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of Transportation
United States
Coast Guard

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COMDTNOTE 1000
21 Oct 2002

COMMANDANT NOTICE 1000 CANCELLED: 20 Oct 2003

Subj: CH-37 TO PERSONNEL MANUAL, COMDTINST M1000.6A

1. PURPOSE: This Notice publishes a change to the Personnel Manual. This Notice is for the use of all active and reserve Coast Guard members and other Service members assigned to duty within the Coast Guard.

2. ACTION: Area and district commanders, commanders of maintenance and logistics commands, commanding officers of headquarters units, assistant commandants for directorates, Chief Counsel, and chiefs of special staff offices at Headquarters shall ensure compliance with the provisions of this Notice. No paper distribution will be made of this Notice. Official distribution will be via the Coast Guard Directives System CD. An electronic version will also be made available via the Commandant (G-WPM-1) website (www.uscg.mil/hq/g-w/g-wp/g-wpm/WPM-1.htm) and the Department of Transportation website (http://isddc.dot.gov/). Further distribution via the Internet is authorized.

3. DIRECTIVES AFFECTED: Personnel Records Review Board, COMDTINST 1070.10.C. is cancelled.

4. SUMMARY: Enclosure (1) summarizes the substantial changes throughout the Manual provided as enclosure (2). Any pages inadvertently omitted from the "Remove" column in previous changes should be discarded as obsolete.

5. PROCEDURES: Remove and insert the following pages:

Remove	Insert
1.D. Pages 5-6	1.D. Pages 5-6
1.G. Pages 1- 4	1.G. Pages 1- 4
1.G. Pages 9-10	1.G. Pages 9-10
	Chapter 3
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DISTRIBUTION - SDL 139

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B		5	10*	1	21	10	25	30	8	6	7	7	6	60	2	1	3	110	1	1	12	1	22	1	1	1
C	5	2	3	4	2	2	2	2	2		3*	2	1	4*			1	1		1	1	1	1	1	1	1
D	2	1	1	5	1	1	1	1		1	3	1*	1	1	2	1	1	1	1	1	1	1	1			1
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NON-STANDARD DISTRIBUTION: See action paragraph.

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6. FORMS AVAILABILITY: The forms listed throughout this document are available from Jetforms Filler on the Coast Guard Standard Workstation.

SALLY BRICE-O'HARA /s/
Rear Admiral, U.S. Coast Guard
Director of Personnel Management

Encl: (1) Summary of Changes
(2) Change 37 to Personnel Manual, COMDTINST M1000.6A

CH 37 TO PERSONNEL MANUAL, COMDTINST M1000.6A

SUMMARY OF CHANGES

Chapter 1	
Article 1.G.2.	Revised to reflect that indefinite reenlistments will normally expire on the last day of the month the member achieves 30 years active service.
Article 1.G.6.	

Chapter 3	
Chapter 3.A.	Policy on Enlistment Bonuses added to PERSMAN.
Chapter 3.B.	Policy on Critical Skills Retention Bonuses added to PERSMAN.
Chapter 3.C.	Selective Reenlistment Bonus policy added to PERSMAN.

Chapter 4	
Article 4.B.6.a.	Obligated Service for "A" school graduates will be as directed by the Training and Education Manual, COMDTINST 1500.10 (series).
Article 4.C.6.	Administrative details are updated.
Article 4.C.7.d.	Relief for Cause of EPOs and XPOs will be conducted in accordance with Article 4.F. CGPC is the authority to order permanent RFC.
Article 4.C.8.d	
Article 4.E.20.	USCGC Barque EAGLE non-rate assignment policy added.
Article 4.G.20.a.	Updates guidance on documentation for travel orders.
Article 4.E.21	Policy on Rating Force Master Chief added to PERSMAN.

Chapter 5	
Article 5.C.12.a.	MK added to the ratings requiring normal color perception.
Article 5.C.14.a.	Minimum active service requirements for advancement to E-5 and E-6 are required to be in the current rating.
Article 5.C.14.b.4.	To reflect policy on indefinite reenlistments, references to E-8 and E-9 removed from article.
Article 5.C.15.	Policies regarding minimum sea duty updated.
Article 5.C.15.b.	International Training Division added to units which assignment to qualifies as sea duty.
Article 5.C.16	Maximum sea duty points for SWE competition increased to 30 points.
Article 5.C.25.e.	Article updated to reflect policy on indefinite reenlistments.
Article 5.E.	Article updated to clarify advancement or designating of nonrated member under striker program outside of normal path of advancement.

Chapter 7	
Article 7.B.2.c.	Special liberty may be granted for PCS related activities.

Chapter 8	
Article 8.F.5.c.	Policy guidance is added on DNA collection and analysis requirements for members convicted of certain offenses.
Article 8.F.4.i.3.	Brig visitation and oversight for administrative issues is consolidated under Commanding Officer, HRSIC.
Article 8.F.6.	

Chapter 10	
Article 10.A.2.e.	Requirement to attach comments to an OER when a non Coast Guard member is the reporting officer has been removed.
Article 10.A.3.a.	Regular OERs for LTJGs on the ADPL who are eligible for in zone/ above zone promotion boards shall submit their OER by 30 June. For OER schedules, 6 months is defined as 182 days and 3 months is defined as 92 days.
Article 10.A.4.c.	OERs will not have signature dates before the end of the period.
Article 10.A.4.f.	The mentioning of any medical or psychological conditions (whether factual or speculative) and NFFD status is prohibited.
Article 10.A.4.g.	Reported on Officers now have 21 days to reply to Supervisors.
Article 10.B	Replaced the Enlisted Performance Evaluation System with the Enlisted Employee Review System (EERS)

Chapter 12	
Article 12.A.2.g.	CGPC will instruct units on the types of separations officers will receive.
Article 12.A.5.h.	Officers requesting to withdraw a voluntary resignation must acknowledge that they will be required to serve a minimum of two years.
Article 12.B.4.a.	Removes direction to assign RE-4 to E-2s separating after 4 years AD.
Article 12.B.7.d.2.	Members requesting separation in lieu of executing PCS orders must so request within 15 days of receipt of orders.
Article 12.B.7.e.	Members requesting to withdraw a voluntary separation must acknowledge that they will be required to serve a minimum of two years.
Article 12.B.12.a.5.c.	Prior service members serving on an original enlistment in the Coast Guard who are separated with 60 days or less of Coast Guard active service may receive a Convenience of the Government discharge for pre-existing conditions.
Article 12.B.12.b.2.	Article updated to reflect policy on indefinite reenlistments.
Article 12.B.15.c.	When discharging prior service members with less than 60 days service, the 60 days referred to is Coast Guard active service.
Article 12.B.16.e	
Article 12.B.18.b.	Members undergoing prior service training who are separated for misconduct will be treated similar to those in recruit training. Separation for 3 or more unauthorized absences within a 6-month period is no longer required to total 30 days or more in order to be separated.
Section 12.E.	Policy on homosexual conduct is edited for clarity.
Article 12.G.3.	Language revised to clarify that a member may serve until the last day of the month the member achieves 30 years active service.

Chapter 14	
Article 14.B.3.	Policy on the Personnel Records Review Board is added to the PERSMAN.

Commanding officers shall submit a message to Commander (CGPC-opm-1) to remove from the warrant officer appointment eligibility lists (Preboard or Final) any person who has received a court-martial or civil conviction, nonjudicial punishment, or unsatisfactory mark in conduct at any time prior to being appointed to warrant grade.

10. See ☞ Article 1.D.10. for information about members who previously declined appointment to warrant grade or voluntarily elected to be removed from an eligibility list.

11. Applicants for the boatswain or naval engineering specialties must have completed at least one year of sea duty as defined by ☞ Article 5.C.15. in pay grade E-6 or above by the 1 January deadline. Members serving in the MST rating who are otherwise qualified for the boatswain specialty, including normal color perception, are not required to complete the sea duty requirement. Surfmen (SJ, SK or SM) who have completed 12 months as a certified surfman in a designated surfman billet, E-6 or above, are considered to have permanently met the sea duty requirement for appointment to warrant. This requirement will not be waived except for members who are presently serving at sea or who are under orders to sea duty and will meet the sea duty requirement by 30 June following the Board's convening date. Commanding officers have authority to grant waivers in these cases. Waivers beyond this authority must be approved by Commander (CGPC-opm-1). Sea Duty waiver requests must be submitted via the chain of command to arrive at Commander (CGPC-opm-1) prior to the 1 January deadline. In computing sea duty time, 30 days equal one full month. After totaling all creditable sea duty periods, a remainder of fewer than 30 days shall be dropped.

12. In addition to the above eligibility requirements, each applicant for appointment to either the AVI, BOSN, ELC, INF, MED, or WEPS warrant specialty must possess normal color perception.

13. <u>Commanding Officer's Recommendation</u>. The final eligibility step in the warrant officer appointment process is obtaining the commanding officer's recommendation. After meeting all of the eligibility requirements, members must submit a request to their commanding officer to obtain a recommendation for appointment to warrant grade. Members should follow their commanding officer's policy for requesting this recommendation, scheduling an interview with the commanding officer, providing documentation attesting to the completion of the minimum eligibility requirements, addressing the suitability issues specified in ☞ Article 1.D.3.b.2., etc. Members must submit this request in time to obtain the commanding officer's recommendation by the 1 January deadline date; see ☞ Article 1.D.3.

1.D.3 Recommendation Procedures

1.D.3.a. Content of Recommendation

The commanding officer's well-considered, affirmative recommendation is the most important eligibility requirement in the warrant officer appointment process. Regardless of how much time in service or time in grade a member may have or the existence of other personal considerations, he or she must earn the commanding officer's recommendation. Commanding Officers (COs) shall base recommendations for appointment to warrant grade first on the person's qualities of leadership, personal integrity, and potential to perform successfully as a warrant officer. COs must never permit technical competence and ability to perform in a warrant specialty to overshadow the member's potential to perform successfully as a warrant officer. Appointment as a warrant officer is not another step in the enlisted promotion process and shall not reward enlisted members for faithful or extended service or completion of minimum service requirements. Meeting the minimum standards for advancement as an enlisted member should not be enough to earn members the commanding officer's recommendation to apply for appointment to warrant grade. A CO shall not recommend a member whose personal conduct and associations constitute reasonable grounds for rejection on the basis of loyalty.

1.D.3.b. Considerations Prior to Recommendation

In view of ☞ Article 1.D.3.a., COs may recommend members for appointment to warrant grade if they meet all ☞ Article 1.D.2. minimum eligibility requirements. In addition to these minimum eligibility requirements, COs shall consider these factors before recommending a member for appointment to warrant grade:

1. COs shall recommend personnel for appointment to warrant grade only if they are fully qualified to hold warrant grade. By making this recommendation the commanding officer affirms the member recommended can perform the duties of the specialty as defined in ☞ Article 1.D.13. Commanding officer's shall thoroughly evaluate members seeking their recommendation for appointment to warrant grade to ensure they possess the qualities of character and leadership required of warrant officers. Perfunctory personnel administration in this area may allow poor performers and military offenders to be appointed, which reflects poorly on the command and the Service.

2. The recommendation process used by the commanding officer assists the Service in affirming the candidate's mental, moral, physical and professional qualifications for appointment to commissioned status. Commanding Officers shall review the applicant's unit personnel data record prior to making the recommendation. In addition to affirming that the member recommended meets all minimum eligibility requirements as well as the particular requirements for the chief warrant officer specialty defined in ☞ Article 1.D.13., the following suitability issues shall be carefully evaluated prior to making a recommendation to allow the member to compete:

1.G. Regular and Reserve Enlisted Personnel

1.G.1. Definition of Reenlistment

1.G.1.a. Active Duty

The enlistment of any person who has previously served in the Regular Coast Guard shall be considered a reenlistment. The enlistment of Coast Guard Reserve personnel who are serving on extended active duty and who have served on extended active duty of 12 months or more shall be considered a reenlistment.

1.G.1.b. Reserve

The enlistment of any person into the Coast Guard Reserve who has not previously served in the Coast Guard Reserves shall be considered an original enlistment, even though he or she may have previous service in the Regular Coast Guard. This includes those members who are discharged from the Regular Coast Guard and enlist within 24 hours in the Coast Guard Reserve. The enlistment of any person who has previously served in the Coast Guard Reserve shall be considered a reenlistment.

1.G.2. Periods of Enlistment and Reenlistment

1.G.2.a. Regular Reenlistment

1. Personnel who have less than 10 years of active service will be allowed to reenlist for periods of three, four, five, or six years.

2. **Active Duty** personnel who have 10 or more years of active service shall be reenlisted for an indefinite period of time. Indefinite reenlistments **expire on the last day of the month in which a member completes 30 years active service.**

3. Members serving on reenlistments or extensions that take them beyond their 10th year anniversary date are required to complete that period of service prior to entering into an indefinite reenlistment.

