

DEPARTMENT OF TRANSPORTATION
BOARD FOR CORRECTION OF MILITARY RECORDS

Application for Correction of
Coast Guard Record of:

BCMR Docket
No. 2000-136

FINAL DECISION

[REDACTED]

The applicant, a radarman first class (RD1 pay grade E-6), asked the Board to correct his record to show that he reenlisted for six years on November 1, 1997 (within three months of his tenth year on active duty), so that he would be eligible for a Zone B SRB, under ALDIST 226/97. The applicant stated that the Coast Guard refused to allow him to reenlist in October 1997 because of his limited duty medical status. He was later determined to be fit for full duty.

The Chief Counsel of the Coast Guard recommended that the Board grant relief as a matter of equity. In this regard, the Chief Counsel stated that although the applicant was not physically qualified for reenlistment within three months of his tenth year on active duty, he was later found to be eligible for active duty. The Chief Counsel stated that although no error was committed in this case, relief should be granted to the applicant because he had served on active duty for 10 years and would have obligated for the time necessary to qualify for the SRB if it had not been for his then-medical situation. The applicant agreed with the advisory opinion.

FINDINGS AND CONCLUSIONS

The Board agrees with the comments and recommendation of the Chief Counsel of the Coast Guard and finds that, in the interest of equity and justice, the applicant's request for relief should be granted.

ORDER

The application of _____, for correction of his military record is granted. His record shall be corrected to show that he reenlisted for six years on November 1, 1997, for a Zone B SRB with the appropriate multiple. The extension agreement the applicant signed on November 8, 1999, and the four-year reenlistment contract he signed on December 1, 2000, are null and void. The Coast Guard shall pay the applicant the amount due him as a result of this correction.

Date: March 22, 2001

[REDACTED]