


DEPARTMENT OF TRANSPORTATION
BOARD FOR CORRECTION OF MILITARY RECORDS

Application for Correction
of Coast Guard Record of:

BCMR Docket
No. 24-96

FINAL DECISION


This is a proceeding under section 1552 of title 10, United States Code. It was commenced on November 16, 1995, upon the BCMR's receipt of the applicant's request for correction of his military record.

This final decision, dated November 22, 1996, is signed by the three duly appointed members who were designated to serve as the Board in this case.

Applicant's Request for Correction

The applicant, an aviation machinist's mate first class (AD1; paygrade E-6), asked the BCMR to correct his military record to show that he extended his enlistment prior to February 15, 1982 for a period of 4 years and to show that he was awarded a Zone A Selective Reenlistment Bonus (SRB) with a multiple of 1 for a period of four years, pursuant to ALDIST 004/82.

The applicant alleged that he should have received counseling concerning his options under ALDIST 004/82 to extend his enlistment prior to February 15, 1982. He alleged that he "never received proper counselling (sic) regarding [his] options as they relate to the SRB announced by ALDIST 340/81."

Views of the Coast Guard

On November 12, 1996, the Coast Guard Personnel Command (CGPC) recommended that relief be granted to the applicant.

CGPC found that the applicant had enlisted for four years in the regular Coast Guard on April 28, 1980, and that he was advanced on February 12, 1982. The Personnel Command further found that "[t]here is no CG Form 3307 indicating that [he] was counseled on SRB eligibility or impact of reenlisting/extending on SRB

entitlement during 1981 or 1982."

CGPC concluded that the applicant "appears qualified to have extended his enlistment," and the applicant appears "eligible for a (sic) SRB." The CGPC concluded that he should have been counseled to extend his enlistment to be eligible for an SRB, on the 12th, 13th, or 14th of February 1992.¹ The Coast Guard therefore recommended that the applicant's record should be changed to indicate that he accepted a four-year extension on February 12, 1982.

Response of the Applicant

On November 12, 1996, a copy of the views of the Coast Guard were sent to the applicant. The applicant replied that he had no objection to the views of the Coast Guard with regard to his request for correction.

FINDINGS AND CONCLUSIONS

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

1. The application for correction is within the jurisdiction of the Board pursuant to section 1552 of title 10, United States Code.
2. The applicant alleges that he should have been awarded a Zone A SRB in 1982. The applicant alleges that he should have been counseled on his eligibility for an SRB.
3. The applicant was entitled to have been counseled on his eligibility for an SRB in 1982, the year in which he was advanced to AD3. There is no indication in his record that he received such counseling.
4. The applicant should also have been counseled because Coast Guard regulations require that members be "fully advised" of SRB opportunities. See Decision of the Deputy General Counsel in BCMR Nos. 224-87, 263-87, 268-87, and 285-87. He was not.
5. There is no Form 3307 in the applicant's military record indicating that he was counseled in 1982 on SRB eligibility.
6. The applicant is therefore entitled to have his enlistment extended so as to entitle him to a Zone A SRB for a period of four years with a multiple of one.

¹ The BCMR was notified shortly thereafter, by the Chief of the Military Justice Division of the Coast Guard, that the phrase "February 1992" should have been "February 1982".

ORDER

The application to correct the military record of
USCG, is granted in accordance with this decision. The applicant's record shall be corrected to show that he extended his enlistment on February 12, 1982 for four years and received a Zone A SRB with a multiple of one. The applicant's record shall be further amended to show that he reenlisted for four years on February 12, 1986 until February 9, 1990. The Coast Guard shall pay the applicant the amount due him as a result of these corrections.