1.G.2.b. Discharge from Regular Coast Guard

The immediate enlistment in the Coast Guard Reserve of a person who is being discharged from the Regular Coast Guard shall be for two, three, four, five, six, or eight years at the option of the individual concerned. If enlisted more than 24 hours after discharge, the provisions of the ☞ **Coast Guard** Recruiting Manual, COMDTINST M1100.2 (series), apply.

1.G.2.c. Reserve Reenlistment

The reenlistment of a Coast Guard reservist within 24 hours following the day of discharge, at the unit or district to which last assigned, shall be for periods of two, three, four, five, six, or eight years at the option of the individual concerned.

1.G.3. Rate Authorization on Enlistment and Reenlistment

1.G.3.a. Regular Reenlistment on Day Following Discharge

Members reenlisting on the day following **their** discharge shall be reenlisted in the rate held on the date of discharge.

1.G.3.b. Regular Reenlistment Not on Day after Discharge

Reenlistments **in the Coast Guard later than 24 hours after discharge must be processed at a Coast Guard recruiting office. Members reenlisting within 90 days of their discharge date shall be reenlisted in the rate held on the date of discharge. Members reenlisting 91 or more days after their discharge date shall be reenlisted in accordance with the ☞ Coast Guard Recruiting Manual, COMDTINST M1100.2 (series), or, if applicable, other governing directives (i.e., Temporary Separation Policy, Open Rate List).**

1.G.3.c. Enlistment in the Reserve

Enlistment in the Coast Guard Reserve within 24 hours after discharge from the Regular Coast Guard, at the same unit, will be in the same rate previously held in the Regular Coast Guard, providing the member meets the eligibility requirements of ☞ Article 1.G.7. Enlistments in the Coast Guard Reserve later than 24 hours after discharge must be processed at a Coast Guard recruiting office in accordance with current directives. The **policy governing the rate authorized for reenlistment is contained in the ☞ Coast Guard** Recruiting Manual, COMDTINST M1100.2 (series).

1.G.3.d. Reenlistment in Reserve

Coast Guard reservists reenlisting within 24 hours at the same unit or district from which discharged reenlist in the rate held on the date of discharge. Coast Guard reservists reenlisting after 24 hours following discharge must be processed at a Coast Guard recruiting office in accordance with current directives. The **policy governing the rate authorized for reenlistment is contained in the ☞ Coast Guard** Recruiting Manual, COMDTINST M1100.2 (series).

1.G.4. Physical Examination for Enlistment and Reenlistment

1.G.4.a. Regular Reenlistment within 24 Hours

For a regular reenlistment within 24 hours after discharge, a physical examination is not required prior to reenlistment.

1.G.4.b. Regular Reenlistment after 24 Hours

For regular reenlistments not occurring within 24 hours after discharge, a physically examination is required in accordance with the ☞ **Coast Guard** Recruiting Manual, COMDTINST M1100.2 (series), and personnel must be processed through a Coast Guard recruiting office.

1.G.4.c. Enlistment in the Reserve within 24 Hours After Discharge

A person enlisting in the Coast Guard Reserve within 24 hours after discharge from the Regular Coast Guard is not required to take a physical examination provided the person was found to be physically qualified by a complete physical examination no more than one year prior to discharge, and provided the applicant's medical history during the **last** 12 months has been satisfactory. **For a Reserve reenlistment** within 24 hours **after discharge, a physical examination is not required prior to reenlisting.**

1.G.4.d. Enlistment in the Reserve Beyond 24 Hours Following Discharge

A person who does NOT enlist in the Coast Guard Reserve within 24 hours after discharge from the Regular Coast Guard or a Coast Guard reservist who does NOT reenlist within 24 hours at the same unit from which discharged, must **take a** physical exam in accordance with the ☞ Coast Guard Recruiting Manual, COMDTINST M1100.2 (series), and be processed through a Coast Guard recruiting office.

1.G.5. Eligibility for Regular Reenlistment

To be eligible for regular reenlistment, a person must meet these requirements:

1. Meet the minimum applicable average shown for the period after 30 June 1983.
   a. A member evaluated using only one form (non-rate, petty officer, or chief petty officer) during the enlistment must have a minimum dimension average equal to or above three for the given factor.
   b. A member evaluated using more than one form during enlistment. Personnel who were evaluated on more than one form during his or her enlistment (nonrated, petty officer, or chief petty officer) must have a minimum characteristic average of three in each factor over the period of the enlistment. Refer to ☞ Article 12.B.48.b. for direction in determining the final characteristic average. If a member meets the prescribed final minimum average for reenlistment in only one of the two marking systems, the commanding officer notifies Commander (CGPC-epm) by letter of the situation at the earliest possible date. The letter must include, at a minimum, the final averages of the individual's marks under both marking systems and a definite recommendation whether or not the member should be allowed to reenlist.
2. Be physically qualified in accordance with ☞ Article 1.G.4.
3. Each member must receive from the officer effecting discharge a specific recommendation of whether or not he or she should be allowed to reenlist. In making such recommendation, the officer effecting discharge should consider the member’s overall performance, potential for continued service, and conduct during the current enlistment. If a member has received an unsatisfactory conduct mark, court-martial conviction(s), or NJP punishment(s), the officer effecting discharge should also consider how the severity and nature of the offense(s) impact the member’s overall record of service during the current enlistment.
4. Not be in receipt of retirement orders.

5. If an alien at the time of original enlistment, must be a naturalized citizen. This does not apply to a member who enlisted from the Republic of the Philippines. (☞ Article 12.B.47.)
6. Coast Guard Reserve personnel serving on extended active duty are required to submit a letter request for reenlistment to Commander (CGPC-epm) via chain of command. Commander (CGPC-epm) approval is required prior to reenlistment.
7. For non-rated personnel, see ☞ Article 12.B.4.
8. First term personnel are not eligible for reenlistment without authority from the Centralized First Term Reenlistment Review (CFTRR).
9. Members who are approaching their High Year Tenure (HYT) Professional Growth Points (PGP) **will normally be separated upon reaching their PGP (☞ Article 12.G.3.) unless the HYT program has been suspended due to Service needs.**

1.G.6. Indefinite Reenlistments

1. To be eligible for an indefinite reenlistment, a person must meet all of the requirements set forth in ☞ Article 1.G.2.

2. Active duty enlisted personnel with at least 10 years of active service shall be re-enlisted for an indefinite period upon reenlistment. Those members serving on reenlistments or extensions that take them beyond their 10th year anniversary date are required to complete that period of service prior to entering into an indefinite reenlistment. Members with less than 10 years of active service on the date of reenlistment are subject to the provisions of ☞ Article 1.G.2.

   a. A member entering an indefinite reenlistment is authorized to serve up **to the last day of the month that he or she completes 30 years of active service. E-9s who are assigned to "Gold Badge" CMC billets may reenlist beyond 30 years of active service as provided in** ☞ Article 12.G.3.

   b. Members serving on an indefinite reenlistment may request voluntary separation in accordance with ☞ Article 12.B.7.d., provided they have met all service obligations incurred for advancement, permanent change of station orders, and advanced or specialized training. Members requesting separation must do so by letter, via the chain of command, to Commander (CGPC-epm) no less than 6 months prior to the requested separation date.

   c. A member serving on an indefinite reenlistment, **who is retirement eligible**, may request voluntary retirement in accordance ☞ Article 12.C.11., regardless of the HYT PGP for their current paygrade.

1.G.12.b. Enlistment in the Coast Guard Reserve

When an individual enlists in the Coast Guard Reserve within 24 hours after his or her discharge from the Regular Coast Guard, at the same unit from which discharged:

1. Enlistment/Reenlist Document, DD-4/**1**

2. BAQ Dependency/Emergency Data/SGLI Election, CG-4170A.

1.G.12.c. Reservist's Reenlistment within 24 Hours after Discharge

Upon reenlistment within 24 hours after discharge of a reservist at the same district or unit from which discharged:

1. Enlistment/Reenlist Document, DD-4/**1**

2. Dependency/Emergency Data/SGLI Election, CG-4170A.

The completion and disposition of these forms is explained in detail in the ☞ SDA User/Query Manual, **HRSIC**INST M5230.1.

1.G.12.d. Enlistments and Reenlistments after 24 Hours

All enlistments or reenlistments more than 24 hours after discharge, or within 24 hours at a unit other than the one from which discharged shall be effected at a **Coast Guard** recruiting office (See article 1-G-8, the ☞ Coast Guard Recruiting Manual, COMDTINST M1100.2 (series), and the SDA User/Query Manual, **HRSIC**INST M5230.1).

1.G.13. Service and Health Personnel Data Records (PDRs)

1.G.13.a. Personnel Data Records

If accomplished within 24 hours after discharge at the unit from which discharged, reenlistment is a continuation of the member's status. The working Personnel Data Record also is continued and will be maintained as prescribed in the ☞ Military Personnel Data Records (PDR) System, COMDTINST M1080.10 (**series**).

1.G.13.b. Medical Personnel Data Records (MED PDR) (Health Record)

Health records will be opened and maintained in accordance with the ☞ Medical Manual, COMDTINST M6000.1 (series) and the Military Personnel Data Records (PDR) System, COMDTINST M1080.10 (series).

1.G.14. Reenlistment Ceremony

Reenlistment is a major event in the career of an enlisted member, and shall be accorded appropriate meaningful ceremony to render full recognition of the high quality performance attested to by recommendation for reenlistment. The commanding officer or, in his or her absence, the executive officer should preside. The following procedures are considered appropriate:

1. The family, special guests, and shipmates, as desired by the person being honored, should be invited to the ceremony.
2. A particular officer to administer the oath may be requested by the member.
3. A photographic record of the ceremony should be made and presented to the member. Press releases should be made to the appropriate media.
4. After the ceremony, a brief social gathering with simple refreshments for the member(s) being honored and guests is recommended.
5. Transportation within the confines of the military installation should be provided for guests if required.
6. Personalize the occasion with other recognition, as appropriate.
7. Grant special liberty and/or reenlistment leave as soon as possible following the reenlistment.
8. The member's desires regarding the ceremony should be considered.

1.G.15. Periods of Extensions of Enlistment

1.G.15.a. Extension of Term of Enlistment

By voluntary written agreement subject to the commanding officer's approval, career personnel may extend or reextend their term of enlistment as follows provided the extension does not extend beyond his or her High Year Tenure (HYT) Professional Growth Point (PGP) **unless the HYT Program has been suspended due to Service needs**. ☞ Article 12.G.3. Before allowing a member to enter into an agreement to extend a term of enlistment as provided herein, the member shall be fully advised of the effects that such an extension could have on computing or paying a Selective Reenlistment Bonus; ☞ **Chapter 3.C**.

1. For any number of full years not less than two nor greater than six years, when requested by the member.
2. For any number of full years and/or full months up to six years to ensure sufficient obligated service for these purposes:
   a. Attend a resident school.
   b. INCONUS and OUTCONUS assignments; ☞ Article 4.B.6.
   c. Advance to E-7, E-8, or E-9; ☞ Articles 5.C.25.e. and 12.B.12.b.2.

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3.A. Enlistment Bonus (EB) Program

3.A.1. General

The Enlistment Bonus (EB) program is an incentive to attract qualified personnel to critical skills or ratings to help meet the Coast Guard's recruiting goals. This program applies to new enlistments. The EB is authorized under Title 37 U.S.C., Section 309.

3.A.2. Glossary of Terms

1. Critical rating. A rating that is understaffed, is projected to be understaffed in the future, or requires an inordinate amount of training to achieve rating strength. The shortages are the result of the Service's inability to attract and retain personnel in the rating.

2. Non-rate Bonus. EB authorized to new recruits without a guaranteed affiliation with a Class "A" school or "Striker" program.

3. Obligated Service. All periods of military service covered by a signed agreement in the form of an Enlistment Contract between Coast Guard members and the U. S. Coast Guard in which members agree to serve for designated periods of time. In order to receive the EB, members must agree to enlist for at least four years of active duty in a skill determined as critical.

4. Unearned Bonus. A portion of the Enlistment Bonus already paid to a member who subsequently does not complete the service obligation.

   Example: A member enlists for four years and receives a $2,000 payment. If the member is subsequently discharged due to misconduct after serving only two years, the member has earned only two years' worth of the Enlistment Bonus ($1,000); the second two years' worth of Enlistment Bonus ($1,000) is unearned and may be recouped.

3.A.3. Policy

1. As needs of the Service dictate, Commandant (G-WPM) will convene a panel to determine which ratings are critical, may be placed on the guaranteed Class "A" school list, and are designated eligible for an Enlistment Bonus (EB).

2. Enlistment Bonuses are linked to a member's recruitment and affiliation with a critical rating by attending a guaranteed Class "A" school or participating in a guaranteed "Striker" program in that rating or, for prior service personnel who already have the qualifying skill, agreeing to enlist in the designated rating for a minimum of four years. An additional amount may be offered for the member to accept an enlistment of six years. This program is not a substitute for a Selected Reenlistment Bonus (SRB). Former and current Coast Guard members (active or reserve) are not normally eligible for an enlistment bonus, unless needs of the Service dictate otherwise.

