

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

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Application for Correction  
of Coast Guard Record of:

BCMR Docket  
No. 1999-038

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**FINAL DECISION**

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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 November 10, 1998 reenlistment contract be canceled. If that request were granted, he said that he "wish[ed] to reenlist for 6 years under the 25 Nov 98 SRB [selective reenlistment bonus] zones and multiples for the MST [marine science technician] rate." The applicant said that if he had received proper counseling, "[he] would have reenlisted for 6 years to take full advantage of it, rather than the 3 years [he] signed for [o]n November [10, 1998]."

The applicant alleged that he received no counseling on selective reenlistment bonuses [SRB]. He also alleged that there was no signed page 7 entry [CG-3307] in his record indicating that he had received SRB counseling in 1998.

Attached to the applicant's application were statements by two enlisted members regarding SRB counseling with respect to the applicant. One said that the applicant had told him "that he wished someone had explained [maximizing SRB likelihood] to him." The other member said he witnessed the applicant's reenlistment and assumed that "no counseling would be necessary because the MST rate had no SRB multiple" as of the date of reenlistment.

The Chief Counsel said the Coast Guard recommended giving the applicant "the benefit of the doubt" because he took prompt action to rectify the alleged error and is willing to serve "an additional three years obligation as consideration for the [requested] SRB."

### APPLICABLE REGULATIONS

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 end of enlistment and any time a member reenlists or extends their enlistment." Enclosure (1)(c)(3) of COMDTINST 7220.33 states that the period within 3 months prior to end of enlistment "is computed by backing off 3 months from the current end of enlistment."

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 Service to list answers given to questions about SRB policies.

Subsection 2. of Enclosure (1) to COMDINST 7220.33, (WRITTEN AGREEMENTS) provides in part as follows: "All personnel with 14 years or less active service who reenlist or extend for any period, however brief, 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. . . ."

No such page 7 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 3-year reenlistment contract dated November 10, 1998 be canceled on the ground that he had not received proper counseling. He alleged that if he had received proper counseling he would have enlisted for 6 years under the "25 Nov 98 SRB zones and multiples."
3. There was no ALDIST in effect on November 10, 1998, so the applicant was not qualified for an SRB on that date. ALDIST 290/98 became effective on November 25, 1998, which means that he qualified for an SRB 15 days after he signed the 3-year

**ORDER**

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

(1) Cancel the applicant's 3-year reenlistment contract dated  
November 10, 1998; and

(2) Replace the voided contract with a 6-year reenlistment contract  
dated February 2, 1999.

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

