

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


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Application for Correction of  
Coast Guard Record of:

BCMR Docket No. 1998-097 /FC

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**FINAL DECISION ON AMPLIFICATION**

  
This is a further proceeding under sections 52.32(b) and 52.32(c) of the rules of the BCMR, pursuant to section 1552 of title 10, United States Code.

Subsection (b) provides that denial of relief is without prejudice to further consideration "if the applicant requests further consideration and submits evidence in addition to that contained in his or her complete application."

Subsection (c) provides that if relief is denied under this section, "without prejudice to further consideration," the applicant shall be advised of his right to further proceedings.

This final decision on amplification, dated June 30, 1999, is signed by the three duly appointed members who were designated to serve as the Board in this case.

**ORIGINAL FINDINGS**

On May 20, 1999, the Board considered Docket No. 1998-097 and found that the applicant was not properly counseled regarding her entitlement to an SRB. Findings No. 1 through No. 4.

Accordingly in Finding No. 5, the Board found that the Coast Guard committed an error by not counseling the applicant within three months of her

sixth year anniversary date as required by the SRB regulation. Notwithstanding the finding of the error, the Board determined that it could not correct the applicant's record because she had failed to provide the Board with the desired length of her reenlistment. The Board dismissed the applicant's case without prejudice to allow her an opportunity to submit the information that would allow the Board to accurately and fully correct her record.

#### FURTHER EVIDENCE SUBMITTED

On June 8, 1999, the Board received further evidence from the applicant stating that she would have reenlisted for a period of six years on her sixth year anniversary date, March 17, 1998. The applicant's CO recommended that the Board accept the applicant's statement with respect to the length of her reenlistment since she, in fact, reenlisted for six years on December 8, 1998.

#### FINDINGS AND CONCLUSIONS

Upon further consideration, 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 of the case pursuant to section 1552 of title 10, United States Code.
2. The application was timely.
3. The Board determined in the original proceeding that applicant was not properly counseled with respect to her entitlement to an SRB on her sixth year anniversary date. However, the Board could not accurately and fully correct the applicant's record without further input from her with respect to the desired length of her reenlistment on March 17, 1998. The Board allowed the applicant 60 days to submit this evidence.
4. On June 8, 1999, the applicant submitted the additional evidence necessary for the Board to fully correct her record. Based on her statement and that of her CO, the Board finds that the applicant would have reenlisted for a period of six years on her sixth year anniversary, March 17, 1998.
5. Accordingly, upon on further consideration the Board finds that the applicant's request for relief should be granted.

**ORDER**

The application to correct the military record of MK2 granted, as follows: The Coast Guard shall correct the applicant's record to show that on her sixth year anniversary date (March 17, 1998), she reenlisted for a period of 6 years for the purpose of obtaining an SRB. The Coast Guard shall pay the applicant the SRB, with appropriate multiple, that she is due as a result of this correction.

