

**DEPARTMENT OF TRANSPORTATION  
BOARD FOR CORRECTION OF MILITARY RECORDS**


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Application for Correction  
of Coast Guard Record of:

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BCMR Docket  
No. 1999-019

**FINAL DECISION**

  
This is a proceeding under the provisions of section 1552 of title 10 and section 425 of title 14, United States Code. It was commenced on November 2, 1998, upon the Board's receipt of the applicant's request for correction of his military record.

This final decision, dated August 5, 1999, is signed by the three duly appointed members who were designated to serve as the Board in this case.

**RELIEF REQUESTED**

The applicant asked to have his "enlistment contract [changed] from 4 years to 6 years for higher SRB."

This request pertains to the applicant's July 2, 1998, contract to enlist in the Coast Guard Reserves in pay grade E-5 (TC2). The applicant alleged that on July 20, 1998, he signed a contract to reenlist in the Coast Guard Reserve for four years. He alleged that the Coast Guard did not tell him there was a 6-year reenlistment contract which had a higher SRB.

**STATUS OF APPLICANT**

On January 25, 1988, the applicant originally enlisted as a seaman (SN) in the regular active duty Coast Guard (CG).<sup>1</sup> He served a total of 10 years, 5 months, and 25 days on active duty in the Coast Guard. On July 20, 1998, the applicant reenlisted in the Coast Guard Reserve for four years.

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<sup>1</sup> The applicant had completed 3 years of instruction in the Junior Reserve Officer Training Corps which made him eligible for enlistment in pay grade E-3 in any U.S. armed service.

**APPLICABLE LAW**

ENCLOSURE (3) to COMDTINST 7200.33 requires the Coast Guard to issue a page 7 entry "within 3 months prior to their end of enlistment and any time a member reenlists or extends their enlistment." The page 7 entry must include notice of receipt of SRB questions and answers; the applicable SRB multiple, whether or not the member is eligible to reenlist/extend and for how long; and the amount of newly obligated service. The entry must be signed by the applicant and his Coast Guard counselor.

PRE-DISCHARGE INTERVIEW OF ENLISTED MEMBERS, Art. 12.B.4.c.3.d. If the member is eligible to reenlist but does not intend to reenlist in the Coast Guard at his or her present duty station, the interviewer should give him or her a Coast Guard Reserve Assignment Request . . . . If the member does not have an [existing] obligation, the interviewer should encourage him or her to enlist in the Coast Guard Reserve. . . .

SRB Instruction, Enclosure (1) to COMDTINST 7220.33:

WRITTEN AGREEMENT. All personnel . . . who reenlist or extend for any period . . . shall be counseled on the SRB program. They shall sign a page 7 service record entry . . . .

**FINDINGS AND CONCLUSIONS**

The Board makes the following findings and conclusions on the basis of the submissions of the applicant and the Coast Guard, the military record of the applicant, and applicable law:

1. The Board has jurisdiction concerning this matter pursuant to section 1552 of title 10, United States Code. The application was timely.

2. The applicant originally enlisted in the active duty Coast Guard, on January 25, 1988. He was released from active duty on July 19, 1998. On July 20, 1998, he reenlisted for 4 years in the Coast Guard Reserve as a TC2.

3. A TC2 who joined the Reserve during the period of ALDIST 072/98 (3/20/98 to 9/30/98) was eligible for a Level I bonus of \$2,000 if he signs a 6-year contract or a Level II bonus of \$1000 if he signs a 3-year contract, and if he has an eligible rating.

4. TC was an critical rating for a Reserve bonus under ALDIST 072/98.

5. Enclosure (3) to COMDTINST 7220.33 requires the Coast Guard to issue a page 7 entry "within 3 months prior to their end of enlistment and any time a member reenlists."

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6. A page 7 entry was entered in the applicant's record on April 20, 1998. According to the Deputy Group Commander who signed the entry, "[m]ember has stated intentions not to reenlist." The entry was, however, not signed by the applicant and the counseling requirements (Article 12.B.4.c.3.d. of the Personnel Manual) were not met by the Commander.

7. Three months later, on July 20, 1998, the applicant reenlisted in the "U.S. Coast Guard Reserve" for 4 years.

8. ENCLOSURE (1) to COMDTINST 7220.33 (Written Agreement) states that "[a]ll personnel . . . who reenlist or extend for any period shall be counseled on the SRB program. They shall sign a page 7 service record entry." The applicant was not counseled that he could reenlist for 6 years in the Reserve, and the entry did not advise the applicant of his SRB rights. No such page 7 entry was signed by the applicant.

9. The applicant reenlisted in the Coast Guard Reserve as soon as he was released from active duty.

10. The Coast Guard recommended that the relief requested be granted, although the Coast Guard stated a different reason for its recommendation.

11. Accordingly, the applicant's record should be corrected to show that he signed a contract on July 20, 1998, to enlist in the Reserve for 6 years.

**ORDER**

The application to correct the military record of [REDACTED] USCGR, is granted, as follows: Change the Enlistment/Reenlistment Document/Armed Forces of the United States form signed by the applicant on 7/20/98 by substituting "SIX YEARS" for "FOUR YEARS." The Coast Guard shall pay the applicant the amount due him as a result of this correction.

