However, the ribbon was authorized on March 3, 1984, and it was not authorized to be issued retroactively.

Enlisted members and officers are temporarily entitled to wear a Cutterman Insignia while assigned to sea duty after completing six months of sea duty. To be entitled to wear the insignia permanently, the member must have at least five years of sea service. COMDTINST M1000.3.

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 submission and applicable law:

1. The Board has jurisdiction concerning this matter pursuant to 10 U.S.C. § 1552. An application to the Board must be filed within three years after the applicant discovers the alleged error or injustice.³ The applicant retired from the Coast Guard and received his DD 214 on October 31, 1976, and so his application is untimely.

2. The Board may excuse the untimeliness of an application if it is in the interest of justice to do so.⁴ In *Allen v. Card*, 799 F. Supp. 158 (D.D.C. 1992), the court stated that the Board should not deny an application for untimeliness without “analyz[ing] both the reasons for the delay and the potential merits of the claim based on a cursory review”⁵ to determine whether the interest of justice supports a waiver of the statute of limitations. The court noted 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

3. The applicant did not explain why he waited so long to seek these corrections and the Board finds that nothing prevented him from seeking correction of the alleged errors or

³ 10 U.S.C. § 1552(b) and 33 C.F.R. § 52.22.

⁴ 10 U.S.C. § 1552(b).

⁵ *Allen v. Card*, 799 F. Supp. 158, 164 (D.D.C. 1992).

⁶ *Id.* at 164, 165; *see also Dickson v. Secretary of Defense*, 68 F.3d 1396 (D.C. Cir. 1995).

injustices more promptly. However, because his DD 214 clearly remains erroneous even after the Coast Guard issued the DD 215, the Board finds that it is in the interest of justice to waive the statute of limitations in this case.

4. The applicant alleged that multiple DD 214s and DD 215s in his record do not reflect the service that he performed as an officer, do not list any ribbons/medals that he should have received for his service in Vietnam, and do not properly document his substantial foreign and sea service. 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

5. The applicant argued that even after receiving a DD 215 from the Coast Guard with several additional medals that were not in his record, his DD 214s and DD 215 still do not accurately reflect all of the medals and awards that he is authorized to receive for his thirty plus years of active service. The Board agrees. The applicant's final DD 214 shows that he received only the Coast Guard Meritorious Unit Commendation Ribbon during the period March 31, 1960, to October 31, 1976, but his record shows that he earned other medals during this period. The Coast Guard provided him with a DD 215 indicating that he was awarded the National Defense Service Medal; Navy Unit Commendation; Third Coast Guard Good Conduct Medal; World War II Victory Medal; and the Coast Guard Sea Service Ribbon with a Bronze Star in lieu of a second award. In doing so, they made the medals and awards block on his final DD 214 cumulative by including some but not all of the awards that he had earned during prior periods of service and omitted other awards that he earned during the period covered by the final DD 214. Although in 1976 the awards block on a DD 214 was not supposed to show awards earned during prior periods of service, because such entries are now cumulative and in the interests of justice and administrative efficiency, the Board agrees that all of the applicant's awards should be reflected on his final DD 214, instead of requiring the Coast Guard to issue numerous DD 215s correcting his prior DD 214s and not having all of his awards shown on a single form, even though that was the practice at the time.

6. With respect to the applicant's request for medals and the DD 215 issued by the Coast Guard, the Board finds the following:

a. The Coast Guard found that the applicant is entitled to a World War II Victory Medal, and the Board agrees. He meets the eligibility criteria because he enlisted on active duty during the eligibility period in 1946.

b. The Coast Guard found that the applicant is entitled to one NDSM. Under Chapter 5.A.4. of the Medals and Awards Manual, however, the applicant is entitled to an NDSM with one bronze star because he served on active duty during two eligibility periods:

⁷ 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).

from June 26, 1950, to July 28, 1954, and from December 31, 1960, to August 15, 1974.

