

DEPARTMENT OF TRANSPORTATION
BOARD FOR CORRECTION OF MILITARY RECORDS

Application for the Correction of
the Coast Guard Record of:

FINAL DECISION
BCMR Docket No. 2000-092

SUMMARY OF THE RECORD

ANDREWS, Attorney-Advisor:

On March 16, 2000, the applicant asked the Board to correct his record to show that he reenlisted for 6 years on April 1, 1998, to be eligible for a Zone A SRB under ALDIST 046/98. A page 7 entry in his record shows that he was erroneously counseled that he would receive a Zone A SRB if he extended his enlistment for 3 years. The 3-year extension contract he signed based on the erroneous advice did not make him eligible for an SRB because it did not become operative until he was in Zone B. He alleged that if he had been properly counseled, he would have reenlisted for 6 years to receive the SRB. ALDIST 046/98 authorized a Zone A SRB (but no Zone B SRB) for members in the QM rating who reenlisted on or after April 1, 1998.

On September 20, 2000, the Chief Counsel of the Coast Guard recommended that the Board correct the applicant's record to show that he reenlisted for 6 years on April 1, 1998.

FINDINGS AND CONCLUSIONS

Under COMDTINST 7220.33, the applicant was entitled to proper counseling concerning his eligibility for an SRB under ALDIST 046/98. The record indicates that the Coast Guard erred by counseling him improperly about how he could qualify for the SRB. The Board finds that, if the applicant had been properly counseled, he would have reenlisted for 6 years, instead of extending for 3, to qualify for the SRB. Accordingly, relief should be granted by correcting the applicant's record to show that he reenlisted for 6 years on April 1, 1998.

ORDER

The application of XXXXXXXX, USCG, for correction of his military record is granted. It shall be corrected to show that he was discharged and reenlisted on April 1, 1998, for 6 years. The extension contract he signed on April 1, 1998, shall be null and void. The Coast Guard shall pay the applicant the amount due him as a result of this correction.

January 4, 2001
Date

Stephen H. Barber

Donna L. O'Berry

Karen L. Petronis