3. For those ratings for which there is no Class "A" school and an Enlistment Bonus is established, a member may receive the bonus by affiliating upon reenlistment, or while at recruit training, with the rating through the "Striker" program established in ☞ Article 5.E. In these cases, special arrangements shall be made by Commander (CGPC-epm) to assign members to appropriate commands with viable "Striker" program.

4. A non-rate EB may be authorized to new recruits without a guaranteed affiliation with a Class "A" school or "Striker" program. Former and current Coast Guard members (active or reserve) are not normally eligible to receive a non-rate EB.

   a. Members who select the college fund at the time of enlistment are not eligible to receive a non-rate EB.

   b. Members who are authorized a non-rate EB upon enlisting and then affiliate with a critical rating while at recruit training will receive the larger of the two enlistment bonuses. For example, if a recruit receives a $3,000 non-rate EB, then while at recruit training affiliates with a rating that is authorized an enlistment bonus of $2,000, that recruit would continue to receive the $3,000 non-rate EB. However, if the recruit receives a non-rate EB of $2,000, then affiliates with a rating that is authorized an EB of $15,000, then the member would receive the $15,000 EB.

5. A member may receive only one of the following benefits or incentives: (1) Coast Guard College Fund or (2) Enlistment Bonus Program. Receiving an Enlistment Bonus does not affect eligibility for educational benefits pursuant to the Montgomery G.I. Bill (MGIB). A Selective Reenlistment Bonus (SRB) may not be paid for the same period of service for which an Enlistment Bonus (EB) is paid.

3.A.4. Eligibility Criteria

1. To qualify for the Enlistment Bonus Program, members must:

   a. Meet standard enlistment qualification criteria;

   b. Qualify for and agree to affiliate with a selected rating or designated critical skill and agree to serve an initial active duty enlistment for a minimum of 4 years;

   c. Not participate in the Coast Guard College Fund. Once a member chooses to participate in the Enlistment Bonus, he or she cannot change over to the College Fund.

3.A.5. Loss of Eligibility and Recoupment

1. All paid but unearned bonuses, as defined by ☞ Article 3.A.2., will be recouped on a prorated basis.

2. Members who are disenrolled from basic training lose their eligibility to receive the enlistment bonus.

3. Members who are disenrolled from the qualifying Class "A" school or assigned “Striker” program lose their eligibility to receive the bonus. Enlistment Bonuses will not be recouped for members who are disenrolled under the conditions established in ☞ Article 3.A.5.6 or who do not acquire the skill due to unforeseen service actions (e.g., disestablishing the member’s rating).

4. Members lose their eligibility to receive EB payments on the date they are no longer qualified to serve in the rating for which the bonus was authorized. Additionally, all paid but unearned Enlistment Bonuses shall be recouped on a prorated basis. A member will be considered not technically qualified to receive the bonus if:

   a. The member no longer serves in the rating for which the bonus was authorized;

   b. The member's rating designator is removed; or

   c. Current and future assignment in that military specialty is precluded.

5. Unearned bonuses shall also be recouped if:

   a. The member is unable to perform the duties of the rating for which the bonus was paid due to injuries caused by his or her own misconduct;

   b. The member is unable to perform the duties of the rating for which the bonus was paid as a result of a loss of security clearance due to his or her fault; or

c. The member refuses to perform the duties of the rating for which the bonus was paid.

6. Members who are discharged or change ratings prior to completing the period of service for which they were paid an enlistment bonus shall have a prorated share of all paid but unearned bonus recouped except:

   a. Members involuntarily discharged for the Convenience of the Government in connection with a reduction in force;

   b. Members who are separated or retired for physical disability, illness, injury, or other impairment incurred in the line of duty and not due to misconduct;

   c. Members who receive a dependency or hardship discharge;

   d. Members discharged early for the purpose of immediate reenlistment, provided they reenlist in the eligible rating and the reenlistment term is for a period longer than the obligated service remaining in the period for which an Enlistment Bonus was paid. For example, if a member separates before his or her normal end of enlistment to immediately reenlist, the money will not be recouped if the member extends or reenlists for a period at least longer than the amount of time the member had remaining at separation.

   e. Members are required to change ratings based on the needs of the Service.

7. Personnel no longer classified or assigned to a general petty officer billet due to humanitarian reassignment, loss of security clearance not due to the member's fault, injury or illness through no fault of their own, will be entitled to their full bonus.

8. Members placed on weight probation in accordance with Allowable Weight Standards for Coast Guard Military Personnel, ☞ COMDTINST M1020.8 (series), shall have any unpaid Enlistment Bonus suspended until they comply with the Coast Guard's allowable weight standards.

3.A.6. Payment Procedures

1. The procedures to initiate payment of the Enlistment Bonus are published in the ☞ SDA-II User Manual, HRSICINST M5231.2 (series).

2. General Payment Procedures. The Enlistment Bonus will be paid as following:

   a. For members eligible to receive the non-rate EB, the bonus will be paid in lump sum after successful completion of recruit training. (☞ Article 3.A.9. Annex T.1.)

   b. For non-prior service members, the bonus will be paid in lump sum after successful completion of Class "A" school. (☞ Article 3.A.9. Annex T.)

   c. For prior service members who already have the qualifying skill, the bonus will be paid in lump sum upon reporting to their first unit assignment.

   d. For members entering a bonus-eligible rating through the “Striker” program, the entire bonus will be paid upon advancement to E-4. (☞ Article 3.A.9. Annex T.2.)

3.A.7. Recoupment Procedures

1. The procedures to initiate recoupment of the Enlistment Bonus are published in the ☞ Personnel and Pay Procedures Manual, HRSIC M1000.2 (series) and the ☞ SDA-II User Manual, HRSICINST M5231.2 (series).

2. General Recoupment Procedures. When a member is no longer eligible for the Enlistment Bonus, HRSIC will recoup paid but unearned bonus portions based on the effective date documented by the member’s command.

3. Recoupment examples:

   a. A non-prior service member enlisted for 4 years (48 months) on 20 September 2000 for an “A” school, which has a $15,000 bonus. On graduation from the “A” school on 1 August 2001, the member was paid $15,000. The member served at his unit for three months and was discharged due to misconduct on 5 October 2001. Time not served is 2 years, 11 months and 15 days. The amount of Enlistment Bonus recouped would be $11,093.75 based on ($15,000/48 months = $312.50 per month x 35 months) + ($312.50/30 days = $10.4166 per day x 15 days).

   b. A prior service member enlisted for 4 years (48 months) on 20 October 2001 with a $2,000 bonus. On entry, the member was paid a $2,000 bonus. Member was separated from the service due to misconduct on 1 January 2002. Time not served is 3 years, 9 months and 19 days. The amount of Enlistment Bonus recouped would be $1,901.39 based on ($2,000/48 mos = $41.6666 per month x 45 months) + (41.6666/30 days = $1.3888 per day x 19 days).

3.A.8. Responsibilities

1. Commandant (G-WPM):

   a. Oversee the Enlistment Bonus Program, policy and resources;

   b. Promulgate and maintain a list of selected critical ratings eligible for Enlistment Bonuses;

   c. As Service needs require, convene a panel to recommend the number of initial EB quotas that may be offered and associated bonus amounts. Upon approval of the panel's recommendations, provide a listing of authorized quotas and bonus amounts to Commanding Officer, CGRC, and other appropriate offices. Based on Service needs, Commandant (G-WPM-1) may make periodic adjustments to the initially recommended quota allocations and bonus amounts.

2. Commandant (G-WP-1): As needs of the Service require, review the list of ratings designated as critical for the purposes of this program and recommend which ratings should be considered by the Enlistment Bonus Panel for addition to or deletion from the Enlistment Bonus program.

3. Commanding Officer, Human Resources Service and Information Center (HRSIC): Establish and maintain a system for paying and recouping enlistment bonuses and publish these procedures in the ☞ Personnel and Pay Procedures Manual, HRSIC M1000.2(series) and ☞ SDA-II User Guide, HRSICINST 5231.2 (series).

4. Commander, Coast Guard Personnel Command:

   a. Apportion guaranteed "A" schools, including those for which an Enlistment Bonus has been authorized by Commandant (G-WPM), based on the availability of Class "A" school quotas listed in the Convening Schedule for Coast Guard Class "A" and "C" Resident Exportable Training Courses, COMDTNOTE 1540. Commander (CGPC-epm) will balance the number of guaranteed Class "A" school quotas eligible for the Enlistment Bonus program with the number of quotas available to personnel already on the school waiting lists. Commander (CGPC-epm) will publish Quarterly allocations seven days before the end of each Quarter, and update as necessary.

   b. For members recruited into an eligible "Striker" program, upon graduation from recruit training, Commander (CGPC-epm) shall assign members PCS to an appropriate command with a viable "Striker" program in that rating. Also, Commander (CGPC-epm) will coordinate assignments as needed to ensure receiving commands have the capacity to accommodate Strikers within the established personnel allowance.

5. Commanding Officer, Coast Guard Recruiting Command (CGRC):

   a. Design and execute a marketing plan for the Coast Guard Enlistment Bonus Program as part of an overall effort to accomplish Coast Guard recruiting missions and goals.

   b. Ensure eligible members' enlistment contracts set forth the terms under which enlistment bonuses may be paid and recouped by completing Annex T for each recipient of an Enlistment Bonus.

   c. Ensure a member enlisted under the Enlistment Bonus program is not also enlisted under the College Fund incentive program.

   d. Provide by the fifth (5th) day of each month, a list of personnel recruited with an Enlistment Bonus. Provide each recipient's name, social security number, enlistment and shipping date, rating affiliation (e.g. guaranteed Class "A" school, guaranteed "Striker" program, or prior service with qualifying skills), and other pertinent identifying data. If a guaranteed Class "A" school, provide course convening date to which assigned. The original report will be submitted to Commander (CGPC-epm) with copies to Commandant (G-WPM), (G-WP-1), HRSIC (MAS), TRACEN Cape May (apr) and TRACEN Yorktown (PERSRU).

   e. Recommend reallocation of funds budgeted for the EB program to meet changes to the ratings designated eligible to receive EBs.

6. Personnel Reporting Units (PERSRUS) at Training Center Cape May and Class "A" Schools shall ensure appropriate PMIS/JUMPS entries are made to pay Enlistment Bonuses.

7. Commands receiving members under the Enlistment Bonus as a guaranteed "Striker."

   a. Ensure member satisfies all requirements of the "Striker" program in accordance with ☞ Article 5.E. Members failing to make satisfactory progress may be disenrolled from the "Striker" program using standard criteria for unit "Striker" program administration and will not receive a bonus. However, this period may not exceed two years from the date member arrived at the unit.

   b. If the command disenrolls a member from the unit "Striker" program, a message report with relevant dates and basis of disenrollment must be sent to Commander (CGPC-epm) with copy to Commandant (G-WPM),(G-WP-1), and HRSIC (MAS).

3.A.9. Forms/Reports

The Enlistment Bonus Agreements (Annexes T, T.1 and T.2) document the eligibility criteria and conditions under which an Enlistment Bonus is paid. It is the source document that is used to implement pay actions through PMIS/JUMPS.

ANNEX T
ENLISTMENT BONUS AGREEMENT
NON-PRIOR SERVICE WITH GUARANTEED "A" SCHOOL
OR PRIOR SERVICE WITH QUALIFYING SKILL

Privacy act statement
Authority: Title 37, U.S.C., Section 323

Purpose: To provide information necessary for the approval Authority to determine if applicant meets all requirements to receive an enlistment bonus.

Routine uses: For processing activities and approval authority to determine if applicant meets all eligibility requirements for the program. Use of SSN is necessary to make positive identification of individual records.

Disclosure is voluntary: If the applicant does not provide the information, however, no further action can be taken on the request and all further processing terminates.

An original and three copies of this form shall be prepared. It will become an Annex to the Enlistment/Reenlistment Document, Armed Forces of the United States (DD-4).

Recruiting Office:_____Date:_____

Prior to enlisting in the United States Coast Guard and receiving an Enlistment Bonus, I, _____understand that:

1. I have been offered an Enlistment Bonus of $ _____ to affiliate with the _____ rating. In order to affiliate with this rating, I have either been offered a guaranteed Class "A' school or I am a prior service member who is already qualified in the skill/rating in accordance with eligibility criteria established by the Coast Guard.

2. I agree to enlist for a minimum of four (4) years in the rating for which the bonus is paid. Therefore, if I am a prior service member with the qualifying skill or specialty, I will enlist in the eligible rating for at least four years or if I am a non-prior service member I will be assigned to Class "A" school for the eligible rating identified above.

3. The Bonus will be paid in lump sum. If I am a non-prior service member, the enlistment bonus will be paid after successful completion of Class "A" school. If I am a prior service member who already has the qualifying skill, the bonus will be paid upon reporting to my first unit assignment.

