


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

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Application for Correction  
of Coast Guard Record of:

BCMR Docket  
No. 1998-079

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**FINAL DECISION**

  
This is a proceeding under the provisions of § 1552 of title 10 and § 425 of title 14, United States Code. It was commenced on May 4, 1998, upon the BCMR's receipt of the applicant's request for correction of his military record.

The final decision, dated March 11, 1999, is signed by the three duly appointed members who were designated to serve as the Board in this case.

**RELIEF REQUESTED**

The applicant requested to reenlist on February 28, 1998, his six year reenlistment date. He had no page 7 entry in his record with respect to this matter. He said that a selective reenlistment bonus (SRB) was in effect in accordance with ALDIST 226/97.

The applicant alleged that he was not counseled that he could cancel his current extension/reenlistment, thereby permitting him to reenlist, on February 28, 1998, his six year anniversary date for a Zone A SRB.

**VIEWS OF THE COAST GUARD**

On January 29, 1999, the Commander of the Coast Guard Personnel Command (CGPC) recommended that the applicant's service record be corrected to reflect a six year reenlistment date, effective February 28, 1998, for a Zone A SRB.

On March 2, 1992, CGPC said the applicant enlisted in the Coast Guard for

eight years. Six years later, on March 2, 1998, CGPC said the applicant celebrated his six year anniversary in the Coast Guard. On his six year anniversary date, CGPC found that he "was not counseled that he was eligible for the SRB."

On September 30, 1999, CGPC established a Zone A SRB with a multiple of one half for MK, in accordance with ALDIST 226/97. On January 21, 1999, the Chief Counsel of the Coast Guard said that the applicant should have been counseled that he was eligible to enlist for a Zone A SRB. COMMDTINST 7220.33 authorized commanding officers to effect early discharges and to reenlist members within three months prior to their six year anniversary date.

CGPC created a six year reenlistment contract effective February 28, 1998, with a new EOE [expiration on enlistment] of February 27, 2004.

On January 21, 1999, the Chief Counsel of the Coast Guard submitted the advisory opinion of the Coast Guard, which recommended that the Board grant the relief requested. The Chief Counsel found that "there is no evidence in the record indicating that Applicant had ever been counseled on SRBs in his CG career." The Chief Counsel also found that the applicant did not receive information "on his right to enlist on his six year anniversary date."

The Chief Counsel recommended that the Board grant the relief requested.

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

On January 21, 1999, a copy of the advisory opinion was sent to the applicant. On February 16, 1999, the applicant notified the Board that the case was ready for decision.

#### **FINDINGS AND CONCLUSIONS**

The Board makes the following findings and conclusions on the basis of the submissions of the applicant and the Coast Guard, the military record of the applicant, 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 was entitled to an SRB if he reenlisted on his six year anniversary in the Coast Guard. That anniversary fell on February 28, 1998.
3. The command was not aware of the applicant's six year anniversary date,

prior to that date.

4. Had the applicant known that he needed to reenlist by his anniversary date for the SRB, he would have done so. Had the command known when the anniversary date was, they would have counseled him to act by that date.

5. The applicant has shown that the Coast Guard committed an error or injustice with respect to his anniversary date, by not counseling him with respect to SRB requirements as required by Coast Guard regulations.

6. Accordingly, the application should be granted.

**[ORDER AND SIGNATURES ON FOLLOWING PAGE]**

**ORDER**

The application to correct the military record of  
USCG, is granted.

