

DEPARTMENT OF TRANSPORTATION  
BOARD FOR CORRECTION OF MILITARY RECORDS

Application for Correction of  
Coast Guard Record of:

BCMR Docket  
No. 1999-039

FINAL DECISION

[REDACTED]

This is a proceeding under the provisions of section 1552 of title 10 and section 425 of title 14, United States Code. It was docketed on January 6, 1999, upon the BCMR's receipt of the applicant's complete application for correction of his military record.

This final decision, dated September 23, 1999, is signed by the three duly appointed members who were designated to serve as the Board in this case.

The applicant, a radarman second class (RD2; pay grade E-5), asked the Board to correct his record to show that he reenlisted for six years on April 1, 1998, which was within three months of tenth-year active duty anniversary date, May 18, 1998. The applicant alleged that the Coast Guard failed to properly counsel him that within three months of his tenth-year active duty anniversary date he could be discharged and immediately reenlisted for the purpose of obtaining an SRB. The applicant's record does not contain the required page 7 SRB counseling entry advising him of this SRB opportunity.

Prior to joining the Coast Guard, the applicant spent four years on active duty in the Navy. He enlisted in the Coast Guard for four years, on May 18, 1992. He reenlisted for three years, on January 10, 1996. On March 2, 1998, ALDIST 046/98 was promulgated announcing a Zone B multiple of 1 for the RD rating, with an effective period from April 1, 1998 through September 30, 1998. He extended his enlistment for two years on December 8, 1998.

In the Coast Guard advisory opinion, dated September 10, 1999, the Chief Counsel recommended that the Board grant the requested relief. The Chief Counsel admitted that the Coast Guard failed to counsel the applicant as required by COMDTINST 7220.33 (SRB instruction). The Chief Counsel noted the prompt action taken by the applicant to correct this error.

### FINDINGS AND CONCLUSIONS

The Board finds that the Coast Guard committed an error by not counseling the applicant that he could be discharged and immediately reenlisted within three months of his ten-year active anniversary date for the purpose of obtaining a Zone B SRB. On April 1, 1998, the applicant was eligible for the SRB multiple announced in ALDIST 046/98 for the RD rating. Accordingly, the applicant's record should be corrected to show that he was discharged on April 1, 1998, and immediately reenlisted for the purpose of obtaining a Zone B SRB with a multiple of 1.

### ORDER

The military record of \_\_\_\_\_, USCG, for correction of his military record is granted. His record shall be corrected to show that he was discharged on April 1, 1998, and immediately reenlisted on the same date for a period of six years to obtain a Zone B SRB with the appropriate multiple. The Coast Guard shall pay the applicant the amount due him as a result of this correction.

