


DEPARTMENT OF TRANSPORTATION
BOARD FOR CORRECTION OF MILITARY RECORDS

Application for Correction of
Coast Guard Record of:

BCMR Docket
No. 145-96

FINAL DECISION


This is a proceeding under the provisions of section 1552 of title 10, United States Code. It was commenced on August 5, 1996 by the filing of an application for relief with the BCMR.

This final decision, dated August 29, 1997, is signed by the three duly appointed members who were designated to serve as the Board in this case.

Applicant's Request

The applicant, a chief machinery technician (MKC; pay grade E-7), asked the BCMR to grant him a Zone B selective reenlistment bonus (SRB) in accordance with the provisions of ALDIST 004/82.*

The applicant alleged that he was never informed of the provisions of ALDIST 004/82, and therefore, was unaware of his right to extend his enlistment to be eligible for an SRB. He stated that his "intentions were to remain in the Coast Guard," as is evident by the fact that he is still serving on active duty.

The applicant stated that he learned about his eligibility for an SRB in June 1996, from some chief petty officers who told him they had received an SRB under ALDIST 004/82. The chief petty officers told the applicant that he was also eligible to receive a bonus.

The applicant enlisted in the Coast Guard on August 15, 1977, for a four-year term. His military record indicates that on August 15, 1981, the

* An ALDIST is an informative bulletin distributed to all Coast Guard districts. ALDIST 004/82 was distributed by the Commandant on January 12, 1982, and was in effect until February 14, 1982. ALDIST 004/82 provided for members in certain military grades to reenlist, or extend a current enlistment, for a specified number of years in order to receive an SRB.

applicant extended his enlistment for six years. The new date of termination of his enlistment was August 15, 1987.

Views of the Coast Guard

On July 11, 1997, the Chief Counsel of the Coast Guard recommended that the applicant's request be denied.

The Chief Counsel asserted that the applicant suffered no error or injustice because he was ineligible to extend or reenlist at the time that ALDIST 004/82 was distributed. The Chief Counsel stated that the applicant was serving in a six-year extension on his first four-year enlistment in February 1982, and that six years is the maximum allowable extension on any one enlistment.

RELEVANT REGULATION

Article 1-G-31c. of the Coast Guard Personnel Manual (COMDTINST M1000.6A) states that the "total of all extensions of an enlistment may not exceed 6 years."

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 submission, and applicable law:

1. The Board has jurisdiction concerning this matter pursuant to section 1552 of title 10, United States Code. The application was timely.
2. The applicant alleged that he was eligible for a Zone B selective reenlistment bonus (SRB) under ALDIST 004/82. He alleged that he was never counseled on the provisions of ALDIST 004/82 and was therefore unable to take advantage of the extension option to receive an SRB.
3. The applicant's record shows that on August 14, 1981, five months before the publication of ALDIST 004/82, the applicant applied to extend his initial four year enlistment for another six years. That extension became effective on August 15, 1981.

ALDIST 004/82 stated that members who were eligible for SRBs could reenlist or extend a current enlistment for up to three or six years, depending upon the member's rank, performance points, and grade. The applicant, while serving in the appropriate grade and rank, could not have extended under ALDIST 004/82 because he had already extended his previous four-year

enlistment for the maximum allowable six-year term. See Article 1-G-31c. (COMDTINST M1000.6A). He could not add to that extension, nor could he cancel it and apply for a new extension of enlistment.

4. The applicant did not satisfy the terms of ALDIST 004/82, and therefore was ineligible for a Zone B SRB under the provisions of that ALDIST.

5. Accordingly, the application should be denied.

Final Decision: BCMR No. 145-96

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ORDER

The application for correction of the military record of
.USCG, is denied.

