

DEPARTMENT OF TRANSPORTATION  
BOARD FOR CORRECTION OF MILITARY RECORDS


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Application for Correction  
of Coast Guard Record of:

BCMR Docket  
No. 1999-032

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FINAL DECISION

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

This final decision, dated September 9, 1999, is signed by the three duly appointed members who were designated to serve as the Board in this case.

**RELIEF REQUESTED**

The applicant requested that his 5-year reenlistment contract dated July 7, 1998 be canceled and replaced by a 6-year reenlistment contract in order to maximize his selective reenlistment bonus (SRB). The applicant alleged that the reason he reenlisted for 5 rather than 6 years was "improper counseling" by his chain of command.

The applicant stated when he received the first installment of his SRB, "it was not as much as the dollar figure [computed] by the YNC (chief yeoman) during my counseling. The YNC called PERSRU (personnel unit) to find out what had happened. The YNC later told me the information passed to me earlier was incorrect . . . . This of course caused a slight decrease in my anticipated reenlistment bonus." The applicant submitted a statement by his Chief who alleged that he counseled the applicant on his SRB entitlements. The Chief said that he was "[u]naware that the bonus would be computed this way. I improperly counselled [the applicant] on his zone A SRB."

**APPLICANT'S RECORD**

The applicant originally enlisted in the Coast Guard on July 7, 1992 for 4 years. His 6-year anniversary date was July 7, 1998.

Enclosure (3) to COMDTINST 7220.33 sets forth the form and content for the "[r]equired page 7 entry for personnel within 3 months prior to their 6th, 10th, or 14th active duty anniversary date."

The first paragraph of enclosure (3) states that the member has received a copy of Enclosure (5), "SRB Questions and Answers." The next 3 paragraphs are required to set forth the applicable SRB multiple, the maximum period the member could reenlist or extend, and the amount of newly obligated service on which the SRB shall be computed. The last paragraph requires the Coast Guard to list answers given to questions about SRB policies.

No page 7 enclosure (3) entry was signed by the applicant.

### 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 asked that his 5-year reenlistment contract dated July 7, 1998 (applicant's 6-year anniversary) be canceled on the ground that he had received "improper counseling." He further asked that his record show that he reenlisted on July 7, 1998 for 6 years to "maximize Zone 'A' SRB."

3. Enclosure (1) to COMDTINST 7220.33 provides that 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, enclosure (3), outlining the effect that particular action has on their SRB entitlement. . . ."

4. No page 7 enclosure (3) entry was signed by the applicant.

5. The fact that the applicant did not know that he could not receive more than one Zone A SRB, and confusion as to 6-year vs. 5-year enlistments, suggests he was inadequately counseled.

6. The applicant was not properly counseled on his eligibility for an SRB. The Coast Guard committed an error by not doing so.

7. Further, it would be an injustice to fail to grant the requested relief to a member who was an outstanding performer who took prompt action to correct the alleged error and who is willing to serve additional obligated time as consideration for the requested SRB.

ORDER

The application to correct the military record of \_\_\_\_\_, USCG, is granted as follows:

(1) Cancel the applicant's 5-year reenlistment contract dated July 7, 1998, 1998; and

(2) Replace the voided contract with a 6-year reenlistment contract dated July 7, 1998.

The Coast Guard shall pay the applicant the amount due him as a result of this correction.