c. The Coast Guard found that the applicant is entitled to a Navy Unit Commendation Medal, and the Board agrees. His record shows that he received a Navy Unit Commendation Medal for his service during the period June to December 1965 while attached to RONONE (Squadron One) in Vietnam.

d. The Coast Guard found that the applicant is entitled to a third Good Conduct Medal, but the Board finds that the applicant is actually entitled to a fourth Good Conduct Medal (GCM), not just a third. There is no evidence that the applicant committed any misconduct as an enlisted member, and his performance was consistently good enough that he received a temporary appointment as a warrant officer in 1958, and the appointment was made permanent on March 31, 1960. The applicant received his first GCM for his first three-year period of active duty from October 11, 1946, to October 10, 1949. His records clearly show that he earned his second on October 10, 1952, and his third on October 10, 1955. By October 10, 1958, the applicant had already received a temporary appointment as a W-1, but the appointment was not made permanent under March 31, 1960, and his second DD 214 shows that in accordance with regulation, he was discharged on March 30, 1960, in his permanent enlisted rank of ETC before receiving the permanent appointment to W-1 the next day. Chapter 5.A.1.a.(1)(e) of the Medals and Awards Manual states that “[t]emporary service as a warrant officer or commissioned officer is creditable only when the member has reverted to enlisted status and meets performance and conduct requirements. Temporary warrant officers and commissioned officers discharged from their enlisted status to accept permanent appointment as officers are considered as having reverted to their enlisted status for the purpose of computing service for a good conduct award.” Therefore, because on March 30, 1960, the applicant was a temporary W-1 who was being discharged from enlisted status to accept a permanent appointment as a W-1, his time as a temporary W-1 counted in the computation of his enlisted service for a GCM, and he is eligible for a fourth consecutive GCM for the three-year period ending October 10, 1958.

e. The Coast Guard found that the applicant is entitled to a Coast Guard Sea Service Ribbon with a Bronze Star showing a second award of the ribbon. The Board finds, however, that the ribbon was authorized in 1984, after the applicant had retired, and was not authorized to be issued retroactively. Therefore, the Coast Guard should not have corrected his DD 214 to show that he received this ribbon. The Board, however, is not authorized to make negative corrections to applicants’ records and so the Board will not direct the Coast Guard to remove this ribbon from the applicant’s record, especially because the applicant did perform the amount of sea service required to wear the ribbon with one bronze star—48 months—because the CG-3698 in his record shows that he served a total of 52 months of sea service.

7. The Board’s review of the record shows that the applicant is also entitled to the following medals and awards authorized under the Medals and Awards Manual:

a. The applicant’s final DD 214 already correctly shows that he was awarded a Coast Guard Meritorious Unit Commendation Ribbon for the period January 1, 1973, through June 30, 1975, when he was assigned to Training Center Governor’s Island.

b. A certificate in the applicant’s record states that all personnel serving at Coast Guard Supply Center Brooklyn from July 1967 to December 1968 are entitled to wear a Coast Guard Unit Commendation Ribbon. The applicant was assigned to this unit during the

period in question. Therefore, he is entitled to one Coast Guard Unit Commendation Ribbon.

c. The Board finds that the applicant is eligible to receive the Vietnam Service Medal with two bronze stars because his record clearly shows that he served with Squadron One of Division Twelve in Vietnam from July 12, 1965, to June 22, 1966. That period includes most of two campaigns for which stars were authorized: the Vietnam Defense Campaign from March 8, 1965, to December 25, 1965, and the Vietnam Counteroffensive Campaign from December 25, 1965, to June 30, 1966. In addition, the Board notes that a letter in his record states that he is authorized to wear the Vietnam Service Medal.

d. The Board finds that in accordance with Article 6.B.8. of COMDTINST M1650.25B, the applicant is eligible to wear the Republic of Vietnam Campaign Medal because his record clearly shows that he served in Vietnam for more than six months as part of Squadron One, the Coast Guard's combat unit.

