

**DEPARTMENT OF TRANSPORTATION
BOARD FOR CORRECTION OF MILITARY RECORDS**

Application for Correction of
Coast Guard Record of:

XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX

BCMR Docket
No. 2002-022

FINAL DECISION

██████████ Chair:

This is a proceeding under the provisions of section 1552 of Title 10 and section 425 of Title 14 of the United States Code. It was commenced on January 14, 2002, upon the Board's receipt of the applicant's complete application for correction of his military record.

The final decision, dated August 15, 2002, is signed by the three duly appointed members who were designated to serve as the Board in this case.

The applicant asked the Board to correct his record by changing his home of record from XXXXXXXXXX, ██████████ to XXXXXXXXXX, ██████████. He is currently assigned to duty in the state of XXXXXXXX.

On August 22, 2000, the applicant enlisted in the Coast Guard for two years. He had previously served in the Army, from which he was discharged on August 20, 2000.

The applicant stated that "[w]hen [he] entered the [Coast Guard] [he] was on [terminal] leave from the US Army and went to visit [his] parents. Rather than traveling back to XXXXXXXXXX, MO MEPS [Military Enlistment Processing Station] [he] enlisted at XXXXXXXXXX, NY MEPS. At that time [he and his family] were living with his father in ██████████ and listed that as [his] address on all [his] paperwork upon entry [into] the [Coast Guard]."

The applicant further stated that after becoming an adult he lived in XXXXXXXXXX, ██████████ for nearly five years and his wife has lived there her entire life. He needs this correction to his record, so that his household goods can be shipped to XXXXXXXXXX, which is where he plans to live after his discharge from the Coast Guard.

Views of the Coast Guard

On May 22, 2002, the Board received an advisory opinion from the Chief Counsel of the Coast Guard. He recommended that the Board deny relief to the applicant because the applicant failed to submit persuasive evidence that his home of record was incorrectly listed in his military record.

The Chief Counsel stated that the applicant listed XXXXXXXX, [REDACTED] as his home of record when he enlisted in the Army in 1995 and listed XXXXXXXXXX, [REDACTED] as his home record when he entered the Coast Guard in 2000. He asserted that a change in the applicant's home of record will "presumably save the applicant money in moving expenses once he separates from the Coast Guard."

The Chief Counsel stated that the Joint Federal Travel Regulations (JFTR) define home of record as "the place *recorded* as the home of the individual when reinstated, reappointed, or reenlisted remains the same as that recorded when commissioned, appointed, enlisted or inducted or ordered into the tour of duty unless there is a break in service of more than one day." The Chief Counsel also stated that a note in the JFTR states the following:

Travel and transportation allowances are based on the officially corrected recording in those instances when through a bona fide error, the place originally named at time of current entry into the service wasn't in fact the actual home. Any such correction must be fully justified and the home, as corrected, must be the actual home of the member upon entering the service, and not a different place selected for the member's convenience.

The Chief Counsel argued that any change to the applicant's home of record should result from a bona fide error at the time of his enlistment in the Coast Guard and not a correction based on a matter of convenience.

Applicant's Rebuttal to the Views of the Coast Guard

On May 24, 2002, a copy of the Coast Guard views was mailed to the applicant for his reply. He did not submit a response.

FINDINGS AND CONCLUSIONS

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

1. The Board has jurisdiction of this matter pursuant to section 1552(b) of title 10, United States Code. The application was timely.
2. The applicant has failed to prove by a preponderance of the evidence that his home of record was incorrectly recorded in his military record at the time he

entered the Coast Guard. In this regard, the Board notes that according to the Coast Guard, the applicant listed [REDACTED] as his home of record when he joined the Army in 1995. Likewise when he entered the Coast Guard in 2000 he listed [REDACTED] not [REDACTED] as his home of record. In addition according to his statement, his parents live in [REDACTED]. All of these factors strongly suggest that at the time the applicant entered the Coast Guard, XXXXXXXX, [REDACTED] was properly listed as his home of record.

3. The applicant provided no evidence except for his own statement that he lived in [REDACTED] for five years prior to joining the Coast Guard.

4. The applicant has not presented persuasive evidence that XXXXXXXX, [REDACTED] was not his home of record at the time he entered the service.

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

ORDER

The application of XXXXXXXXXXXXXXXXXXXX, USCG, for correction of his military record is denied.

