


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

Application for Correction of
the Coast Guard Record of:

BCMR Docket No. 1999-056
Technical Amendment

AMENDMENT TO FINAL DECISION


This is a proceeding conducted under 33 C.F.R. § 52.73 at the request of the Chief of the Office of Military Justice of the Coast Guard to consider a technical amendment to the order issued by the Board in Docket No. 1999-056.

This amendment, dated March 9, 2000, is signed by the three duly appointed members who were designated to serve as the Board in this case.

HISTORY OF BCMR DOCKET NO. 1999-056

In Docket No. 1999-056, the applicant asked the Board to correct her military record by canceling two extension contracts she signed as a seaman on September 30, 1998, and December 18, 1998, and instead show that she extended her enlistment for four years on December 24, 1998. The correction entitled her to receive a Selective Reenlistment Bonus (SRB) pursuant to ALDIST 290/98.

In December 1998, the applicant was a seaman finishing telecommunications (TC) "A" School, and she needed to extend her enlistment in order to accept permanent change of station (PCS) orders upon graduation. At that time, an SRB with a multiple of three was in effect for members in the TC rating under ALDIST 290/98. The applicant alleged that, because the Coast Guard failed to advise her regarding the SRB opportunity, she signed an extension contract six days before she was promoted into the TC rating. She alleged that, if she had been properly counseled, she would have waited the six days until she graduated from TC "A" School before extending her enlistment to qualify for the SRB.

The Chief Counsel recommended that the Board grant the applicant relief because she "should have been counseled by staff at TC 'A' School to wait until 24 December 1998, the date of her impending advancement to TC3/E-4, to enter into an extension agreement." The Board granted relief, finding that the Coast Guard had erred by not informing the applicant that she would be eligible for an SRB if she waited six days, until her graduation from TC "A" School, before signing an extension contract to obligate service for her PCS orders.

CHIEF COUNSEL'S REQUEST

On February 24, 2000, the Chief of the Office of Military Justice submitted a Request for Technical Correction. He asked that the Board's order be changed to show that, instead of extending her enlistment for four years on December 24, 1998, the applicant reenlisted for six years on that date. He submitted with his request a copy of an email message from the applicant requesting the change.¹ He stated that, if the applicant had requested this correction initially, the Coast Guard "would have favorably endorsed this request."

FINDINGS AND CONCLUSIONS

1. The Board has jurisdiction over this matter pursuant to 33 C.F.R. § 52.73.
2. The Chief Counsel asked the Board to amend its order in BCMR Docket No. 1999-056 to reenlist the applicant for six years on December 24, 1998, instead of extending her enlistment for four years, as she originally requested. The applicant concurred in the request.
3. The applicant was eligible to be reenlisted on December 24, 1998, for six years to receive an SRB under ALDIST 290/98. It is not apparent in the record why the applicant did not request this correction in her original application, as it was clearly to her advantage to do so. However, it is apparent that she did not receive thorough SRB counseling, as required by COMDTINST 7220.33.
4. Accordingly, the Board's order in BCMR Docket No. 1999-056 should be amended as requested by the Coast Guard and the applicant.

[ORDER AND SIGNATURES APPEAR ON NEXT PAGE]

¹ In addition, BCMR staff members previously discussed this request over the telephone with the applicant and her PERSRU (the unit's administrative yeoman).

AMENDED ORDER

The Board's order correcting the military record of USCG, is hereby amended to read as follows:

Her record shall be corrected to show that on December 24, 1998, she reenlisted for six years for the purpose of receiving an SRB with a multiple of three under ALDIST 290/98.

The extension contracts signed by the applicant on September 30, 1998, and December 18, 1998, shall be null and void.

The Coast Guard shall pay the applicant the amount due her as a result of this correction.

