

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

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Application for the Correction of  
the Coast Guard Record of:

**BCMR Docket No. 2020-046**

  
DC2

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**FINAL DECISION**

This proceeding was conducted according to the provisions of 10 U.S.C. § 1552 and 14 U.S.C. § 2507. The Chair docketed the case after receiving the applicant's completed application on November 27, 2019, and this decision of the Board was prepared pursuant to 33 C.F.R. § 52.61(c).

This final decision, dated September 25, 2020, 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 is a former Damage Control Specialist second class (DC2) who was discharged from the Coast Guard on October 3, 1980. He asked the Board to correct his DD 214<sup>1</sup> to show that he earned the Coast Guard Sea Service Ribbon and the Coast Guard Overseas Service Ribbon. He argued that he is eligible for these ribbons because they were authorized after his discharge and he alleged that the documents he submitted with his application "clearly show that his sea service and overseas duty would qualify [him] for the medals."

In support of his request, the applicant submitted a copy of his DD 214, which is included in the Summary of the Record below; a Letter of Appreciation dated December 12, 1979, for his service aboard a cutter; and his honorable discharge certificate.

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<sup>1</sup> The DD Form 214 provides the member and the service with a concise record of a period of service with the Armed Forces at the time of the member's separation, discharge or change in military status (reserve/active duty). In addition, the form is an authoritative source of information for both governmental agencies and the Armed Forces for purposes of employment, benefit and reenlistment eligibility, respectively. The DD 214 is issued to members who change their military status among active duty, reserve, or retired components or are separated/discharged from the Coast Guard to a civilian status. Reservists released from continuous active duty for training (ADT) less than 90 days are not eligible to receive a DD 214. COMDTINST M1900.4D.

The applicant stated that he discovered the alleged errors in his record on September 1, 2019, and argued that the Board should find it in the interest of justice to consider his application because he “only recently learned that these award ribbons were enacted by an internet search and review of my service record.”

### **SUMMARY OF THE RECORD**

The applicant’s record contains a DD 214 which shows that he enlisted in the Coast Guard on October 4, 1976, and was honorably discharged and released into the Reserve on October 3, 1980. The DD 214 also shows that he had 1 year, 10 months, and 20 days of sea service, and his Chronological Record of Service shows that after completing training, he served at a unit on the East coast until January 1978, aboard a cutter homeported in Hawaii until December 1979, and then at the Coast Guard Academy until his discharge. His DD 214 also shows that he received the Pistol Marksman Ribbon and a First Good Conduct Award. Neither the Coast Guard Sea Service Ribbon or the Coast Guard Overseas Service Ribbon are included on his DD 214.

As a reservist, the applicant was assigned to the Individual Ready Reserve and discharged from the Reserve on August 10, 1982.

### **APPLICABLE LAW AND REGULATIONS**

COMDTINST 1900.4, the Commandant’s instructions for completing the DD 214, states 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 all periods of service should be listed on a member’s DD 214 and that it should be accurate as of the date of discharge.

Chapter 5.A.19 of COMDTINST M1650.25E, the Coast Guard Military Medals and Awards Manual, states that the Coast Guard Sea Service Ribbon is awarded to active duty members and reservists of the Coast Guard 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. Enclosure 1 to the manual states that the Sea Service Ribbon was authorized on March 3, 1984, and could be awarded to active duty members and reservists who had already met the criteria. It does not provide for retroactive awards to former members.

Chapter 5.A.21 of the Medals and Awards Manual states that the Coast Guard Overseas Service Ribbon (OSR) was established and approved on October 28, 2009. It states that the award is available to active duty members of the Coast Guard on a permanent assignment and who successfully complete a tour of duty of at least 12 months at an overseas shore-based duty station or aboard a cutter permanently assigned to an overseas area. It states that overseas is defined as duty outside the United States, and that U.S. territories at shore-based commands and Coast Guard Cutters permanently assigned to an overseas area are eligible assignments for this award. Overseas is defined as duty outside the United States. Assignments to Alaska and Hawaii do not qualify members for this service award. Chapter 5.A.21.d. states the following:

The ribbon may be awarded retroactively to personnel who are credited with completion of a tour of overseas duty as stated in the eligibility criteria above. Individuals requesting awards for service prior to the approval date of the award are eligible for the initial award only. Personnel requesting verification of their eligibility are responsible for providing supporting documentation to their current unit commander to substantiate eligibility for this award.