4. The commanding officer of the training center to which the Class "A" School is attached may revoke this guarantee should I fail to progress satisfactorily during Class "A" School. Failure to progress satisfactorily is interpreted to mean failure to complete Class "A" School training in accordance with established schedules due to academic,

adaptability, or misconduct reasons. This guarantee is also contingent on my meeting all physical standards applicable for attending the Class "A" school.

5. Should I be convicted of a serious violation of the Uniform Code of Military Justice, this guarantee will be revoked.

6. Should I be disenrolled from the school identified in this statement of understanding for academic failure or misconduct, I will be ineligible to receive the bonus, I will not be guaranteed assignment to another school, and I will be required to complete my 4 years active duty commitment. If I am disenrolled from the aforementioned school for any of the reasons contained in this statement of understanding, I will not necessarily be precluded from applying for future school assignment per current regulations and policies.

7. I will become ineligible for continued payment of my Enlistment Bonus if I am no longer qualified in, or serving in, the rating identified in paragraph one (1). Further, all paid but unearned bonus will be recouped in these cases. I will be considered not technically qualified in the Bonus eligible rating when, for any reason within my control:

   a. I am no longer serving in the rating;

   b. My rating designator is removed; or

   c. My current or future assignment in the military specialty is precluded.

8. I understand that if while at training, I go into an overweight status, upon graduation, I will be ineligible for bonus payments until such time I am within published weight standards.

9. Any paid but unearned bonuses shall also be recouped when:

   a. I am unable to perform the duties of the rating for which the bonus was paid as result of injuries caused by my own fault;

   b. I am unable to perform the duties of the rating for which the bonus was paid as a result of a loss of security clearance due to my own fault;

   c. I refuse to perform the duties of the rating for which the bonus was paid.

10. If I am separated from the active duty Coast Guard, or change ratings, prior to completing the period of service for which the Enlistment Bonus was paid, a prorated share of all paid but unearned bonus shall be recouped except under the following circumstances:

    a. I am involuntarily discharged for reason of Convenience of the Government in connection with a reduction in force;

    b. I am separated or retired by reason of physical disability, illness, injury, or other impairment incurred in the line of duty and not due to misconduct;

    c. I receive a hardship discharge;

d. I am discharged early for the purpose of immediate reenlistment, provided the reenlistment is in the eligible rating identified in this statement of understanding and the term of reenlistment is for a period greater than the obligated service remaining to be served for payment of the Enlistment Bonus.

e. I am required to change ratings based on the needs of the Service.

_____ _____

Signature of Enlisting Officer Signature of Enlistee (full name)

Date: _____

Copy: Enlistee

ANNEX T.1
ENLISTMENT BONUS AGREEMENT (NON-RATE BONUS)

Privacy act statement
Authority: Title 37, U.S.C., Section 323

Purpose: To provide information necessary for the approval Authority to determine if applicant meets all requirements to receive an enlistment bonus.

Routine uses: For processing activities and approval authority to determine if applicant meets all eligibility requirements for the program. Use of SSN is necessary to make positive identification of individual records.

Disclosure is voluntary: If the applicant does not provide the information, however, no further action can be taken on the request and all further processing terminates.

An original and three copies of this form shall be prepared. It will become an Annex to the Enlistment/Reenlistment Document, Armed Forces of the United States (DD-4).

Recruiting Office:_____Date:_____

Prior to enlisting in the United States Coast Guard and receiving an Enlistment Bonus, I, _____understand that:

1. I have been offered an Enlistment Bonus of $ _____ to enter the Coast Guard with no guaranteed “A” school or “Striker” program affiliation.

2. I agree to enlist for four (4) years for which the bonus is paid. This bonus CANNOT be used in conjunction with the 2 and 3 year Enlistment Program.

3. Commanding Officer, Training Center Cape May, may revoke this guarantee should I fail to progress satisfactorily during recruit training. Failure to progress satisfactorily is interpreted to mean failure to complete recruit training in accordance with established schedules due to academic, adaptability, or misconduct reasons.

4. Should I be convicted of a serious violation of the Uniformed Code of Military Justice, this guarantee will be revoked.

5. I understand that this non-rate enlistment bonus is NOT authorized for prior Coast Guard members.

6. The bonus shall be payable in one installment upon successful completion of recruit training.

7. Any paid but unearned bonuses shall be recouped when:

   a. I am unable to perform the duties of the skill for which the bonus was paid as result of injuries caused by my own misconduct;

   b. I am unable to perform the duties of the rating for which the bonus was paid as a result of a loss of security clearance due to my own misconduct;

   c. I refuse to perform the duties of the rating for which the bonus was paid.

8. The bonus will not be recouped if I am selected for and attend a Class "A" School.

9. If I am separated from the active duty Coast Guard, prior to completing the period of service for which the Enlistment Bonus was paid, a prorated share of all paid but unearned bonus shall be recouped except under the following circumstances:

   a. I am involuntarily discharged for reason of Convenience of the Government in connection with a reduction in force;

   b. I am separated or retired by reason of physical disability, illness, injury, or other impairment incurred in the line of duty and not due to misconduct;

   c. I receive a hardship discharge;

   d. I am discharged early for the purpose of immediate reenlistment, provided the reenlistment is in the eligible rating identified in this statement of understanding an d the term of reenlistment is for a period greater than the obligated service remaining to be served for payment of the Enlistment Bonus.

_____ _____

Signature of Enlisting Officer Signature of Enlistee (full name)

Date: _____

Copy: Enlistee

ANNEX T.2
ENLISTMENT BONUS AGREEMENT
STRIKER BONUS

Privacy act statement
Authority: Title 37, U.S.C., Section 323

Purpose: To provide information necessary for the approval Authority to determine if applicant meets all requirements to receive an enlistment bonus.

Routine uses: For processing activities and approval authority to determine if applicant meets all eligibility requirements for the program. Use of SSN is necessary to make positive identification of individual records.

Disclosure is voluntary: If the applicant does not provide the information, however, no further action can be taken on the request and all further processing terminates.

An original and three copies of this form shall be prepared. It will become an Annex to the Enlistment/Reenlistment Document, Armed Forces of the United States (DD-4).

Recruiting Office: _____ Date: _____

Prior to enlisting in the United States Coast Guard I,
_____,
understand that:

1. I have been offered an Enlistment Bonus of $ _____ to enter the Coast Guard and prior to completion of recruit training, agree to affiliate or strike with one of the following critical ratings: (Recruiters, check all ratings the applicant is qualified.)

□ BM	□ EM	□ MK	□ SK
□ DC	□ FS	□ QM	□ YN

If any of the critical rating above is available, and I am fully qualified, I will be assigned to a unit where I can begin the "Striker" program.

2. The bonus will be paid in one lump sum payment upon my advancement to E-4.

3. I agree to enlist for a minimum of four (4) years to receive this bonus. I understand that this bonus is not authorized for enlistments of less than four years.

4. Commanding Officer, Training Center Cape May, may revoke this guarantee should I fail to progress satisfactorily during recruit training. Failure to progress satisfactorily is interpreted to mean failure to complete recruit training in accordance with established schedules due to academic, adaptability, or misconduct reasons.

5. Should I fail to make satisfactory progress within two years from the date I arrived at my unit, I may be disenrolled from the "Striker" program using standard criteria for unit "Striker" program administration and will not receive a bonus.

6. Should I be convicted of an offense as a result of Non-Judicial Punishment or Court

Martial, this bonus will be revoked.

7. I understand that should I be disenrolled from the Striker program for misconduct or for other reasons contained in this statement of understanding:

a. I will not be eligible to receive a bonus.

b. I will not be guaranteed to strike another rating.

c. I will be required to complete my _____ years active duty commitment.

d. I may apply for future Class "A" school assignment per current regulations and policies.

8. I understand that I will become ineligible for continued payment of my Enlistment Bonus if I am no longer qualified in, serving in, the rating for which the bonus was paid. Further, all paid but unearned bonus will be recouped in these cases. I will be considered not technically qualified for the bonus eligible rating when, for any reason within my control:

a. I am no longer serving in the rating.

b. My rating designator is removed.

c. My current or future assignment in the military specialty is precluded.

9. Any paid but unearned bonuses shall also be recouped when:

a. I am unable to perform the duties of the rating for which the bonus was paid as a result of injuries caused by my own fault.

b. I am unable to perform the duties of the rating for which the bonus was paid as a result of a loss of security clearance due to my own fault.

c. I refuse to perform the duties of the rating for which the bonus was paid.

10. If I am separated from the active duty Coast Guard, prior to completing the period of service for which the Enlistment Bonus was paid, a prorated share of all paid but unearned bonus shall be recouped except under the following circumstances:

a. I am involuntarily discharged for reason of Convenience of the Government in connection with a reduction in force.

b. I am separated or retired by reason of physical disability, illness, injury, or other impairment incurred in the line of duty and not due to misconduct.

c. I receive a hardship discharge.

d. I am discharged early for the purpose of immediate reenlistment, provided the reenlistment is in the eligible rating identified in this statement of understanding and the term of reenlistment is for a period greater than the obligated service remaining to be served for payment of the Enlistment Bonus.

e. I am required to change ratings based on the needs of the Service.

_____	_____
Signature of Enlisting Officer	Signature of Enlistee (full name)
Date: _____	
Copy: Enlistee	

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3.B. Critical Skills Retention Bonus (CSRB)

3.B.1. General

1. The Critical Skills Retention Bonus (CSRB) program is to be used as an incentive to encourage the retention of officer and enlisted members in designated critical skills. The CSRB is authorized under Title 37 U.S.C., Section 323.

2. Designation of Critical Skills. As needs of the Service dictate, Commandant (G-WP) will convene a panel to identify enlisted, chief warrant officer and officer skills that should be designated as critical. The panel results will be forwarded to the Secretary of Transportation. Per Title 37 U.S.C., Section 323, the Secretary of Transportation shall notify Congress, in advance, of each military skill to be designated by the Secretary as critical for purposes of receiving a Critical Skills Retention Bonus. Congressional notification must be submitted at least 90 days before any CSRB is offered. Also, it shall include a discussion of the necessity for the bonus, the amount and method of payment of the bonus, and the retention results that the bonus is expected to achieve.

3.B.2. Glossary of Terms

1. Active Duty Service Commitment (ADSC). The ADSC is the number of years a member agrees to obligate service on a Critical Skills Retention Bonus Agreement (CSRBA). The member's new estimated date of separation (DOS) can be calculated by adding the ADSC to the effective date of the member's Critical Skills Retention Bonus Agreement.

2. Anniversary Date. The anniversary date is the date that exactly corresponds to the effective date of the CSRBA, reenlistment contract or agreement to extend enlistment. For example, if the member reenlisted for 4 years on 10 July 2000 his/her year anniversary dates for bonus purposes would be 10 July 2001, 10 July 2002, 10 July 2003, and 10 July 2004.

3. Effective Date. The effective date for enlisted members will normally be the date the member reenlists or the operative date of the member's agreement to extend their enlistment contract, or as otherwise directed in the notifying ALCOAST. For officers and eligible enlisted personnel currently serving on an indefinite reenlistment contact, the effective date will be announced in the notifying ALCOAST.

4. Eligibility Window. The Critical Skills Retention Bonus is authorized for eligible personnel who will complete their obligated service (end of enlistment, obligated service for receipt of training, etc.) within the eligibility window announced in the notifying ALCOAST.

5. Executed Extension. An Agreement to Extend Enlistment (CG-3301B) is executed when it has been signed, but the member has not started serving on it.

6. Obligated Service. Obligated service includes all service obligations for initial entry or continued retention in the Coast Guard (Academy, OCS, DCA, Enlistment/Reenlistment Contract, Extension Agreement, etc.) and obligated service for receipt of training (post graduate school, flight training, Class "A" or "C" schools, etc.). This does not include obligated service for permanent change of station (PCS) or obligated service incurred through promotion/advancement. Requests for current obligated service determinations should be sent to Commandant (G-WPM-1).

7. Operative Date. The date an extension begins to run (the member is serving in the extension).

8. Critical Skills Retention Bonus Agreement (CSRBA). A written agreement between a member and the Coast Guard in which the member agrees to remain on active duty for a specific period of time. In return, the member receives a Critical Skills Retention Bonus contingent upon meeting all other prerequisites. The agreement is contained in ☞ Exhibit 3.B.1.

9. Critical Skills Retention Bonus Agreement Submission Date. The required submission date for the Critical Skills Retention Bonus Agreement will be announced in the notifying ALCOAST.

3.B.3. Types of Contractual Agreements

1. Critical Skills Retention Bonus Agreement (CSRBA). The following personnel should execute a Critical Skills Retention Bonus Agreement:

   a. Eligible officers.

   b. Eligible enlisted personnel currently serving on an indefinite reenlistment contract (i.e., enlisted personnel who have 10 or more years of service).

