

**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. 2010-036**

**XXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXX**

SUMMARY OF THE RECORD

The applicant asked the Board to correct his record to show that he signed a 6-year reenlistment contract on November 13, 2009, to receive a selective reenlistment bonus (SRB) with a 3.0 kicker calculated with 67 months of newly obligated service. He alleged that on April 25, 2008, he was erroneously counseled to sign a 33-month extension contract to obligate service to attend ■■■ “A” School. In fact, he needed to obligate only 21 months of service because his “A” School orders required obligated service through December 11, 2011, and his prior enlistment ran through March 20, 2010. He also alleged that on January 20, 2009, he was erroneously counseled to sign a 2-month extension contract to obligate sufficient service to attend “C” School even though his erroneous April 25, 2008, extension ran through December 12, 2012, and his “C” School orders required obligated service through July 1, 2012. The applicant stated that he wanted to cancel the extension contracts when he received transfer orders in September 2009, and reenlist for an SRB, but did not do so because his SRB would have been significantly reduced by the 33 months of service obligated by the April 25, 2008, extension contract.

The applicant’s “A” School orders show that he was required to have 3 years of obligated service past the graduation date of December 11, 2008, to accept the orders—i.e., service through December 11, 2011. The applicant’s “C” School orders show that he was required to have 3 years of obligated service past the graduation date of July 1, 2009—i.e., service through July 1, 2012. However, his January 20, 2009, 2-month extension contract shows that it was executed to make the applicant eligible for an \$8,000 Critical Skills Training Bonus (CSTB), not to obligate service for “C” School. Under ALCOAST 316/08, to receive a CSTB, the applicant was required, upon advancement to ■■■ E-4, to obligate at least 4 years of service—i.e., service through at least January 23, 2013, because he advanced to ■■■ on January 23, 2009. In September 2009, the applicant received transfer orders requiring him to have 3 years of obligated service from his reporting date of December 14, 2009, which he already had. There is no contract or Page 7 in his record indicating that he was promised an SRB upon receipt of these transfer orders in the fall of 2009.

The Judge Advocate General of the Coast Guard recommended that the Board grant relief by allowing the applicant to reenlist for 6 years on November 13, 2009, to receive an SRB calculated with only 32 months of newly obligated service. The applicant agreed with the JAG’s recommendation.

FINDINGS AND CONCLUSIONS

To accept his transfer orders to ■■■ “A” School on April 25, 2008, the applicant was required to have 3 years of obligated service upon graduating on December 11, 2008. Therefore, before accepting the orders, he needed to obligate service through December 10, 2011. Because his prior enlistment would end on March 20, 2010, he could have signed just a 21-month extension contract on April 25, 2008, to obligate service through December 20, 2011. Therefore, the advice he received to extend his enlistment for 33 months may have been erroneous.¹

To receive his CSTB under ALCOAST 316/08, however, the applicant needed at least 4 years of obligated service upon his advancement to ■■■/E-4 on January 23, 2009—i.e., service through at least January 23, 2013. Because his 33-month extension ran through December 20, 2011, he needed the 2-month extension through February 20, 2013, to receive the CSTB. If he had correctly signed a 21-month extension contract on April 25, 2008, obligating service through December 20, 2011, he would have been required to sign a 14-month extension contract on January 20, 2009, instead of just a 2-month contract, obligating service from December 21, 2011 through February 20, 2013, to receive the CSTB.

The applicant’s record currently shows two extensions—one for 33 months and the other for 2 months—extending his prior enlistment for a total of 35 months from March 21, 2010, through February 20, 2013. However, even if he had been advised to extend his enlistment for just 21 months on April 25, 2008, his record would still show two extensions totaling 35 months and obligating him through February 20, 2013, but the first extension would be for 21 months and the second would be for 14 months. Whether the 35 months from March 21, 2010, through February 20, 2013, are covered by extensions of 33 and 2 months or 21 and 14 months, the applicant still had to have the 35 months more months of obligated service to receive the CSTB.

Because his “C” School orders required obligated service only through July 1, 2012, and he already had obligated service through February 20, 2013, when he began “C” School, he did not need to obligate any additional service to attend “C” School. Likewise, when the applicant received orders in September 2009 to report to a new unit on December 14, 2009, which required 3 years of obligated service, he did not need to obligate any additional service because he had already obligated service through February 20, 2013. Therefore, he was not authorized to sign any contract for an SRB in the fall of 2009 because he was not within 3 months of his end of enlistment or his 6th or 10th active duty anniversary and he did not need to sign any contract to accept his transfer orders. *See* Personnel Manual, Articles 12.B.7., 3.C.5.9., and 1.G.15.a.

Although the applicant alleged that he wanted to reenlist for an SRB in the fall of 2009, he was not authorized to reenlist for an SRB under the Personnel Manual because he had enough obligated service in his record to accept his transfer orders. Nor is there any written promise of an SRB on any contract or Page 7 in his record. Accordingly, the applicant’s request should be denied.

¹ However, the Board notes that it is also possible that the 33-month extension was signed with the intention of qualifying the applicant for a CSTB by giving him four years of obligated service past his “A” School graduation date, pursuant to ALCOAST 316/08, and that because he did not advance to ■■■ until 2 months after his graduation, the 2-month extension was necessary to entitle him to the CSTB.

ORDER

The application of [REDACTED], USCG, for correction of his military record is denied.

August 12, 2010

Date