### **VIEWS OF THE COAST GUARD**

On April 15, 2020, a judge advocate (JAG) of the Coast Guard submitted an advisory opinion recommending that the Board grant partial relief. The JAG argued that the application is untimely, but that partial relief should be granted because the applicant is eligible to receive one of the two medals he asked for.

The JAG recommended that the Board grant the applicant's request to add the Coast Guard Sea Service Ribbon to his DD 214. The JAG argued that he qualifies for the Sea Service Ribbon in accordance with COMDINST M1650.25E by completing at least 12 months cumulative sea duty aboard a cutter in Hawaii from January 1978 through January 1980.

The JAG recommended that the applicant's requests to add the Coast Guard Overseas Service Ribbon to his DD 214 should be denied. The JAG argued that he failed to provide any evidence documenting his eligibility for the ribbon. The JAG stated that according to the applicant's records, he did not serve on a permanent assignment for at least 12 months at an overseas shore based duty station or on-board a cutter permanently assigned to an overseas area. The JAG noted that the applicant served for over 12 months on a cutter stationed in Hawaii, but the requirements for the award specifically excludes Hawaii from eligibility. Finally, the JAG noted that a review of the applicant's Electronically Imaged Personnel Data Record (EI-PDR) and Coast Guard records did not show any documentation or other information that supports his claim for the Overseas Service Ribbon.

Finally, the JAG stated that the Coast Guard Personnel Service Center (PSC) incorrectly issued a DD 215 to the applicant on February 21, 2020, reflecting the addition of both the Coast Guard Sea Service and Coast Guard Overseas Service Ribbon to his DD 214. The JAG stated that if the Coast Guard's position is adopted by the Board, the Coast Guard intends to retract the erroneous DD 215 and issue a revised DD 215 to the applicant that only reflects award of the Coast Guard Sea Service Ribbon.

### **APPLICANT'S RESPONSE TO THE VIEWS OF THE COAST GUARD**

On May 7, 2020, the BCMR sent the applicant a copy of the Coast Guard's recommendation and invited him to respond within 30 days. The BCMR did not receive a response.

### **FINDINGS AND CONCLUSIONS**

The Board makes the following findings and conclusions based on 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.<sup>2</sup> The applicant was discharged from the Coast Guard and received his DD 214 on October 3, 1980. However, both awards were not authorized until after he was discharged, and there is no evidence of how or why he might have discovered the alleged errors earlier than 2019, as he alleged. Therefore, the preponderance of the evidence shows that the application was timely filed.

2. The applicant has not proven by a preponderance of the evidence that he is entitled to either the Sea Service Ribbon or the Overseas Service Ribbon, as explained below:

- a. The record shows that the applicant served aboard a cutter homeported in Hawaii and accumulated more than 12 months of sea duty, but the Sea Service Ribbon was not authorized until 1984 and, unlike some other awards, was not authorized to be issued retroactively. Therefore, his request for this ribbon should be denied.
- b. The record shows that the applicant is also ineligible to receive the Coast Guard Overseas Service Ribbon for his service in Hawaii. His record shows that he served on a cutter homeported in Hawaii, but Chapter 5.A.21. of the Medals and Awards Manual states that the Overseas Service Ribbon is awarded to members who served overseas, and overseas is defined as duty outside the United States. The manual specifically states that service at units based in Alaska and Hawaii does not qualify a member for this award.

3. The applicant's military service is highly commendable, but his requests should be denied, and the erroneous DD 215 that PSC prepared on February 21, 2020, in anticipation of a favorable outcome of his case should not be entered in his record.

**(ORDER AND SIGNATURES ON NEXT PAGE)**

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<sup>2</sup> 10 U.S.C. § 1552(b) and 33 C.F.R. § 52.22.

**ORDER**

The application for correction of the military record of former DC2 [REDACTED] USCG, is denied, because he is ineligible for the Coast Guard Sea Service Ribbon and the Coast Guard Overseas Service Ribbon and so the erroneous DD 215 showing those awards shall not be in his record.

September 25, 2020