2. Reenlistment Contract or Agreement to Extend Enlistment. Enlisted personnel who are not serving on an indefinite reenlistment contract (i.e., members with less than 10 years of active service).

3.B.4. Maximum Bonus Amount

1. The maximum bonus amount for officer and enlisted specialties designated as critical will be announced in the notifying ALCOAST.

2. A member may receive more than one bonus during his or her career, provided:

   a. A bonus is being offered or authorized.

   b. Member's specialty is designated as critical.

   c. Member reenlists, extends or submits a Critical Skills Retention Bonus Agreement.

3. A member may not receive more than a total of $200,000 throughout that member's career.

3.B.5. Method of Payment

1. A Critical Skills Retention Bonus will be paid in equal annual installments. Annual installments will be paid on the payday after the anniversary date of the effective date of the Critical Skills Retention Bonus Agreement, reenlistment contract or extension operative date.

2. The amount of these payments will be announced in the notifying ALCOAST and determined by:

   a. The amount of Critical Skills Retention Bonus offered for the critical military skill for which the member currently serves; and,

   b. The number of additional years active service member agrees to serve as a result of the CSRBA, reenlistment contract or agreement to extend enlistment.

3. Commanding officers are authorized to approve requests of deserving individuals for accelerated CSRB payments. An accelerated payment is defined as an early payment of the next CSRB installment, prior to the normal anniversary date, but in the same fiscal year in which the installment payment is due.

4. Lump sum or accelerated CSRB payments of two or more installments will not normally be approved. Commandant (G-WPM-1) is the approving official for lump sum or accelerated CSRB payments of two or more installments.

5. Lump sum or accelerated CSRB payments of two or more installments may be granted when a Coast Guard member experiences a severe financial hardship not attributable to financial irresponsibility. Requests shall be forwarded via the chain of command to Commandant (G-WPM-1) for determination, and must include a financial statement listing all income and expenses (a copy of the CG Mutual Assistance form should be used).

3.B.6. Special Conditions

1. Extensions previously executed by members may be canceled prior to their operative date for the purpose of executing a longer extension or reenlistment (See ☞ Article 1.G.19.). Members should be informed that their CSRB entitlement will be based only on newly acquired obligated service. For example, a member cancels a 3-year extension to reenlist for 6 years, the member will only be paid a CSRB entitlement for the additional 3 years of service. An exception to this rule is made for extensions of 2 years or less, or multiple extensions (each of which is 2 years or less in length), required of a member for transfer, training and advancement. These extensions may be canceled prior to their operative date for the purpose of immediate reenlistment or longer extension without any loss of CSRB entitlement.

2. Members who have changed their rating to an eligible rating are not entitled to receive a CSRB until:

   a. They have reenlisted; or

   b. They have completed at least two years in the new rating if serving on indefinite reenlistment.

   Note: To receive a bonus, the member's effective date of reenlistment/extension and the effective date of CSRB Agreement must be within the eligibility window announced in the notifying ALCOAST.

3. Officer procurement programs are defined as those programs, which upon successful completion will lead to an appointment as a chief warrant or commissioned officer in the Coast Guard. These programs include but are not limited to: Officer Candidate School, physician's assistant programs, and acceptance of chief warrant officer and direct commissioning programs. Upon notification of a member's selection to enter into any officer procurement program, any request for accelerated or early payment of the remaining portion of CSRB payments will not be approved. The following information applies to individuals entering officer procurement programs:

   a. Members entering officer procurement programs who have reenlisted/extended for a CSRB will have remaining installments suspended upon notification that they will be entering an officer procurement program, unless the officer specialty has been designated as critical. Chief warrant officers that are above the cutoff will have remaining installments suspended upon publication of the eligibility list, unless the chief warrant officer specialty has been designated as critical.

   b. The time spent in officer procurement program (i.e., OCS) is creditable towards CSRB payment. Members' CSRB entitlement will terminate upon appointment as Chief Warrant Officer or commissioned officer. Members will be retroactively paid from the date of CSRB suspension up to the date prior to their appointment.

   c. Enlisted members are not authorized to receive an officer CSRB until they have completed the obligated service for training associated with the specific officer procurement program (i.e., OCS). The member will become eligible for a CSRB, if one is in effect, upon completion of the obligated service.

   d. Members who do not successfully complete the officer procurement program and continue in an enlisted status in the same rate will have CSRB installments resumed. They are entitled to receive the CSRB payments previously suspended.

   e. Temporary commissioned officers that revert to enlisted status in their original rating, which still have time remaining on their contract are entitled to CSRB. However, the time served, as a commissioned officer shall not count toward CSRB entitlement.

f. Non-rated members without rating designators shall not be authorized to execute an Agreement to Extend Enlistment under any circumstance for the purpose of receiving an CSRB multiple.

g. All periods of unexecuted service obligation, except for a member discharged no more than 7 days early because expiration of enlistment falls on a Friday, Saturday, Sunday, or holiday will be deducted from CSRB computation.

3.B.7. Relationship to Other Entitlements

A Critical Skills Retention Bonus paid under this chapter is in addition to any other pay and allowances to which a member is entitled.

3.B.8. Determining Eligibility

1. As of the effective date of the Critical Skills Retention Bonus Agreement, reenlistment contract or agreement to extend enlistment, the member must be designated or previously designated in a critical military skill. (Note: An agreement to extend enlistment must become effective within the eligibility window announced in the notifying ALCOAST.)
2. Member must have no current obligated active duty service commitment other than obligated service for permanent change of station orders (PCS) or promotion/advancement.
3. Member must have no fewer than 4 years of total active duty as of the effective date of the CSRBA, reenlistment contract or agreement to extend enlistment.
4. Member must have fewer than 25 years, 00 months, and 00 days total active service by the end of the completion of the CSRBA, reenlistment contract or agreement to extend enlistment.
5. Officers and enlisted members serving in a retired recall status are not eligible.
6. A Reserve member serving on an extended active duty contract is not eligible.
7. Additional eligibility criteria may be published in the notifying ALCOASTs.

3.B.9. Conditions of the CSRB Agreement, Reenlistment Contract or Agreement to Extend Enlistment

1. Once a Critical Skills Retention Bonus Agreement, reenlistment contract or agreement to extend enlistment is signed, it will remain in force until it expires. Members may request a new CSRBA, reenlistment contract or agreement to extend enlistment, for bonus purposes, upon expiration of their existing agreement provided a Critical Skills Retention Bonus is being offered and the members meet the eligibility requirements. (Note: Per ☞ Section 1.G., the total of all extensions of an enlistment may not exceed six years.)

2. A Critical Skills Retention Bonus Agreement, reenlistment contract or agreement to extend enlistment does not guarantee that a member will remain on active duty indefinitely if earlier administrative separation or retirement is appropriate.

3. The Coast Guard can also initiate involuntary separation for cause under ☞ Chapter 12, earlier than the date of separation established by the Retention Bonus Agreement, reenlistment contract or agreement to extend enlistment. Any unearned portions of the CSRB will be recouped on a pro rata basis.

4. When a Critical Skills Retention Bonus for a member is suspended or terminated as described in this chapter, Commander (CGPC) will not automatically adjust the date of separation that was established by the Critical Skills Retention Bonus Agreement's ADSC, reenlistment contract or agreement to extend enlistment. A member whose CSRB eligibility ends may submit a request, with supporting material, to change the date of separation to either Commander (CGPC-opm) or (CGPC-epm), whichever is appropriate.

3.B.10. Applying for the Critical Skill Retention Bonus

1. Applicant responsibilities:

   a. Review the contents of this chapter and the notifying ALCOAST prior to signing the Critical Skills Retention Bonus Agreement, reenlistment contract or agreement to extend enlistment;

   b. Complete, sign, date and forward the CSRBA to the designated command representative; (Note: ☞ Exhibit 3.A.1. contains the Critical Skills Retention Bonus Agreement.)

   c. Keep a copy of the signed agreement for record purposes;

   d. If not eligible to use the CSRBA, then execute a reenlistment contract or agreement to extend per ☞ Section 1.G.

2. Command counseling responsibilities: Commanding Officers will designate a command representative who will counsel all eligible officers and enlisted members concerning CSRB eligibility. The counseling session should be a one-on-one meeting between the eligible member and the designated command representative, outlining the needs of the Coast Guard and how the CSRB fits into the overall critical skill retention effort.

3. Designated Command Representative shall:

   a. Ensure the applicant is aware of the CSRB submission deadline and eligibility window (to be announced in the notifying ALCOAST), payment authorization and the ADSC associated with accepting the desired CSRB option;

   b. Ensure the applicant fully understands the implications of the agreement;

c. Explain that any unearned portions of CSRB will be recouped on a pro-rata basis for all conditions listed in this chapter, including separation after declining selective continuation;

d. Explain that eligible members with an approved date of separation (DOS) must request withdrawal of the DOS prior to or upon submission of their CSRB application. Members will not receive CSRB payments if the DOS withdrawal request is disapproved.

4. If member agrees to accept a Critical Skills Retention Bonus, Designated Command Representative must complete the following:

a. Ensure the CSRBA, reenlistment contract or agreement to extend enlistment has been properly completed;

b. Ensure the applicant and his/her commanding officer or command designee sign the CSRBA, reenlistment contract, or agreement to extend enlistment;

c. Critical Skills Retention Bonus Agreement Distribution. Make three copies of the original and distribute as follows: Give a copy of the CSRBA to the applicant, mail/telefax a copy to HRSIC (MAS) (FAX 785-339-3760) for processing, forward a copy to Commander (CGPC-opm) or (CGPC-epm), as appropriate, and forward original to (CGPC-adm-3), for inclusion in the member's service record;

d. Reenlistment Contract or Agreement to Extend Enlistment. Distribute as outlined in existing policy governing these agreements.

3.B.11. Disapproving Bonus Payments

1. Commanding Officers shall disapprove CSRB payments for members who:

a. Are waiting Involuntary Separation for Cause.

b. Are waiting or undergoing investigation into military or civilian offense that could result in a documented record of substantiated misconduct or substandard duty performance.

c. Have a documented record of substandard performance or conduct that renders them poor candidates for retention.

d. Have a documented record of skills and performance that makes them ineffective for rated duty.

2. Critical Skills Retention Bonus Agreement. Disapprovals will be forwarded to HRSIC (MAS), info Commandant (G-WPM), Commander (CGPC-opm) or (CGPC-epm), and (CGPC-adm) by the most expeditious means.

3. Reenlistment Contract or Agreement to Extend Enlistment. The enlisting officer may refuse to reenlist or extend a person when he/she has become cognizant of any valid

objection to the person's reenlistment or extension by reason of circumstances not known at the time of discharge, or which have arisen since discharge. In each such case a full report thereof will be made to the Commander (CGPC-epm-1) or Commander (CGPC-rpm) for final decision. (See ☞ Article 1.G.10.)

4. If any of the above listed conditions change, the member may reapply for a CSRB.

3.B.12. Terminating or Recouping Critical Skills Retention Bonus

1. Terminate CSRB payments when a member:

   a. Is dismissed or discharged for cause.

   b. Separates after declining selective continuation.

   c. Voluntarily retires or separates before finishing the ADSC.

   d. Separates after non-selection for promotion or selected by a Reduction in Force (RIF) board.

2. Recoup CSRB payments from the member under the following conditions:

   a. If the reason for failure to complete service is a result of the member voluntarily terminating their critical skills status, then future anniversary payments are not paid and any unearned portions of the bonus is recouped.

   b. If the reason for failure to complete service is voluntary and the effective date of the disqualification or separation is after the next anniversary payment, then the next scheduled payment is prorated to the separation date. Future anniversary payments are not paid, and any unearned portions of the bonus is recouped. Note: Includes members who separate under early release programs, decline to continue serving or are released for training in other competitive career categories.

   c. If the reason for failure to complete service is voluntary and the effective date of the disqualification or separation is after the most recent but before the next anniversary payment, then the next scheduled payment is not paid, future anniversary payments are not paid, and any unearned portion of the bonus is recouped. Note: Includes members who separate under early release programs, decline to continue serving, or are released for training in other competitive career categories.

   d. If the reason for failure to complete service is involuntary and the effective date of the disqualification or separation is after the next anniversary payment then the next scheduled payment is prorated for the remaining service, future anniversary payments are not paid, and any unearned portion of the bonus is not recouped. Note: Includes disability retirements or separations and separation due to non-selection for promotion or RIF actions.

   e. If the reason for failure to complete service is involuntary and the effective date of the disqualification or separation is after the most recent but before

the next anniversary payment then the next scheduled payment is not paid, future anniversary payments are not paid, and any unearned portion of the bonus is not recouped. Note: Includes disability retirements or separations and separation due to non-selection for promotion or RIF actions.

f. If the reason for failure to complete service is involuntary and the effective date of the disqualification or separation is after the next anniversary payment then the next scheduled payment is not paid, future anniversary payments are not paid, and any unearned portion of the bonus is recouped. Note: Includes separation for cause; loss of qualification; and administrative disqualification.

g. If the reason for failure to complete service is involuntary and the effective date of the disqualification or separation is after the most recent but before the next anniversary payment then the next scheduled payment is not paid, future anniversary payments are not paid, and any unearned portion of the bonus is recouped. Note: Includes separation for cause; loss of qualification; and administrative disqualification.

h. In case of death, the remaining payments will be included in the final settlement of unpaid pay and allowances.

