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. 2003-113

Xxxxxxxxxxxxxxx xxxxxxxxxxxxxx

SUMMARY OF THE RECORD

The applicant asked the Board to correct his record to show that he reenlisted on his 6th active duty anniversary, June 29, 1999, to receive a Zone A selective reenlistment bonus (SRB) with a multiple of 3 in accordance with ALDIST 184/99. He alleged that he was never counseled about the SRB and that, if he had been, he would have reenlisted. Instead, he reenlisted for 4 years on June 13, 2000, after his 6th anniversary had passed, and received a Zone B SRB with a multiple of 1. His record does not contain documentation of timely SRB counseling.

The Judge Advocate General of the Coast Guard recommended that the Board grant the applicant's request because the record supports his allegation that he was not timely counseled. In response, the applicant stated that he would have reenlisted for at least 5 years on his 6th anniversary if he had been told about the SRB multiple.

FINDINGS AND CONCLUSIONS

Under COMDTINST 7220.33, the applicant was entitled to counseling concerning his eligibility for an SRB on his 6th anniversary. Under ALDIST 184/99, he was eligible to reenlist for 3, 4, 5, or 6 years to receive a Zone A SRB with a multiple of 3. If he had done so, he would not have been eligible to reenlist for 4 years on June 13, 2000, but he would have been eligible to reenlist on his 10th anniversary for a Zone B SRB with a multiple of 3.5 in accordance with ALCOAST 329/02. The Board finds that he was not timely counseled and that, if he had been, he would have reenlisted for 4, 5, or 6 years on his 6th anniversary to receive the SRB. In addition, he might have reenlisted on his 10th anniversary for the Zone B SRB for which he would have been eligible. Accordingly, relief should be granted.

ORDER

The military record of ET2 xxxxxxxxxxx, USCG, shall be corrected to show that on his 6th anniversary, June 29, 1999, he canceled his prior 2-month extension and reenlisted for at least 4 years, but for 5 or 6 years at his discretion, to receive a Zone A SRB under ALDIST 184/99. His reenlistment contract dated June 13, 2000, shall be null and void. In addition, at his sole discretion and if he agrees in writing, his record shall be further corrected to show that he reenlisted for 3, 4, 5, or 6 years on his 10th active duty anniversary to receive a Zone B SRB under ALCOAST 329/02. The Coast Guard shall pay him the amount due as a result of the corrections made in accordance with this order.

<u>February 6, 2004</u> Date

Julia Andrews

Felisa C. Garmon

Dorothy J. Ulmer