


DEPARTMENT OF TRANSPORTATION
BOARD FOR CORRECTION OF MILITARY RECORDS

Application for Correction
of Coast Guard Record of:

BCMR Docket
No. 1999-138

FINAL DECISION


This is a proceeding under the provisions of section 1552 of title 10 and section 425 of title 14 of the United States Code. It was commenced on June 23, 1999, upon the BCMR's receipt of the applicant's request for correction of his military record.

The final decision, dated April 27, 2000, is signed by the three duly appointed members who were designated to serve as the Board in this case.

RELIEF REQUESTED

The applicant, who is a quartermaster third class (QM3; pay grade E-4), enlisted in the Coast Guard on May 9, 1995. He signed an extension of enlistment on a Friday because the actual end of his enlistment fell on a weekend. (He alleged he was not counseled as to "the monetary loss of signing up two days early.") He alleged that his selective reenlistment bonus (SRB) should have been calculated on the basis of his having served four years, rather than three years.

VIEWS OF THE COAST GUARD

On January 14, 2000, the Chief Counsel of the Coast Guard recommended that this application be denied on the ground that the applicant was not eligible for a SRB calculated at the "over four" base pay amount rather than at the "over three" base pay rate.

In the opinion of the Chief Counsel, the applicant "had to reenlist or extend on or before 08 May 1999. No matter what date the applicant reenlisted or extended on, including the date he now requests (08 May 1999) he would not be 'over 4' for base pay."

The Chief Counsel did not deny having a duty to counsel the applicant. He said that "there was no avenue for Applicant to reenlist in a manner that would place him in an 'over 4' base pay status." He further alleged that "Applicant's situation is not unique and this result was the intended result under the SRB regulations."

Accordingly, the Coast Guard recommended that the Board deny the relief requested:

APPLICANT'S RESPONSE TO THE COAST GUARD VIEWS

On January 19, 2000, the Board sent a copy of the views of the Coast Guard to the applicant with an invitation to submit a response to those views within 15 days of the invitation. The Board did not receive any such response.

FINDINGS AND CONCLUSIONS

The Board makes the following findings and conclusions on the basis of the submissions of the applicant and of the Coast Guard and on the basis of the applicant's military record and applicable law:

1. The Board has jurisdiction concerning this matter pursuant to section 1552 of title 10, United States Code. The application is timely.
2. The applicant alleged that he was not informed (counseled) as to the monetary loss in the absence of an adjustment mechanism.
3. There was no way for the applicant to reenlist that would place him in an over 4 base pay status.
4. The Coast Guard did not commit an injustice by failing to counsel the applicant on special rules regarding weekend termination of service
5. Accordingly, the application should be denied.

[ORDER AND SIGNATURE ON FOLLOWING PAGE]

ORDER

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

