

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

Application for the Correction of
the Coast Guard Record of:

**FINAL DECISION
BCMR Docket No. 2002-116**

XXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXX

SUMMARY OF THE RECORD

ANDREWS, Deputy Chair:

The applicant asked the Board to correct the date of an extension contract in his record from February 20, 2002 (when he was still a TC3), to April 2, 2002 (the day after he was advanced to TC2), so that he would receive the Zone A selective reenlistment bonus (SRB) that he earned for that contract based on the higher multiple that was in effect for TC2s under ALCOAST 585/01. He alleged that he was miscounseled and that if he had been properly counseled, he would have waited to sign the contract until after he was advanced. He signed the contract upon receiving transfer orders that required him to obligate additional service before accepting the orders and reporting to his new unit in July 2002. Under paragraph 3.d(11) of Enclosure (1) to COMDTINST 7220.33, SRBs are based on the multiple in effect for a member's rating on the day he signs a reenlistment or extension contract. Under ALCOAST 585/01, which went into effect on February 1, 2002, members with the rating TC3 were eligible for a Zone A SRB calculated with a multiple of one, but the multiple for TC2s in Zone A was two.

The Chief Counsel of the Coast Guard recommended that the Board grant relief because the record indicates that the applicant was awaiting advancement to TC2 in February 2002 and did not need to sign his extension contract immediately in order to accept the orders to transfer in July. The Chief Counsel stated that since the applicant could have waited until April to sign the contract and accept the orders, the Board should grant relief. He recommended that the Board void the February 20, 2002, extension contract and allow the applicant to reenlist on April 2, 2002.

FINDINGS AND CONCLUSIONS

Under COMDTINST 7220.33, the applicant was entitled to proper counseling concerning his eligibility for an SRB. Although he apparently received some SRB counseling, the record suggests that he was not properly informed that he could receive twice as large an SRB if he waited a few weeks to sign the contract. In addition, the record indicates that he could have waited to sign the contract because he was not required to report to his new unit until July 2002. Accordingly, relief should be granted

by changing the date of the applicant's extension contract or, as the Chief Counsel recommended, allowing him to reenlist for a greater amount of time.

ORDER

The military record of xxxxxxxxxxxxxxxxxxxxxxxxxx, USCG, shall be corrected to show that he signed his 37-month extension contract on April 2, 2002, instead of on February 20, 2002, and is entitled to the Zone A SRB calculated with a multiple of two in effect for TC2s under ALCOAST 585/01. As an alternative, he shall be offered the opportunity to reenlist for 5 or 6 years on April 2, 2002, for the SRB, and if he does reenlist for 5 or 6 years as of that day, the 37-month extension contract shall be null and void. To assist the applicant in making this decision, the Coast Guard shall fully counsel him regarding his SRB eligibility under this order.

February 27, 2003
Date _____

John A. Kern

James G. Parks

Coleman R. Sachs