

DEPARTMENT OF TRANSPORTATION
BOARD FOR CORRECTION OF MILITARY RECORDS

Application for the Correction of
the Coast Guard Record of:

FINAL DECISION
BCMR Docket No. 2002-089

XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX

SUMMARY OF THE RECORD



The applicant asked the Board to correct his record to show that he reenlisted for 3 years on his 6th active duty anniversary in March 2002 to receive a Zone A selective reenlistment bonus (SRB). He alleged that he was never counseled about his eligibility for the SRB and that if he had been, he would have reenlisted for 3 years for the SRB. On January 9, 2002, when he was already in Zone B, his command reenlisted him for 6 years based on the erroneous promise of a Zone A SRB. This error occurred because, in calculating his years of service, his command failed to include his prior service in the Marine Corps. His record contains no entry documenting SRB counseling prior to his 6th anniversary. It also contains an entry indicating that he was erroneously promised a Zone A SRB for his reenlistment on January 9, 2002. He was not eligible for a Zone B SRB on that day because he was in pay grade E-4 at the time.

The Chief Counsel of the Coast Guard recommended that the Board grant relief in this case because the January 9, 2002, contract is voidable since it was based on a false promise and because the applicant's record includes no documentation of 6th anniversary SRB counseling.

FINDINGS AND CONCLUSIONS

Under COMDTINST 7220.33, the applicant was entitled to proper counseling concerning his eligibility for a Zone A SRB on his 6th anniversary under ALCOAST 184/99. The record indicates that the Coast Guard erred by failing to counsel him and that, if he had been counseled, he would have reenlisted. Moreover, if he had reenlisted on his 6th anniversary, he would not have been required to reenlist on January 9, 2002. Accordingly, relief should be granted.

ORDER

The record of xxxxxxxxxxxxxxxxxxxxxxxxxx, USCG, shall be corrected to show that he reenlisted for 3 years on his 6th active duty anniversary to receive a Zone A SRB under ALCOAST 184/99. The 6-year reenlistment contract he signed on January 9, 2002, shall be null and void. The Coast Guard shall pay the applicant the amount due him as a result of this correction.

February 4, 2003
Date