3.B.13. Critical Skills Retention Bonus Recoupment Calculations

Recoupment calculations will be based on the Defense Finance and Accounting Services accounting method. Calculations are based on 360-day years, 30-day months. The initial daily rate is based on the yearly rate divided by a "DFAS" year (360) days. The total amount of recoupment will be based on the daily rate multiplied by the total number of days of unearned RB based on a 30-day month. For example, calculations for a member who received an advance annual payment of $21,000 and then was separated 3 months prior to fulfilling the requirement for the annual payment, would be as follows: $21,000(annual rate)/360(DFAS year) gives a daily rate of $58.33. Convert 3 MOS to 90 days and then multiplied by the daily rate: $58.33 X 90= $5,249.70. The member would be required to pay back $5,249.70.

Exhibit 3.B.1.
CRITICAL SKILLS RETENTION BONUS AGREEMENT (CSRBA)

1. Under Title 37 U.S.C., Section 323 and in consideration of receiving a Critical Skills Retention Bonus (CSRB) in the amount of (fill in the dollar amount from the ALCOAST announcing the CSRB program) annually, I, (Rank/Name) agree to remain on active duty (fill in the years) years upon approval of this agreement by my commanding officer.

2. Conditions of agreement. I understand and agree that:

a. The effective date of this agreement will be _____. (announced in the notifying ALCOAST).

b. On an annual basis, for the length of this agreement, I will receive a CSRB payment in the following amount: (fill in the dollar amount from the ALCOAST announcing the CSRB program).

c. My active duty service commitment (ADSC) under this agreement will be (fill in the number of years newly obligated service) from the effective date of this agreement and my new completion of obligated service date will be _____. If I have an approved voluntary separation date earlier than my ADSC date, then I will take action to withdraw my request for voluntary separation.

d. My entitlement to a Critical Skills Retention Bonus stops immediately if:

(1) I am permanently disqualified for service in the designated critical skill for medical or other reasons.
(2) I am dismissed or discharged for cause.
(3) I retire or separate for any reason authorized under any provision of law.
(4) I am released for training in any other competitive Career categories.
(5) I lose my critical skill designator.
(6) I receive an administrative disqualification.

e. Any unearned portion of CSRB paid me is considered a debt to the U. S. Government and will be recouped if my CSRB entitlement stops because:

(1) I lose my critical skills designation due to Misconduct or willful neglect.
(2) I am dismissed.
(3) I am discharged for cause.
(4) I am separated after declining selective continuation.
(5) I am voluntarily retired or separated before completing the ADSC.

f. Per Title 37 U.S.C. 323(g), a discharge in bankruptcy under Title 11 that is entered less than 5 years after the termination of this agreement does not discharge me from a debt arising under this agreement. Thus, the U. S. Government may recoup any unearned CSRB. If my CSRB entitlement stops for any other reason, the U. S. Government will not recoup previous payments. For example, money will not be recouped based on a reduction in force (RIF).

3. If I want to retire or separate before I complete my ADSC, CGPC-OPM or CGPC-EPM,

based on service needs, must approve my request. CGPC will not be influenced by my offer to repay CSRB.

4. Election of CSRB Installments. I understand that CSRB installments will be paid on an annual basis on the anniversary of the effective date of the retention bonus agreement, reenlistment contract or agreement to extend enlistment. I also understand that I may request to receive an anniversary payment a maximum of one year in advance.

5. I do (or do not) request that my first installment be paid in advance.

Accept/Decline	Approved/Disapproved
_____	_____
Member's signature	Commanding Officer's signature
_____	_____
Date signed	Date signed

Privacy act statement
Authority: Title 37, U.S.C., Section 323

Purpose: to provide information necessary for the approval authority to determine if applicant meets all requirements for the award of officer or enlisted Critical Skills Retention Bonuses. Routine uses: for processing activities and approval authority to determine if applicant meets all eligibility requirements for the program. Use of SSN is necessary to make positive identification of individual records. Disclosure is voluntary: if the applicant does not provide the information, however, no further action can be taken on the request and all further processing terminates.

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3.C. Selective Reenlistment Bonus (SRB) Program

3.C.1. General

1. The Selective Reenlistment Bonus (SRB) Program allows the Commandant to offer a reenlistment incentive to members who possess highly desired skills or are in eligible ratings, at certain specific points during their career. For the purpose of defining eligibility periods within the first 14 years of active service, three zones of consideration are established. Zone A is defined as the period from 17 months through 6 years of active service. Zone B is defined as the period from 6 through 10 years of active service. Zone C is defined as the period from 10 through 14 years of active service.

2. The objective of the SRB program is to provide an incentive to reenlist to those personnel in the Service who are serving in a skill or rating designated as critical by the Commandant.

3.C.2. Glossary of Terms

1. ANNIVERSARY DATE: The anniversary date is the date that exactly corresponds to the date the member came on active duty. For example, if the member came on active duty 10 July 1993 his or her 6th year anniversary date will be 10 July 1999. The exception to this would be for members with broken active service, in which case the Anniversary Date would have to be constructed using prior active service with current reenlistment date.

2. EXACTLY 6/10/14 YEARS: For purposes of this program, a member is considered to have exactly 6, 10, or 14 years active duty on his 6th, 10th, or 14th year anniversary date.

3. WITHIN 3 MONTHS PRIOR TO EOE: The period within 3 months prior to end of enlistment is computed by backing off 3 months from the current end of enlistment (the date that will be entered as the date of separation on the DD Form 214) and adding one day. For example, if the current end of enlistment is 15 August, the period within 3 months prior to end of enlistment is form 16 May through 15 August.

4. WITHIN 3 MONTHS AFTER EOE: The period of 3 months after end of enlistment begins on the day following the date of separation (date of separation as noted on the DD Form 214) and ends with the day of the month 3 months later corresponding to the date of separation. For example, a member discharged 3 September 2001 may reenlist not later than 3 December 2001.

5. EXECUTED EXTENSION: An Agreement to Extend Enlistment (CG-3301B) is executed when the member has signed it and is obligated, but it has not begun to run.

6. OPERATIVE DATE: The date an extension begins to run (the member is serving in the extension).

7. OBLIGATED SERVICE: All periods of military service covered by signed agreements in the form of Enlistment Contracts, Reenlistment Contracts and/or Agreements to Extend Enlistment between Coast Guard members and the U.S. Coast Guard where members agree to serve for designated periods of time.

8. ADDITIONAL OBLIGATED SERVICE: All periods of military service covered by Reenlistment Contracts or signed Agreements to Extend Enlistment that bind members and the Coast Guard to specified periods of time beyond any period for which the member has already obligated. For example, a member executes a 3-year extension to obligate for a PCS assignment. Subsequently, but prior to the extension's operative date, the member decides to reenlist for 4 years. Only 1 year is considered additional obligated service since the member was already obligated for 3 years under the extension. (See ☞ Article 3.C.5.6., below for exception.)

9. UNEARNED BONUS: SRB entitlement received for which no time has been served. For example, a member reenlists for 4 years and receives a lump sum payment of $8,000. The member is subsequently discharged after serving 3 years. The member is only entitled to 3 years worth of entitlement ($6,000). Any bonus payment received in excess of $6,000 is considered unearned and shall be recouped.

3.C.3. WRITTEN AGREEMENTS

All personnel with 10 years or less active service who reenlist or extend for any period, however brief, shall be counseled on the SRB program. They shall sign an Administrative Remarks, CG-3307 (page 7), service record entry outlining the effect that particular action has on their SRB entitlement. If necessary, commanding officers shall elaborate in the page 7 entry to cover specific cases of questionable SRB eligibility.

3.C.4. CRITERIA FOR INDIVIDUAL MEMBER'S ELIGIBILITY

3.C.4.a. ZONE A Eligibility

To receive a Zone A SRB, the member must meet the following criteria:

1. Reenlist not later than 3 months after discharge or release from active duty in a rating authorized an SRB multiple.

2. Have completed 17 months continuous active duty (including extended active duty as a Reserve) at any point in their military career. The 17 months continuous active duty need not have been completed immediately prior to the reenlistment or extension.

3. Have completed not more than 6 years active service on the date of reenlistment or the date on which the extension becomes operative.

4. Be serving in pay grade E-3 (with appropriate designator), or higher on active duty in a rating that is designated as eligible for an SRB multiple.

5. Reenlist or extend enlistment in the Regular Coast Guard for a period of at least 3 full years.

6. Have not previously received a Zone A SRB.

7. Attain eligibility prior to the termination of a multiple for that particular rating.

8. Meet any additional eligibility criteria the Commandant may prescribe.

3.C.4.b. ZONE B Eligibility

To receive a Zone B SRB, the member must meet the following criteria:

1. Reenlist not later than 3 months after discharge or release from active duty in a rating authorized an SRB multiple.

2. Have completed 17 months continuous active duty (including extended active duty as a Reserve) at any point in their military career. The 17 months continuous active duty need not have been completed immediately prior to the reenlistment or extension.

3. Have completed at least 6 but not more than 10 years active service on the date of reenlistment or the operative date of the extension.

4. Be serving in pay grade E-5 or higher. Personnel who are changing rate, as approved by the Commandant, are eligible as an E-4 provided they were E-5 or higher immediately prior to changing rate.

5. Reenlist or extend enlistment in the Regular Coast Guard for a period of at least 3 full years, provided the reenlistment or extension, when added to existing active service, will provide a total active duty of no less than 10 years.

6. Have not previously received a Zone B SRB.

7. Attain eligibility prior to the termination of a multiple for that particular rating.

8. Meet any additional eligibility criteria the Commandant may prescribe.

3.C.4.c. Zone C Eligibility

To receive a Zone C SRB, the member must meet the following criteria:

1. Reenlist not later than 3 months after discharge or release from active duty in a rating authorized an SRB multiple.

2. Have completed 17 months continuous active duty (including extended active duty as a Reserve) at any point in their military career. The 17 months continuous active duty need not have been completed immediately prior to the reenlistment or extension.
3. Have completed at least 10 but not more than 14 years active service on the date or reenlistment or the date on which the extension of enlistment begins to run.
4. Be serving in pay grade E-6 or higher.
5. Reenlist or extend enlistment in the Regular Coast Guard for a period of at least 3 full years.
6. Have not previously received a Zone C SRB.
7. Attain eligibility prior to the termination of a multiple for that particular rating.
8. Meet any additional eligibility criteria the Commandant may prescribe.
9. Application criteria will be provided in the ALCOAST announcing the SRB.

3.C.5. Special Conditions

1. Members with exactly 6 years active duty on the date of reenlistment or operative date of extension will be entitled to the Zone A multiple in effect for their rating if they are otherwise eligible. If they have previously received a Zone A bonus or no Zone A bonus is designated, they are entitled to a Zone B bonus if one is in effect.
2. Members with exactly 10 years active duty on the date of reenlistment or operative date of extension will be entitled to the Zone B multiple in effect for their rating if they are otherwise eligible. If they have previously received a Zone B bonus or no Zone B bonus is designated, they are entitled to a Zone C bonus if one is in effect.
3. Members with exactly 14 years active duty on the date of reenlistment or operative date of extension will be entitled to the Zone C multiple in effect for their rating if they are otherwise qualified.
4. Only extensions/reenlistments of 3 years or longer may be used to establish eligibility for SRB. Specifically, two or more extensions may not be combined to establish SRB eligibility. Additionally, entitlement in the same Zone cannot be increased by future extensions. Qualified members "Lock into" SRB multiples and bonus ceilings that are in effect at the time an extension agreement is executed.
5. Under no circumstances will an individual be permitted to extend their enlistment more than 3 months early for SRB purposes alone. However, a member who must extend for some other reason (i.e., transfer, training, advancement, or tuition assistance) may extend for a period greater than the minimum required for the purpose of gaining entitlement to an SRB.

6. Extensions previously executed by members may be canceled prior to their operative date for the purpose of executing a longer extension or reenlistment in accordance with ☞ Article 1.G.19. Members should be informed that their SRB entitlement will be based only on newly acquired obligated service. For example, a member cancels a 3-year extension to reenlist for 6 years; the member will only be paid SRB entitlement for the additional 3 years of service. An exception to this rule is made for extensions of 2 years or less, or multiple extensions (each of which is 2 years or less in length), required of a member for transfer, training, advancement, or tuition assistance. These extensions may be canceled prior to their operation date for the purpose of immediate reenlistment or longer extension without any loss of SRB entitlement.

