

**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. 2010-003**

**XXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXX**

SUMMARY OF THE RECORD

The applicant asked the Board to void an 18-month extension contract dated October 17, 2007, that will otherwise go into effect on May 15, 2010, when her original May 15, 2006, 4-year enlistment expires and run through November 14, 2011. She alleged that on September 25, 2007, when she received orders to transfer to Sector [REDACTED] a yeoman told her that she was required to extend her enlistment for 18 months so that she would have enough obligated service to complete a full tour of duty at her new unit. She alleged that this counseling was incorrect because only 2 years (24 months) of obligated service was required, and there were still 33 months remaining to run on her original enlistment. Therefore, she alleged, the extension was unnecessary should be removed from her record. Her transfer orders state that she was to report to Sector [REDACTED] on November 1, 2007, and that the transfer required 2 years of obligated service.

The Judge Advocate General (JAG) of the Coast Guard recommended that the Board grant the applicant's request because in 2007 the applicant was striking to earn the [REDACTED] rating. She advanced to [REDACTED]/E-3 on August 17, 2007, and to [REDACTED]/E-4 on October 1, 2007. Therefore, under Article 4.B.6.a.(3) of the Personnel Manual, the JAG argued, she needed only 2 years of obligated service to accept her transfer orders before reporting to Sector [REDACTED] on October 28, 2007, and she already had more than 2 years of service remaining on her original enlistment.

FINDINGS AND CONCLUSIONS

Article 4.B.6.a.(3) of the Personnel Manual states that “[m]embers recommended for advancement under the striker program and on the striker eligibility list for advancement are required to have two years’ obligated service remaining upon reporting to the new unit, unless otherwise directed.” When the applicant received her transfer orders on September 25, 2007, she was on the striker eligibility list for advancement, and so the orders required just 2 years of obligated service. However, by the time she signed her extension contract on October 17, 2007, she had already advanced to [REDACTED]/E-4. Therefore, on October 17, 2007, Article 4.B.6.a.(3) was no longer applicable because the applicant was not on the striker advancement eligibility list.

Under Article 4.B.6.a., members with less than 6 years of total service must normally have sufficient obligated service to complete a full tour of duty at a new unit. Under Article 4.A.5.b., the tour length at Sector [REDACTED] was 4 years. The 18-month extension obligated the applicant to serve through November 14, 2011—4 years after her transfer date. Therefore, it

appears that on October 17, 2007, the yeoman on the [REDACTED] required her to obligate sufficient service to complete a full tour of duty as an [REDACTED]/E-4 pursuant to Articles 4.B.6.a. and 4.A.5.b. of the Personnel Manual. However, the applicant's orders were issued when she was still a striker and required only 2 years of obligated service. There is no evidence that the orders were ever revised, and the JAG has stated that the OBLISERV requirement on the orders should have been followed. Therefore, the applicant's request should be granted.

ORDER

The military record of XXXXXXXXXXXXXXXXXXXX, USCG, shall be corrected by removing her October 17, 2007, 18-month extension contract as null and void.

March 11, 2010
Date