e. The Board finds that the preponderance of the evidence shows that the applicant is entitled to wear both the Republican of Vietnam Gallantry Cross Medal Unit Citation and the Civil Actions Medal First Class Color Unit Citation With Palm because Enclosure 16 to the Medals and Awards Manual states that they were issued to all U.S. Naval Forces in Vietnam and subordinate units. He is entitled to wear these awards because he served with Squadron One, a combat unit under the authority of the U.S. Navy, and was assigned to Market Time, an operation of the Military Assistance Command, from July 12, 1965 to June 22, 1966.

f. The Board finds that the applicant is entitled to a Restricted Duty Ribbon with one bronze star representing a second award of the ribbon. Chapter 5.A.20. of the Medals and Awards Manual states that the ribbon is awarded to Coast Guard personnel who complete a PCS tour of duty at a shore unit listed in Enclosure 18 of the manual, which includes the LORAN stations in Guam and Cataduanes, where the applicant served tours of duty in 1954 and 1955.

8. The applicant also asked the Board to correct his record to show that he is eligible to receive an Extended Cutterman's Medal. Although there is no such medal authorized by the Coast Guard, there is a Cutterman's Insignia. But to be entitled to wear the insignia permanently, a member must have performed a total of 5 years (60 months) of sea duty. COMDTINST M1000.3. The CG-3698 that the applicant signed in 1975 shows that he had performed 52 months of sea duty, which does not entitle him to wear the Cutterman's Insignia permanently.

9. The applicant alleged that the date of rank on his final DD 214 should show that he was appointed a warrant officer in 1958 instead of 1967. The Board disagrees. The applicant received his first appointment to W-1 in 1958, but his rank upon retirement in 1976 was CWO4, and his record clearly shows that he was promoted to CWO4 on August 1, 1967. Therefore, the Board finds that his Date or Rank on his final DD 214 is correct and no change is warranted.

10. The applicant asked that his final DD 214 be corrected to show all of his duty stations, but the DD 214 form does not have a block for listing all duty stations. Nor does the manual for preparing DD 214s allow a member's duty stations to be listed on the form. Therefore, this request should be denied.

11. The applicant asked the Board to correct his final DD 214 to reflect all of the foreign and/or service that he performed during his thirty-plus years in the Coast Guard. However, under both the DD 214 Manual then in effect and the current DD 214 Manual, the entries for sea service and foreign service on a DD 214 are not supposed to be cumulative. Only the sea service or foreign service performed during the period of service documented by the DD 214 should be entered in this block. The entry on the applicant's final DD 214 is clearly erroneous, however, because it shows no foreign and/or sea service. Although the applicant performed no sea duty as a warrant officer, his fitness reports clearly show that he was assigned overseas to a unit in Italy from November 6, 1960, to September 18, 1962, which was 1 year, 10 months, and 13 days; to Squadron One in Vietnam from July 12, 1965 to June 22, 1966, which was 11 months and 11 days; and to a unit in Japan from July 2, 1969, to August 19, 1970, which was 1 year, 1 month, and 18 days. Therefore, his record shows that he performed a total of 3 years, 11 months, and 12 days of foreign service during the period covered by his final DD 214, which should be corrected accordingly.

12. The applicant's record includes a DD 215 that the Coast Guard prepared in 2001 to correct the date of entry on his final DD 214 to March 31, 1960, so that the period covered would not overlap with the period covered by his second DD 214, issued on March 30, 1960. The Coast Guard also corrected the corresponding entry for "Net Active Service This Period" to show 16 years, 7 months, and 0 days—the time between March 31, 1960, and October 31, 1976. But the Coast Guard did not correct the entry for his Prior Active Service. The Prior Active Service block on his final DD 214 shows only 11 years, 9 months, and 20 days of service before March 31, 1960. But the applicant had served continuously on active duty from October 11, 1946, through March 30, 1960, which is a period of 13 years, 5 months, and 20 days.⁹ Therefore, the applicant's final DD 214, covering his service from March 31, 1960, through October 31, 1976, should be corrected to show 13 years, 5 months, and 20 days of Prior Active Service.

