


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

Application for Correction
of Coast Guard Record of:

BCMR Docket
Docket No. 1999-145

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 July 2, 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 requested that his extension contract be canceled or amended to show a 6-year extension or reenlistment with full SRB entitlement. He alleged that he was counseled by his executive petty officer (XPO) to agree to a 3-year extension rather than a 6-year reenlistment. He alleged that his Command did not authorize him to extend for more than the obligated service required (3 years) to accept his new PCS.

The applicant alleged "that he received incorrect information from [the Coast Guard] regarding re-enlistment options in relation to obtaining the current zone 'A' SRB."

VIEWS OF THE COAST GUARD

On February 24, 2000, the Chief Counsel of the Coast Guard recommended that the Board grant the relief requested.

The Chief Counsel admitted that there was no corroborating evidence to support applicant's allegation of error, but he said that the applicant stated Coast Guard. The Chief Counsel was also persuaded to make this recommendation by the promptness of

the applicant's action to rectify the error and by his willingness to obligate himself to a new long-term reenlistment.

APPLICANT'S RESPONSE TO COAST GUARD VIEWS

On February 29, 2000, the Board sent the applicant a copy of the views of the Coast Guard on this case and notified the applicant that he could submit a response to the Coast Guard's views within 15 days of the notification.

On March 9, 2000, the Board received the following submission from the applicant: "I have reviewed the Coast Guard's recommendation. I have no objections and consider my case ready for decision."

FINDINGS AND CONCLUSIONS

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 concerning this matter pursuant to section 1552 of title 10, United States Code. The application was timely.
2. The applicant's executive petty officer counseled him that he could only extend or reenlist for a maximum of three years and therefore was only eligible for an SRB for three years.
3. The executive petty officer was in error.
4. The Coast Guard, upon review of the facts, recommended that relief be granted to the applicant.
5. Accordingly, the application should be granted.

[ORDER AND SIGNATURES ON FOLLOWING PAGE]

ORDER

The application to correct the military record of USCG, is granted. His record shall be corrected to show that his extension contract dated 12 April 1999 be reformed to show an obligation of six (6) rather than three (3) years. The Coast Guard shall pay the applicant the amount that is due him as a result of this correction.

