

**DEPARTMENT OF TRANSPORTATION  
BOARD FOR CORRECTION OF MILITARY RECORDS**


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Application for Correction  
of Military Record of:

BCMR Docket  
No. 1997-178

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**FINAL DECISION**

  
This is a proceeding under the provisions of section 1552 of title 10, United States Code. It was commenced on September 9, 1997, upon the Board's receipt of the applicant's request for correction of his military record.

The final decision, dated July 23, 1998, is signed by three duly appointed members who were designated to serve as the Board in this case.

**Application for Relief**

The applicant asked the Board to award him a Zone A selective reenlistment bonus (SRB) pursuant to ALDIST 340/81 and ALDIST 004/82.

The applicant enlisted in the Coast Guard on January 15, 1979. He was allegedly miscounseled in 1982. He extended his enlistment in January 1983 and separated from the Service in January 1984. Five years later, in February 1989, he reenlisted in the Coast Guard.

The applicant introduced no evidence that he was career motivated when he was allegedly miscounseled in 1982. He returned to active duty five years later, in 1989. He was told by another applicant, who received an SRB, that he may have suffered an "injustice" by being denied an SRB, but that other applicant's case was different from this applicant's because it did not contain a break in service.

**Views of the Coast Guard**

The chief counsel recommended that the application be denied for untimeliness and failure of proof. According to the Chief Counsel, the "[a]pplicant thus knew of the matter he now alleges as error in 1982. This application should have been filed . . . in 1987 at the latest."

The chief counsel also stated that the applicant provided no credible proof that he was improperly counseled. Any statement he did make should be suspect in view of previous inaccuracies.

#### **Applicant's Response to the Views of the Coast Guard**

The applicant said he "might not of had" broken service if he had known about the SRB program at the time.

#### **FINDINGS AND CONCLUSIONS**

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

1. The BCMR has jurisdiction of the case pursuant to section 1552 of title 10, United States Code.
2. The applicant asked the Board to award him a Zone A selective reenlistment bonus (SRB) on the ground that he was miscounseled, in 1982.
3. The applicant enlisted in the Coast Guard in January 1979 and was discharged from the Coast Guard in January 1984. He reentered the Coast Guard in February 1989.
4. Under the statute of limitations, the application should have been filed three years after the alleged error or injustice, or 1985.
5. The purpose of the selective reenlistment bonus program is to induce military personnel to reenlist in the Service. It would be anomalous if one of these bonuses were to be awarded to a person who left active duty in the Coast Guard and who did not return to it for five years.
6. The applicant's failure, in his response to the views of the Coast Guard, to take issue with the Coast Guard's allegation that he was not eligible for an SRB in view of his break in service, tends to support the view that his application for an SRB should be denied.
7. Accordingly, his application should be denied.

**ORDER**

The application of  
correction of his military record is denied.

USCG, for