7. Members who are in a change in rate status will be eligible for the multiple in effect at the time the request for change in rate was approved by Commandant (G-WPM-1). Members shall sign an Administrative Remarks entry, CG-3307, stating that they are aware that they shall not receive any bonus entitlement for the new rate until they have reenlisted/extended and have attained the new rate. When the new rate is attained, all unearned SRB for the previously held rate will be recouped. Members authorized an SRB for their present rate will continue to receive annual installments until they attain their new rate.

8. Officer procurement programs are defined as those programs which, upon successful completion, will lead to an appointment as a chief warrant or commissioned officer in the Coast Guard. These programs include but are not limited to: Officer Candidate School, physician's assistant programs, and acceptance of chief warrant officer and direct commissioning programs. Upon notification of a member's selection to enter into any officer procurement program, any request for accelerated or early payment of the remaining portion of SRB payments will not be approved. The following information applies to individuals entering officer procurement programs:

   a. Members entering officer procurement programs who have reenlisted/extended for an SRB will have remaining installments suspended upon appointment in an officer procurement program (i.e., OCS, CWO appointment, etc.). The time spent in officer procurement program is creditable towards SRB payments. Members' SRB entitlement will terminate upon appointment.

   b. Members who do not successfully complete the officer procurement program and continue in an enlisted status in the same rate will have SRB installments resumed and are entitled to receive the SRB payments previously suspended.

   c. For those temporary commissioned officers who revert to enlisted status in their original rating, who still have time remaining on their contract, the time served as a commissioned officer shall not count toward SRB entitlement.

9. Commanding officers are authorized to effect early discharge and reenlist members within 3 months prior to their 6th, 10th, or 14th year active service anniversary dates (not to be confused with the normal expiration of enlistment), for the purpose

of qualifying for a Zone A, B, or C SRB respectively. In such cases, SRB payments will be reduced by any portion of unserved service obligation. Commanding officers shall ensure that such personnel are fully qualified to receive an SRB and advise them that all periods of unserved obligated service will be deducted from their bonus entitlement. Any such discharges shall be under authority of ☞ Article 12.B.12., indicating discharge for the purpose of immediate reenlistment at the Convenience of the Government.

10. Tours of active duty in any U.S. Armed Forces (Regular or Reserve), including active duty for training, must be included in computing total active duty for the purpose of establishing SRB Zone eligibility. However, active duty for training periods may not be included in the computation of the 21 months continuous active duty.

11. Entitlement to SRB multiple and bonus ceiling is established on the actual date of reenlistment or the date the member executes an Agreement to Extend Enlistment by signing Form CG-3301B. Entitlement to any Zone of SRB is established only on the date the member reenlist or the extension becomes operative. (Example: A member executes an extension agreement on 15 June 2001, with the extension becoming effective 15 November 2001. The member initially entered the Coast Guard on 15 November 1995. If in an eligible rating, the member will be entitled to a Zone B SRB on 15 November 2001 based on the SRB multiples that were effective on 15 June 2001.)

12. Nonrated members without rating designators shall not be authorized to execute an Agreement to Extend Enlistment under any circumstance for the purpose of receiving an SRB multiple.

13. All Periods of unexecuted service obligation, except for a member discharged no more than 7 days early because expiration of enlistment falls on a Friday, Saturday, Sunday, or holiday or per the provisions of ☞ Article 3.C.5.6. above, will be deducted from SRB computation.

14. Changes to the SRB ceilings will be published in the same ALCOASTs which announce changes to SRB multiples.

15. Members eligible to reenlist, but who opt to be separated will be advised in writing that should they later elect to reenlist, they must do so within 3 months after discharge to be eligible for an SRB. (Provided that on the date of reenlistment the rating has a multiple listed in the current ALCOAST.)

3.C.6. Change in Multiples

When a rating multiple is designated for increase, reduction, or termination, an effective date of the change shall be promulgated by ALCOAST at least 30 days in advance. All Agreements to Extend Enlistments signed before the effective date of the change will be at the old multiple level. All agreements made on or after the effective date of the change will be at the new level. Members desiring to extend their enlistments or reenlist early to take advantage of a higher bonus multiple may do so within the provisions of this chapter and/or ☞ Articles 1.G.14. and 12.B.7.

3.C.7. Amount of Payment

1. Computation of SRB payments is based on the rate of basic pay as of the day immediately preceding reenlistment or the date immediately preceding the date the extension becomes operative. Bonus payments will be computed by taking the authorized SRB multiple, multiplying it by the member's monthly basic pay and multiplying the result by the number of months of newly obligated service and dividing this figure by 12. Shown as an equation, this would be:

$$\frac{\text{SRB multiple x monthly basic pay x months newly obligated service}}{12}$$

2. When computing the additional obligated service for which SRB can be paid, a fraction of a month will be rounded up to the whole month. For example, members discharged 2 months and 10 days prior to the expiration of their enlistment, for the purpose of immediate reenlistment, will have their SRB payment reduced by 3 months. An exception to this rule, however, is members who are discharged no more than 7 days early because their period of active obligated service expires on a Friday, Saturday, Sunday, or holiday. In such cases, members will be considered to have completed the full enlistment for SRB computation.

3. Any unexecuted portion of extended active duty orders for Coast Guard Reservists who request and are granted authority for discharge from the Coast Guard Reserve for the purpose of immediate reenlistment in the Regular Coast Guard, while serving on extended active duty, is considered previously obligated service for the purpose of SRB Bonus computation.

4. Bonuses will not be paid for any service beyond 16 years total active duty.

3.C.8. Method of Payment

1. Bonuses may be paid either as a lump sum or in installments. If the bonus is paid in installments, the initial payment shall be 50 percent of the total bonus amount and the remainder paid in equal annual installments, on the anniversary date, as determined by the length of the extension or reenlistment.

2. Commanding officers are authorized to approve requests of deserving individuals for accelerated SRB payments. An accelerated payment is defined as an early payment of the next SRB installment, prior to the normal anniversary date, but in the same fiscal year in which the installment payment is due.

3. Commandant (G-WPM-1) is the approving official for lump sum payment of SRB. Lump sum approvals will be granted when a Coast Guard member experiences a severe financial hardship not attributable to financial irresponsibility. The member should submit a request with a financial statement listing all income and expenses (a copy of the CG Mutual Assistance form should be used). The request shall be forwarded via the chain of command to Commandant (G-WPM-1) for determination.

3.C.9. Termination of Bonus Entitlement and Recoupment

1. Members who are discharged prior to completing the period of service for which they were paid an SRB shall have all paid but unearned bonus recouped with the exception of:

   a. Members who are involuntarily discharged for reason of Convenience of the Government in connection with a reduction in force.

   b. Members who are separated or retired by reason of physical disability, illness, injury, or other impairment incurred in the line of duty and not due to misconduct.

   c. Members who receive a hardship discharge.

2. A member paid any reenlistment bonus who is discharged early for the purpose of immediate reenlistment is not required to refund the unearned portion of the bonus provided the term of the reenlistment is for a greater period than the obligated service remaining to be served. If the member is currently receiving a Zone A SRB and if the new reenlistment/extension is authorized a Zone B SRB, the member will continue to receive their annual installments of their Zone A bonus. They will receive Zone B bonus only for the additional obligated service.

3. Members will be ineligible for continued SRB payment when they are no longer qualified in or serving in the rating or skill for which the SRB was authorized **except, members who are assigned out of specialty as needs of the Service dictate**. Additionally, all unearned SRB shall be recouped.

a. A member will be considered not technically qualified in the bonus rating when:

(1) The member is no longer serving in the rating or skill for which the bonus was authorized. (If the bonus was paid for a critical skill, member must maintain the skill's qualification code in order to be technically qualified.)

(2) The member's rating designator is removed.

(3) Current and future assignment in that military specialty is precluded for any reason within the member's control.

b. Additionally, unearned bonuses shall be recouped when:

(1) The member is unable to perform the duties of the rating or skill for which the bonus was paid as a result of injuries caused by their own misconduct, as established through existing line of duty determination procedures.

(2) The member is unable to perform the duties of the rating or skill for which the bonus was paid as a result of a loss of security clearance due to their own misconduct.

(3) The member refuses to perform the duties of the rating or skill for which the bonus was paid.

4. When no longer classified or assigned in the bonus specialty for any of the following reasons, the member shall be entitled to his/her full SRB:

a. Humanitarian reassignment to other duties.

b. Loss of security clearance through no fault of the member.

c. Injury, illness, or other impairment not the result of the member's own misconduct.

d. Commandant-directed change in rating: Members paid an SRB shall continue to serve in the rating or skill which qualified them for the bonus unless the Commandant expressly directs a change in rating (i.e., Joint Rating Review).

5. Recoupment of unearned bonus is not required if the member is separated to permit acceptance of or entry into a program leading to a commission or chief warrant appointment in the same or another Service.

6. In case of death, the remaining payments will be included in the final settlement of unpaid pay and allowances.

3.C.10. Suspension of Bonus Entitlement

Members who fail to comply with the ☞ Allowable Weight Standards for Coast Guard Military Personnel, COMDTINST M1020.8 (series), shall have SRB installments suspended until the member is in compliance with weight standards.

3.C.11. Required Administrative Remarks, CG-3307, Entries for SRBs

1. Required Administrative Remarks, CG-3307, entry for personnel within 3 months prior to their end of enlistment and any time a member reenlists or extends their enlistment:

DATE: I have reviewed Article 3.C.12 of the Personnel Manual entitled "Frequently Asked SRB Questions and Answers." I have been informed that: My current Selective Reenlistment Bonus (SRB) multiple is ____ and is listed in ALCOAST _____, which has been made available for my review. In accordance with article 12.B.4, I am eligible to reenlist/extend my enlistment for a maximum of _____ years. My SRB will be computed based on _____ years newly obligated service. (If extension/reenlistment is for less than 36 months, enter "00.") The following SRB policies were unclear to me, but my SRB counselor provided me with the corresponding answers: (list specifics) _____ _____ (Signature of Member/date) (Signature of Counselor)

2. Required Administrative Remarks, CG-3307 entry for personnel within 3 months prior to their 6 or 10 year active duty anniversary date:

DATE: I have reviewed Article 3.C.12 of the Personnel Manual entitled "Frequently Asked SRB Questions and Answers." I have been informed that: My current Selective Reenlistment Bonus (SRB) multiple is ____ and is listed in ALCOAST _____, which has been made available for my review. In accordance with article 12.B.4, I am eligible to reenlist/extend my enlistment for a maximum of _____ years. My SRB will be computed based on _____ years newly obligated service. (If extension/reenlistment is for less than 36 months, enter "00.") I must reenlist 3 months prior to (date), which is my 6 or 10-year active duty anniversary date, in order to receive a Zone (A or B) SRB.

The following SRB policies were unclear to me, but my SRB counselor provided me with the corresponding answers: (list specifics)	
_____	_____
(Signature of Member/date)	(Signature of Counselor)

3.C.12. Frequently Asked SRB Questions and Answers

Q1. What is an SRB?

A1. The acronym SRB stands for Selective Reenlistment Bonus. This Bonus is a cash payment which the Coast Guard uses as an incentive to retain members in specialties experiencing personnel shortages.

Q2. What is the purpose of the SRB program?

A2. Its purpose is to provide a monetary incentive for members in certain specified ratings or skills designated by the Commandant. In determining which ratings or skills should be eligible for an SRB, the Commandant considers such criteria as whether the rating or skill is understaffed, future staffing projections, and the amount of training required to achieve the rating or skill. These ratings or skills are designated as "critical." The Commandant reevaluates which ratings or skills are critical approximately every 6 months and publishes the results in an ALCOAST message.

Q3. How many times can I receive an SRB?

A3. There are three Zones in the SRB program; Zone A, Zone B, and Zone C.

Q4. How can I become eligible for a Zone A SRB?

A4. The Zone A SRB is paid to petty officers and designated E-3s serving in critical ratings or skills who extend their enlistment or reenlist for a minimum of 3 years. Ratings or skills deemed critical for the purpose of assigning an SRB multiple are announced in SRB ALCOAST. Members must have **completed 17 months continuous active duty (including extended active duty as a Reserve) at any point in their military career. The 17 months continuous active duty need not have been completed immediately prior to the reenlistment or extension. Members must have completed not more than 6 years active service on the date of reenlistment or the date on which the extension becomes operative.** Sorry, only one Zone A SRB to a customer!

Q5. How can I become eligible for a Zone B SRB?

A5. The Zone B SRB is paid only to petty officers second class and above (or E-4s who have been approved to change rate from E-5) serving in critical ratings or skills who extend their enlistment or reenlist for a minimum of 3 years. Ratings or skills deemed critical for the purpose of assigning an SRB multiple are announced in SRB ALCOAST. They must have at least 6 years but not more than 10 years active service at the time of reenlistment or the date their extension becomes operative. Again, they must have completed at least 17 months continuous active service at any point in their military career. Only one Zone B SRB to a customer also!

Q6. You mean I can get both a Zone A an B SRB?

