

DEPARTMENT OF TRANSPORTATION  
BOARD FOR CORRECTION OF MILITARY RECORDS

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Application for Correction  
of Coast Guard Record of:

BCMR Docket  
No. 97-96

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FINAL DECISION

█ Chairman:

This is a proceeding under the provisions of section 1552 of title 10, United States Code. It was commenced on March 25, 1996, upon the Board's receipt of the applicant's request for correction of his military record.

This final decision, dated April 30, 1997, is signed by the three duly appointed members who were designated to serve as the Board in this case.

**Application for Relief**

The applicant asked the BCMR to change his "home of record" from █ to █. In support of this application, he submitted federal tax documents (Form 1040 and Form W-2) and an application for an uniformed services ID card, all of which listed his address as █ or █.

**Views of the Coast Guard**

On March 14, 1997, the Commander of the Coast Guard Personnel Command (CGPC) recommended that no relief be granted. According to the CGPC, the applicant's home of record is █. On March 24, 1997, the Chief Counsel of the Coast Guard said that the applicant "has not proved substantial error or injustice by the Coast Guard."<sup>1</sup>

The Chief Counsel said that the applicant listed █ as his home of record on his enlistment contract. The Chief Counsel also noticed that the applicant had a █ driver's license and had listed █ as his address in 1992 in his

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<sup>1</sup>. The advisory opinions of the Coast Guard were submitted to the BCMR approximately 10 months after the Board received a completed application. The final decision of the BCMR could not, accordingly, be issued within the 10 month deadline for BCMR decisions.

Service Record. The Chief Counsel alleged that "[the applicant's] current desire [was] to have his household goods moved to [REDACTED] upon discharge." The Chief Counsel admits that the applicant presented some evidence that he lived in [REDACTED] in 1992, but he said that he cannot now choose a location different from the one he claimed at the time of enlistment.

The CGPC said a member can change his home of record if he requests and gives a reason for such a change and attaches two affidavits showing he was a registered voter and filed an income tax return with that government.

### Response of the Applicant to Coast Guard Views

On March 31, 1997, the BCMR sent a copy of the views of the views of the Coast Guard to the applicant with an invitation to submit a response thereto. The applicant did not respond to that invitation.

### SUMMARY OF RECORD

The following information appears on block 7.b. of the applicant's DD Form 214 dated June 19, 1996.

#### Home of Record at time of Entry

[REDACTED]

On the applicant's enlistment papers, dated March 31, 1992, his Home of Record was listed as [REDACTED]

### FINDINGS AND CONCLUSIONS

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

1. The Board has jurisdiction of the case pursuant to section 1552(b) of title 10, United States Code.
2. The applicant asked the Board to change his home of record from the location listed as his home of record on his 1992 enlistment papers [REDACTED] to the location listed as his home of record on his 1996 discharge papers ([REDACTED]).
3. The Joint Federal Travel Regulations (JFTR) define "home of record" as follows: "The place recorded as the home of the individual when . . . enlisted . . . into the relevant tour of active duty. The place recorded as the home of the individual . . . remains the same . . . unless there is a break in service of more than one full day. Only if a break in

service exceeds one full day, can the home of record be changed by the member." According to the SDA User/Query Manual, the primary purpose of recording a member's "home of record" is to document the point to which the Coast Guard is required to "provide transportation upon separation from the Service."

4. Once a home of record is selected and recorded on an enlistment contract, "it cannot be changed for mere convenience." A break in service that exceeds one day or a substantiated petition to the Commandant are the only methods cited in section 1.E.2.c. (Home of Record Corrections). The applicant never took such a break in service, and he never submitted an application to the Commandant with required affidavits.

5. Accordingly, the applicant's home of record in 1996 remained the same as it was in 1992, when he enlisted. He did not take the authorized measures to change his home of record after that date (i.e. submit affidavits showing he was a registered voter and filed tax returns in [REDACTED]). The fact that his actual home of record was set forth on his 1996 discharge papers (DD Form 214) did not change his legal home of record.

6. The Coast Guard committed no error or injustice in following duly adopted rules for establishing and changing a member's home of record.

7. Accordingly, the application should be denied.

**ORDER AND SIGNATURES ON FOLLOWING PAGE**

**ORDER**

The application to correct the military record of former  
USCG, is denied.