13. The applicant's final DD 214 requires several corrections, but it has already been corrected twice by issuance of a DD 215. Under the DD 214 manual, when more than two DD 215s are needed, the Coast Guard is supposed to reissue the DD 214 instead of issuing a third DD 215.¹⁰ Therefore, the Board finds that the Coast Guard should void the applicant's erroneous DD 214 dated October 31, 1976, and the two DD 215s correcting it and issue him a new DD 214 covering his service from March 31, 1960, through his retirement on October 31, 1976, and it should include the following corrected entries:

- a. Date of Entry on Active Duty: March 31, 1960
- b. Net Active Service This Period: 16 years, 07 months, 00 days
- c. Total Prior Active Service: 13 years, 05 months, and 20 days
- d. Sea Service (this period only): 00 years, 00 months, and 00 days

⁹ In accordance with Appendix C of the Personnel and Pay Procedures Manual, creditable service is calculated by subtracting the date of entry from the date of separation and adding one "inclusive day." In conducting the subtraction, months are considered to have 30 days. In addition, if the date of separation is not the 30th of the month—e.g., February 28th or October 31st—the date is changed to the 30th, but dates of entry are not changed in this way.

¹⁰ COMDTINST M1900.4 (series).

- e. Foreign Service (this period only): 03 years, 11 months, and 12 days
- f. All of his medals and awards as listed below:
 - 1. Coast Guard Unit Commendation
 - 2. Navy Unit Commendation
 - 3. Coast Guard Meritorious Unit Commendation
 - 4. Fourth Good Conduct Medal for period ending October 10, 1958
 - 5. World War II Victory Medal
 - 6. National Defense Service Medal with one bronze star (denoting second award)
 - 7. Vietnam Service Medal with two bronze stars (for two campaigns)
 - 8. Restricted Duty Ribbon with one bronze star (denoting second award)
 - 9. Sea Service Ribbon with one bronze star (denoting second award)
 - 10. Republic of Vietnam Campaign Medal
 - 11. Republic of Vietnam Gallantry Cross Medal Unit Citation, and
 - 12. Republic of Vietnam Civil Actions Medal First Class Color Unit Citation With Palm

(ORDER AND SIGNATURES ON NEXT PAGE)

ORDER

The application of CWO4 [REDACTED] USCG (Retired), for correction of his military record is granted in part. The Coast Guard shall void his DD 214 dated October 31, 1976, and the two DD 215s correcting it and issue him a new DD 214 covering his service from March 31, 1960, through his retirement on October 31, 1976, and the new DD 214 shall include the following corrected entries:

- Date of Entry on Active Duty: March 31, 1960
- Net Active Service This Period: 16 years, 07 months, 00 days
- Total Prior Active Service: 13 years, 05 months, and 20 days
- Sea Service (this period only): 00 years, 00 months, and 00 days
- Foreign Service (this period only): 03 years, 11 months, and 12 days
- All of his medals and awards as listed below:
 1. Coast Guard Unit Commendation
 2. Navy Unit Commendation
 3. Coast Guard Meritorious Unit Commendation
 4. Fourth Good Conduct Medal for period ending October 10, 1958
 5. World War II Victory Medal
 6. National Defense Service Medal with one bronze star (denoting second award)
 7. Vietnam Service Medal with two bronze stars (for two campaigns)
 8. Restricted Duty Ribbon with one bronze star (denoting second award)
 9. Sea Service Ribbon with one bronze star (denoting second award)
 10. Republic of Vietnam Campaign Medal
 11. Republic of Vietnam Gallantry Cross Medal Unit Citation, and
 12. Republic of Vietnam Civil Actions Medal First Class Color Unit Citation With Palm

October 26, 2018

