

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

Application for the Correction of
the Coast Guard Record of:

**FINAL DECISION
BCMR Docket No. 2002-060**

XXXXXXXXXXXXXXXXXX
XXXXXXXXXXXX

SUMMARY OF THE RECORD

ANDREWS, Deputy Chair:

The applicant asked the Board to correct his record by voiding a 6-year reenlistment contract he signed on January 31, 2002. He alleged that he was erroneously told that he had to obligate additional service because he was being transferred, and he was erroneously promised a selective reenlistment bonus (SRB) calculated with a multiple of 4, which he never received. His record contains a 6-year reenlistment contract dated January 31, 2002, which states that he was promised an SRB with a multiple of 4. His original enlistment was not due to end until September 2003. In May 2002, the applicant was transferred for a one-year period, through May 2003. His yeoman submitted a statement indicating that the applicant was never paid the SRB calculated with a multiple of 3.5 that was actually in effect for his rating on January 31, 2002.

The Chief Counsel of the Coast Guard recommended that the Board grant the applicant's request because the record supports his allegation that he was erroneously counseled. The Chief Counsel stated that the applicant should not have been required to obligate additional service to accept the transfer, and there was no authority to reenlist him on that day.

FINDINGS AND CONCLUSIONS

The record indicates that the applicant was erroneously required to reenlist because his command believed that he had to obligate additional service to accept his transfer orders. However, the applicant was only being transferred for one year, from May 2002 through May 2003, and his enlistment was not scheduled to end until September 2003. Therefore, acceptance of his transfer orders did not require additional obligated service. Since he was not within three months of the end of his enlistment, there was no other authority for his reenlistment. Accordingly, relief should be granted.

ORDER

The military record of xxxxxxxxxxxxxxxxxxxxxxxx, USCG, shall be corrected as follows: The six-year reenlistment contract that he signed on January 31, 2002, shall be null and void.

December 31, 2002
Date

Angel Collaku

Thomas A. Phemister

Mark A. Tomicich