

**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. 2016-209**

[REDACTED]
[REDACTED]

SUMMARY OF THE RECORD

The applicant, a machinery technician second class (BM2) in the Coast Guard Selected Reserve (SELRES), asked the Board to correct his record to show that he is eligible to receive the \$8,000 enlistment bonus that he was promised for signing an 8-year Reserve enlistment contract. He signed the 8-year enlistment contract and a Page 7 on February 8, 2011, and the latter states that he is eligible to receive an \$8,000 SELRES enlistment or affiliation bonus. The Page 7 does not specify which ALCOAST is the authority for the bonus except to state that the current ALCOAST is applicable.

The Judge Advocate General of the Coast Guard submitted an advisory opinion in which he adopted the findings and analysis provided in a memorandum on the case submitted by the Commanding Officer, Coast Guard Personnel Service Center (PSC), who recommended that the Board grant relief. PSC pointed out that ALCOAST 119/10 specifically states that the SELRES Enlistment Bonus program ended on December 31, 2010, but argued that the applicant should nonetheless receive the bonus because he was improperly counseled about his eligibility for the bonus when he enlisted in 2011.

FINDINGS AND CONCLUSIONS

The Coast Guard recruiter apparently used an out of date ALCOAST when he counseled the applicant that he was eligible to receive an \$8,000 bonus for signing an 8-year SELRES enlistment contract. ALCOAST 119/10 states that an \$8,000 bonus was available to members who enlisted in the SELRES for at least six years and agreed to serve in the MK rating. However, the ALCOAST also states that the authorization for the bonuses would expire on December 31, 2010. The applicant enlisted in the SELRES on February 8, 2011, and was promised the \$8,000 bonus in writing. Therefore, the applicant has proved by a preponderance of the evidence that the Coast Guard erred when its recruiter promised him an \$8,000 SELRES bonus for enlisting in the Reserve for 8 years. The record indicates that the recruiter promised the applicant the bonus as an inducement to enlist for 8 years, and the Board believes that, whenever reasonable, recruiters' promises should be kept when the member relies on the erroneous advice and gives due consideration for the promised benefit—i.e., an 8-year enlistment in the Reserve. There is no evidence that the applicant would have chosen to enlist in the Coast Guard Reserve had he not been promised the \$8,000 bonus. Therefore, relief should be granted and he should receive the promised bonus under the payment terms prescribed in the ALCOAST.

ORDER

The application of [REDACTED] USCGR, for correction of his military record is granted as follows:

The Coast Guard shall pay him \$4,000—the first half of the \$8,000 enlistment bonus he was promised on the Page 7 dated February 8, 2011—because he has already successfully completed his IADT. In addition, if he met the participation standards under Chapter 4 of the Reserve Policy Manual during the year following his completion of MK “A” School, his record shall be corrected to show that he is eligible for and entitled to the second half (\$4,000) of the \$8,000 SELRES enlistment bonus he was promised, and the Coast Guard shall pay him that amount as well, subject to legal offsets.

July 21, 2017

