

**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. 2004-012**

SUMMARY OF THE RECORD

The applicant requested that the Board reinstate his entitlement to the Zone B selective reenlistment bonus (SRB) that was promised to him when he reenlisted for six years on June 9, 2003. The applicant reenlisted at that time to have enough obligated service to complete a full three-year tour of duty upon reporting to his new duty station under permanent change of station (PCS) orders issued on February 24, 2003. The orders stated, "This assignment requires a minimum of three years [obligated service]." The orders also stated that the period of travel was between June 1, 2003 and July 1, 2003, with the applicant to report to his new command by July 1, 2003. The applicant's then enlistment was due to expire on March 5, 2006. Therefore, upon reporting to his new duty station on July 1, 2003, the applicant would have been approximately four months short of having the necessary three years of obligated service as required in the PCS orders. So, on June 9, 2003, instead of executing a four-month extension, the applicant chose to reenlist for six-years to fulfill the obligated service requirement upon reporting to his new duty station and to obtain an SRB.

Subsequent to reporting to the new duty station, the applicant was informed by Coast Guard Personnel Command (CGPC) that he was not eligible for the SRB because according to Article 4.B.6.a.2. of the Personnel Manual, he already had three years of service remaining on his then enlistment (apparently CGPC used the date the orders were issued rather than the date the applicant was due to report to his new duty station in calculating the three year requirement). Article 4.B.6.a.2. states the following: "Personnel E-4 and above with over six years of active duty are considered to be in a career status. *Unless otherwise indicated*, they are required to have one year of [obligated service] *upon reporting to the new unit*." Emphasis added. Although required to have three years, when the applicant reported to his unit on July 1, 2003, he had only two years and eight months of obligated service remaining.

The Judge Advocate General (TJAG) of the Coast Guard recommended that the Board grant relief. He stated that the applicant was required to obligate additional service to have three years of service remaining upon reporting to his new duty station. He noted that the applicant was required to obligate an additional four months to have the three years of service required by the PCS orders.

FINDINGS AND CONCLUSIONS

The Personnel Manual requires that members in pay grade E-4 and above with six years of active duty, like the applicant, have one year of remaining obligated service *upon reporting to a new duty station, unless otherwise indicated*. The applicant's PCS orders clearly stated that the applicant was required to have a minimum of three years of obligated service. The applicant was scheduled to report to his new duty station by July 1, 2003, at which time he would have had two years and eight months of obligated service remaining on his then current enlistment. Therefore, he was required to extend or reenlist for an additional four months to have the full

three years of obligated service required by his PCS orders. When a member is required to extend or reenlist for transfer purposes, he or she may extend or reenlist for a longer period to obtain an SRB, which is the applicant's situation. See Article 3.C.5. of the Personnel Manual.

The Coast Guard committed an error by refusing to pay the SRB and by informing the applicant that he was not eligible for the SRB because he had the necessary three years of obligated service before the PCS orders were issued. The obligated service requirement is calculated from the time of reporting to the new duty station, not from the time of issuance of PCS orders. See Article 4.B.6. of the Personnel Manual. Accordingly the applicant is entitled to relief.

ORDER

The military record of XXXXXXXXXXXXXXXX, USCG, shall be corrected to show that he reenlisted on June 9, 2003 and was entitled to a Zone B SRB under ALCOAST 329/02. The Coast Guard shall pay the applicant the SRB to which he is entitled under this contract.

June 30, 2004
Date

Philip B. Busch

Richard Walter

Suzanne L. Wilson