

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

Application for the Correction of
the Coast Guard Record of:

**FINAL DECISION
BCMR Docket No. 2003-065**

XXXXX, XXXXXX X.
xxx xx xxxx, XXXX

SUMMARY OF THE RECORD

The applicant asked that his record be corrected to show that he reenlisted on March 14, 2000 rather than having extended his enlistment on that day for 3 years. He alleged that he was improperly counseled about his eligibility to extend his reenlistment within the 3 months prior to his 10th active duty anniversary (March 20, 2000) for a Zone B SRB. On March 14, 2000, the applicant was advised that he could receive a Zone B SRB by extending the 4-year reenlistment contract he signed on May 28, 1999, through May 27, 2003. However, by May 28, 2003, the operative date of the extension, the applicant was ineligible for the SRB because he had more than 10 years of active duty service. He claimed that had he been properly advised, he would not have extended his enlistment but rather would have reenlisted to be eligible for the SRB.

On July 31, 2003, the Chief Counsel of the Coast Guard stated that the record supports the applicant's allegation of error. He recommended that the Board grant relief by correcting the applicant's record to show that he reenlisted on March 14, 2000, for the purpose of receiving a Zone B SRB pursuant to ALCOAST 184/99.

FINDINGS AND CONCLUSIONS

Under COMDTINST 7220.33, the applicant was entitled to proper counseling concerning his eligibility for an SRB. The applicant has proved by a preponderance of the evidence that the Coast Guard erred in advising him that he could obtain a Zone B SRB by executing an extension agreement on March 14, 2000 that would become operative after his 10th anniversary on active duty. The Board finds that had the applicant been properly counseled, he would have reenlisted for 6 years, on March 14, 2000 for a Zone B SRB with a multiple of xx pursuant to ALCOAST 184/99. Accordingly, relief should be granted.

ORDER

The military record of XXX XXXXX X. XXXXX, xxx xx xxxx, USCG, shall be corrected to show that he reenlisted for 6 years on March 14, 2000 to receive a Zone B SRB under ALCOAST 184/99. The extension agreement he signed on March 14, 2000 shall be null and void. The Coast Guard shall pay him the amount due as a result of this correction.

October 22, 2003
Date

Julia Andrews

Felisa C. Garmon

Dorothy J. Ulmer