DEPARTMENT OF HOMELAND SECURITY BOARD FOR CORRECTION OF MILITARY RECORDS

Application for the Correction of the Coast Guard Record of:

FINAL DECISION BCMR Docket No. 2016-065

SUMMARY OF THE RECORD

The applicant asked the Board to remove a negative CG-3307 ("Page 7") from his record because it could, he alleged, significantly affect his eligibility for special assignments or hinder his advancement. He argued that the Page 7 should be removed because it was placed in his record at the onset of an investigation into an incident at one of his previous duty stations but that no punitive actions were taken against him at the conclusion of the investigation. The applicant's record contains a negative Page 7 dated March 2, 2012, signed by a master chief, which states that the applicant was the subject of a Coast Guard Investigative Services (CGIS) investigation for an incident at his last duty station and that, pending the outcome, he would be assigned the designator in lieu of being advanced to In support of his application, the applicant submitted a letter from the master chief who signed the negative Page 7, who recommended that the Page 7 be removed because the investigation had been concluded and the applicant was advanced to

On July 20, 2016, the Judge Advocate General of the Coast Guard submitted an advisory opinion recommending that the Board grant relief in accordance with a memorandum submitted by the Commander, Personnel Service Center (PSC). PSC argued that relief should be granted because the master chief was not an authorized signature authority. PSC noted that according to Chapter 1.4.3 of the Pay and Personnel Manual, only the Commanding Officer (CO) or Officer in Charge (OIC) is authorized to sign adverse Page 7s and the master chief was not serving in either of those capacities.

FINDINGS AND CONCLUSIONS

The Board finds that the negative Page 7 dated March 2, 2012, should be removed from the applicant's record because the master chief who signed it was not authorized to do so. Enclosure 6 to Change 14 of PPCINST M1000.2A, the Personnel and Pay Procedures Manual, states that only a member's CO may sign an adverse administrative remarks (Page 7), and there is nothing in the record to show that the master chief was serving as the applicant's CO or that he had been given the authority by the CO to sign a negative Page 7.

Accordingly, the negative Page 7 dated March 2, 2012, should be removed from the applicant's record.

ORDER

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January 13, 2017

