

DEPARTMENT OF TRANSPORTATION
BOARD FOR CORRECTION OF MILITARY RECORDS

Application for Correction of
Coast Guard Record of:

BCMR Docket
No. 2000-124

FINAL DECISION

██████████ Deputy Chairman:

This is a proceeding under the provisions of section 1552 of title 10 and section 425 of title 14, United States Code. It was docketed on May 1, 2000, upon receipt of the applicant's complete application for correction of his military record.

This final decision, dated March 29, 2001, is signed by the three duly appointed members who were designated to serve as the Board in this case.

The applicant, a former port securityman third class (PS3) in the Coast Guard Reserve, requested that a DD Form 214 (certificate of release or discharge from active duty), be issued to him listing certain awards that he received while in the Reserve. Specifically, he requested that the Humanitarian Award, the Coast Guard Bicentennial Award, and the Unit Commendation Award be listed on the DD Form 214.

The applicant is now on active duty in the U.S. Army. He stated that he needs the "awards on [his] official 214 or on [his] issued orders, for [his] current active duty promotion points in the U.S Army." The applicant enlisted in the Army on February 9, 1994.

Views of the Coast Guard

On November 15, 2000, the Board received an advisory opinion from the Chief Counsel of the Coast Guard recommending that the Board deny relief. The Chief Counsel's recommendation was based on a letter sent to the applicant by a representative of the Commander, Coast Guard Personnel Command (CGPC), dated August 30, 2000.

The CGPC representative informed the applicant that he was entitled to the following awards: Bicentennial Unit Commendation, Humanitarian Service Medal, Secretary's Outstanding Unit Award, Coast Guard Marksman Pistol award, and Coast Guard Sharpshooter Rifle award. The representative stated that no actual certificates or citations accompanied these awards, but a record of the awards is maintained in the Coast Guard's electronic database. The representative sent the applicant a copy of the electronic record documenting what awards he had received, while in the Coast Guard Reserve. With respect to a DD Form 214, the representative told the applicant that a DD

Form 214 was not authorized for him because he had not been on continuous active duty for a period greater than 90 days.

In addition to CGPC's comments, the Chief Counsel stated that the applicant was not entitled to the Unit Commendation Award. According to the Chief Counsel, although the applicant's unit received this award twice while the applicant was assigned to the unit, neither the citation nor the accompanying documentation recommended the applicant for this award. The Chief Counsel stated that the applicant did not present any proof that he is entitled to the Unit Commendation Award.

The Chief Counsel also stated that the applicant was not entitled to a DD Form 214 because he had not served more than 90 days of continuous active duty since completing recruit training in 1986. He further stated that official orders are not used to provide members with a list of awards received during Coast Guard service. (Official orders are issued for standard travel of military personnel, which includes permanent change of station (PCS), temporary additional duty (TAD), and reserve drills).

Applicant's Response to the Views of the Coast Guard

On November 17, 2000, a copy of the advisory opinion was sent to the applicant for his review and comment. The applicant did not submit a response.

FINDINGS AND CONCLUSIONS

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

1. The BCMR has jurisdiction over this matter pursuant to section 1552 of title 10, United States Code. The application was timely.

2. The applicant is not entitled to a DD Form 214 because he has not presented evidence that he served on active duty continuously for a period of 90 days or longer while in the Coast Guard Reserve. According to Chapter 1.B.10. of COMDTINST 1900.4D, issued on September 28, 1993, a DD Form 214 will not be issued to "reservists released from continuous active duty for training . . . less than 90 days." According to the Chief Counsel, official Coast Guard orders are not issued to document awards earned while in the Service. The applicant has not presented any evidence to rebut the Chief Counsel on these points.

3. Although a DD Form 214 or official orders are not appropriate to document the awards earned by the applicant, CGPC sent him verification of the awards he earned while in the Reserve. The Chief Counsel stated that the applicant was not entitled to the Unit Commendation Award because neither the citation nor the accompanying documentation recommended him for the award. The applicant did not present any evidence showing that he had been recommended for or was entitled to this award.

4. Accordingly, the applicant has failed to prove an error or injustice in this case and his request for relief should be denied.

ORDER

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

