

**DEPARTMENT OF HOMELAND SECURITY
BOARD FOR CORRECTION OF MILITARY RECORDS**

Application for Correction
of Coast Guard Record of:

BCMR Docket No. 2010-170

**XXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXX**

FINAL DECISION

This proceeding was conducted according to the provisions of section 1552 of title 10 and section 425 of title 14 of the United States Code. The Chair docketed the application upon receipt of the applicant's completed application on May 4, 2010, and subsequently prepared the final decision as required by 33 CFR § 52.61(c).

The final decision, dated March 10, 2011, is approved and signed by the three duly appointed members who were designated to serve as the Board in this case.

APPLICANT'S REQUEST AND ALLEGATIONS

The applicant asked the Board to correct her record to show that she enlisted in the Coast Guard for 6 years instead of 4 years on July 12, 2005. She stated that even though her enlistment contract says 4 years, she believed that she had enlisted for 6 years because that was her intention and because Direct Access (Coast Guard's computerized data base) mistakenly showed she had enlisted for 6 years. She stated that she was not aware of this error until "the time had come for me to reenlist for transfer" on or about April 23, 2010.

VIEWS OF THE COAST GUARD

On October 7, 2010, the Judge Advocate General (JAG) of the Coast Guard submitted an advisory opinion recommending that the Board grant partial relief in accordance with the memorandum from Commander, Coast Guard Personnel Service Center (PSC) which was attached as an enclosure to the advisory opinion.

PSC recommended that the Board grant partial relief by offering the applicant the opportunity to "execute an agreement to extend her enlistment for [60] months, effective July 12, 2009 and expiring on July 11, 2014." PSC stated that the 5-year extension contract would properly account for the period of time between the applicant's initial contract that expired on July 11, 2009 and the expiration of her current obligation in July 2014.¹

¹ According to the Coast Guard the applicant does not have a contract in her record covering the period July 12, 2009 to July 11, 2014.

In recommending partial relief, PSC stated that the applicant was incorrect when she stated that Direct Access showed that she had enlisted for 6 years. According to PSC, Direct Access properly reflects that the applicant enlisted for 4 years.

APPLICANT'S REPLY TO THE VIEWS OF THE COAST GUARD

On October 12, 2010, a copy of the Coast Guard views was mailed to the applicant inviting her to submit a reply. On December 15, 2010, the Board received the applicant's response to the views of the Coast Guard. She agreed with them.

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, the applicant's military record, and applicable law:

1. The Board has jurisdiction of the case pursuant to section 1552 of title 10 of the United States Code. It was timely.
2. The Board finds that the applicant's July 12, 2005 enlistment contract shows that she enlisted in the Coast Guard for 4 years. Despite this finding, the Board is persuaded that some confusion existed in the applicant's electronic record regarding her length of service because her 4-year term expired on July 11, 2009 and she remains on active duty without having extended her original enlistment or having reenlisted. This is error. To remedy this situation, the Board will order the applicant's record corrected to show that she executed a 60-month extension of her July 11, 2009 enlistment, with July 11, 2014, as the expiration of enlistment date. The applicant and the Coast Guard have agreed to this correction.
3. Accordingly, the applicant is entitled to the relief discussed above.

[ORDER AND SIGNATURES APPEAR ON NEXT PAGE]

ORDER

The application of XXXXXXXXXXXXX, USCG, for correction of her military record is granted. Her record shall be corrected to show that she extended her July 12, 2005 enlistment for a period of 60 months to execute permanent change of station orders.

No other relief is granted.

Lillian Cheng

Megan Gemunder

Donna A. Lewis