


DEPARTMENT OF TRANSPORTATION  
BOARD FOR CORRECTION OF MILITARY RECORDS

Application for Correction of  
Coast Guard Record of:

BCMR Docket  
No. 1999-027

FINAL DECISION

  
This is a proceeding under the provisions of section 1552 of title 10 and section 425 of title 14, United States Code. It was commenced on November 25, 1998, upon the BCMR's receipt of the applicant's request for correction of her military record.

This final decision, dated August 19, 1999, is signed by the three duly appointed members who were designated to serve as the Board in this case.

The applicant, a seaman apprentice (SA; pay grade E-2) in the Reserve, asked the Board to find, pursuant to her enlistment contract, that she is eligible to receive the \$2,000.00, Level II selective reserve enlistment bonus (SEL-RES bonus) that was offered to her if she enlisted in the Reserve and agreed to affiliate with the boatswain's mate rating. The Coast Guard refused to pay the SEL-RES bonus after the applicant completed recruit training because the applicant was not a high school graduate at the time she entered into the enlistment contract. The applicant alleged that the Coast Guard's refusal to pay her the SEL-RES bonus was unfair and unjust because the Coast Guard never informed her that she had to be a high school graduate to receive the bonus.

In the Coast Guard advisory opinion, dated July 22, 1999, the Chief Counsel stated that notwithstanding the fact that the government is not estopped from repudiating erroneous advice given by its officials, the applicant should be granted the SEL-RES bonus on the grounds that the Coast Guard promised it to her, she has provided due consideration for it, and she took prompt action to have the alleged error corrected.

**FINDINGS AND CONCLUSIONS**

The Board finds that the Coast Guard committed an injustice against the applicant by failing to pay her the SEL-RES bonus pursuant to her enlistment contract; by not informing her that she had to be a high school graduate at the time of enlistment to receive the SEL-RES bonus, and by letting her complete recruit training before

informing her that she was not eligible for the SEL-RES bonus. The Board finds that the applicant is entitled to relief and the Coast Guard concurs in this grant of relief.

**ORDER**

The military record of [REDACTED] USCGR, shall be corrected to show that she was eligible for and received the \$2000.00 Level II selective reserve enlistment bonus as stated in her enlistment contract, dated May 28, 1998. The Coast Guard shall pay the applicant the amount that is due her as a result of this correction.