A6. That's correct. Receiving a Zone A SRB does not disqualify you from receiving a Zone B SRB at a later period in your career.

Q7. And now can I get a Zone C SRB?

A7. The Coast Guard has not yet implemented a Zone C SRB; however, if staffing levels warrant them, the Commandant could order a Zone C SRB at any time. A Zone C SRB would be payable only to petty officers first class and above serving in critical ratings or skills who extend their enlistment or reenlist for a minimum of 3 years. They must have at least 10 years but no more than 14 years active service at the time of reenlistment or the date their extension becomes operative. The 17 months continuous active service provision still applies.

Q8. What if I get out of the Coast Guard and later decide to reenlist. Can I still get an SRB?

A8. Only if you have been out for 3 months or less and meet the requirements previously discussed.

Q9. Okay, now that I know how I can get an SRB, how much money will I get? How is the SRB calculated?

A9. The amount of money you will receive depends on just how critical your rating or skill is. Each rating is assigned a multiple ranging from zero to eight. A multiple of six or higher means that the rating is extremely critical. The higher your multiple, the more money you are eligible to receive. Here's how SRBs are computed:

Step 1: Write down your SRB Zone multiple. Your unit yeoman, career counselor, or career information specialist can provide you with this information.

Step 2: Write down the number of months for which you are going to reenlist or extend your enlistment. (Reminder: this number must be at least 36 months.) Now, subtract from this amount any time which will be remaining on your enlistment at the time you will reenlist or your extension will go into effect. Any fraction of a month is rounded up to a full month. For example, if on the date you are going to reenlist for 4 years you will still have 2 months, 5 days remaining on your current enlistment, your SRB will be based only on 45 months newly obligated service. Multiply the number obtained in step 1 by this result.

Step 3: Multiply the number obtained at the conclusion of step 2 by what your monthly base pay will be on the date you reenlist or your extension of enlistment will go into effect. Remember, if you are going to reenlist on the date on which you will have exactly 4 years service (active and inactive combined) you will receive "over 3" pay, not "over 4."

Step 4: Divide the number obtained at the end of step 3 by 12. The result is the gross amount of SRB to which you will be entitled assuming it does not exceed the ceiling announced in the current SRB ALCOAST. Also remember Uncle Sam takes a percentage of this back for taxes.

Q10. Sounds easy enough, but can you give me an example?

A10. Sure. Let's say the date is 10 October 2001, you're an EM2 who enlisted for 4 years on 10 January 1998, and want to reenlist for 4 years on 10 December 2001. You've completed at least 17 months continuous service and you have not exceeded 6 years active service. The period of time for which you want to reenlist (4 years) exceeds the minimum 3-year requirement. So far so good! Time to check with the ship's office or PERSRU to find out if EM has a Zone A SRB multiple greater than zero. The yeoman informs you you're in luck ... time to count the bucks!

Step 1: Multiple of 2.

Step 2: 48 minus 1 equals 47. 47 times 2 equals 94.

Step 3: 1500.60 times 94 equals 141,056.40

Step 4: 141,056.40 divided by 12 equals $11,754.70. AMOUNT OF ZONE A SRB ENTITLED: $11,754.70

Q11. Sounds great! But why is it again that my SRB in the above example is only based on 47 months service and not 48?

A11. Because you did not serve 1 month of your 4-year enlistment, this 1 month was deducted from your SRB computation. Let me also add that if you entered an agreement to extend your enlistment and did not serve out that extension prior to reenlisting, the unserved portion of that extension would also be deducted from your SRB computation. For instance, let's say you were required to extend your enlistment for 28 months to attend Class "A" School. Any portion of that 28-month extension which you did not serve would be subtracted from your SRB computation. However, there is an exception. If you were required to extend your enlistment for 2 years or less to receive PCS orders, attend training, meet the obligated service requirement for advancement, or for tuition assistance, the extension may be canceled prior to the date the extension actually begins to run and will not be subtracted from your SRB computation.

Q12. Sounds fair enough. I guess I can't expect the Government to pay me for obligating for a period of service which I have already agreed to serve. Now, when do I get my money?

A12. Under current policy, you will receive 50 percent of your SRB on the payday after your reenlistment/extension documents have been processed by the Human Resources Service and Information Center. The remaining 50 percent will be paid in equal annual installments, on your anniversary date, over the term of your new enlistment. If you have a severe financial hardship, the Commandant may

approve a lump sum payment. Your commanding officer is authorized to grant you an accelerated SRB payment during the fiscal year in which it is due. For instance, if you have an SRB installment due on 12 July 2002, your commanding officer is authorized to pay it to you anytime during the period 1 October 2001 - 12 July 2002. Payment policies are subject to change! Check with your ship's office or PERSRU to find out what the Commandant's current payment policy is.

Q13. What happens to my SRB payments if I am discharged prior to completing my term of enlistment for which I received an SRB?

A13. With the exception of medical discharges, hardship discharges, and members discharged involuntarily for Convenience of the Government in connection with a Reduction in Force (RIF), those members who are allowed or required to depart the Service prior to serving out their term of enlistment will be required to pay back all SRB monies which they did not earn. For example, a member who received a $9,000 SRB for a 6-year reenlistment and was discharged for misconduct after completing only 2 years (one third) of his/her contract would forfeit $6,000 (two-thirds) of his/her SRB. Any money already paid to him/her in excess of the $3,000 which he/she actually earned will be recouped by the U. S. Government.

Q14. What happens if I am appointed a warrant officer or I am accepted into a commissioning program (i.e., OCS, Physician Assistant Training)?

A14. Upon entering OCS or other training program to become an officer, or upon accepting a commission (warrant officer), you will lose all entitlement to future payments, but will be allowed to keep the money you have already been paid.

Q15. Is there anything else I should know about the SRB program?

A15. Yes, there are several important points of which you should be aware. They are:

1. Be informed of all ALCOASTs published concerning SRBs. The ALCOASTs state the rating and skills in which SRB multiples are assigned, as well as listing the maximum amount of SRB payable for any rating or skill. Contact your personnel office to view or copy the latest ALCOAST on the subject.

2. If eligible, you may reenlist for a Zone A or B SRB within 3 months prior to the date on which you will have 6 or 10 years active service respectively, regardless of the amount of time remaining on your current enlistment. Remember, however, that the amount of time remaining on your current enlistment will be deducted from your SRB computation.

3. When coming up on your end of enlistment, carefully consider the advantages/disadvantages of reenlisting vice extending. Say you signed a 6 year extension and 4 years later you receive transfer orders and there is a multiple for your rating, had you reenlisted for 6 years vice extending for 6 years you could now sign an extension and lock into the multiple without loss of benefits. However, since you extended you must now reenlist and the remaining 2 years will be deducted from your SRB payments. Since you were already obligated this is not considered additional obligated service.

4. If the Coast Guard ever requires you to extend your enlistment, you may extend for a longer period than the minimum required. For example, let's say you are required to extend your enlistment for 24 months to receive PCS orders overseas. You may elect to extend for a period of at least 36 months to receive an SRB. NOTE: You may not extend your enlistment more than 3 months prior to your normal expiration of enlistment date for the sole purpose of qualifying for an SRB unless the Coast Guard requires you to extend.

5. Changes in rating may positively or negatively affect your SRB eligibility. Seek SRB counseling prior to requesting a change in rating.

Q16. Should I always reenlist or extend for the maximum period eligible?

A16. Not necessarily. Let's say that in your first 4-year enlistment you were required to extend for 18 months to attend Class "A" School. After serving out this 5 and 1/2 years, it's time to reenlist. If you reenlist for 4 years, you will have 9 and 1/2 years total active service when that enlistment expires and still be eligible for a Zone B SRB because you will not have more than 10 years total active service. However, if you had reenlisted for 5 years, you would have 10 and 1/2 years service at the end of your enlistment and thus ineligible for a Zone B SRB. BE CAREFUL! IT'S ULTIMATELY YOUR DECISION HOW LONG YOU WILL REENLIST OR EXTEND FOR. CONSIDER ALL YOUR ALTERNATIVES AND SEEK GUIDANCE IF YOU HAVE ANY QUESTIONS.

Q17 If I am in an indefinite enlistment, what do I do if a Zone C SRB is announced?

A17 If a Zone C SRB is announced, the announcing ALCOAST will contain application criteria for the SRB.

Q18. What if I discover that I failed to receive an SRB due to an administrative error or incorrect counseling from my **command representative**?

A18. You may call or write to the Board for Correction of Military Records (BCMR) in Washington, DC to request an application form and pamphlet describing the Board process. If you are able to convince the Board that there was a counseling error made <u>and</u> that you suffered an injustice, the Board may grant you appropriate relief. The BCMR's address is:

Chairman, Board for Correction of Military Records
Office of the General Counsel (C-60)
U. S. Department of Transportation
400 Seventh Street, SW
Washington, DC, 20590-0001
Phone: (202) 366-9335

4.B.4. Assignment Priority

4.B.4.a. Assignment Priorities Considered in Selecting Rated Personnel for Assignments

Assignment priorities are critical in the enlisted assignment process, particularly for arduous or hard-to-fill restricted, afloat and overseas duty assignments. Members who have completed full tours normally receive preference in their next assignment based on these priorities:

ASSIGNMENT PRIORITIES	
1	Members serving at overseas restricted units.
2	Members serving in overseas afloat units, onboard the Polar Class Icebreakers, and Loran Station Shoal Cove.
3	Members serving onboard INCONUS afloat units, LEDETs, HITRON-10 **deployment crews**, **MSSTs; Special Command Aides**, Recruit Company Commanders, the International Training Division, Coast Guard Recruiters, and personnel assigned to Stations Neah Bay and Quillayute River and MSD American Samoa.
4	Members serving at overseas ashore units, National Strike Force, Fleet and Afloat Training Groups, Atlantic and Pacific Area Training Teams, UTB and MLB STANTEAMS, MLC Food Services Assistance and Training (FSAT) Team.
5	Members serving at INCONUS ashore units.

Members who extend voluntarily in an afloat **position** will have their assignment priority upgraded to the next higher priority.

4.B.4.b. Reassigning Members due to Position Deletion, Unit Decommissioning or Advancement

1. **Position** Deletion or Unit Decommissioning. If Service needs dictate an AO must issue PCS orders within one year after a member's reporting date due to **position** deletion or unit decommissioning, the affected member may retain the assignment priority of their previous unit. However, overall Service needs will determine whether such members will be allowed to compete in the next assignment season or be transferred sooner to fill critical service vacancies.
2. Advancements. When assigning a newly-advanced member, Assignment Officers will follow ☞ Article 4.C.3.e. guidelines regardless of assignment priorities.

4.B.4.c. Losing Assignment Priority

Members who do not have a current **E-Resume** on file will lose their assignment preference.

4.B.4.d. Assignment Priorities for Nonrates, Strikers, and Class "A" School Graduates

The above assignment priorities do not apply to Strikers, Class "A" School graduates, or initial assignment of Nonrates. Service needs take precedence over all other factors in deciding these members' assignments and transfers.

4.B.4.e. Assignment Priorities for Surfmen (SJ, SK or SM) at Designated Surf Stations

Members serving as surfmen at a designated surf station that must maintain certified surfmen will receive an assignment priority of '3' after they have successfully completed two consecutive tours at those stations. Members are considered to have successfully completed a surf tour only after having been certified on at least one surf-capable boat (30' SRB, 44' MLB, 47' MLB, or 52' MLB) for two or more years.

4.B.5. Sea and Shore Duty

4.B.5.a. Ratio of Sea to Shore Duty

The ratio of sea duty to shore duty billets in each rating largely determines the number of sea and isolated duty tours served compared to the number of shore duty tours served in a career. This ratio varies for each pay grade within each rating. Assignment officers will review previous assignment history and, consistent with Service needs, afford a fair share of sea duty and shore duty to each member.

4.B.5.b. Sea Duty for Advancement

Assignment Officers routinely will assign afloat members lacking the sea duty required to advance to the next pay grade as soon as Service needs permit.

4.B.6. Obligated Service for Assignment

4.B.6.a. INCONUS Reassignments

Unless otherwise indicated, these obligated service (OBLISERV) requirements apply when service members transfer PCS to INCONUS duty stations:

1. AOs normally will not transfer Service members E-4 and above, including active duty Reservists, with fewer than six years of active duty unless they reenlist or extend to have enough obligated service for a full tour on reporting to a new unit. **Members normally will not be transferred if they have less than one year of OBLISERV remaining. However, if they elect to extend or reenlist, they may be considered for transfer.** When Commander (CGPC-epm-2) directs a member with less than one year of OBLISERV remaining to transfer, i.e., the member has elected not to obligate additional service, the member signs a statement he or she understands reassignment may be directed on reenlistment or extension for OBLISERV. Commander (CGPC-epm-2) shall be advised immediately when the member re-enlists or extends. This OBLISERV policy has no effect on assignment preference, which is set by completing a prescribed tour of duty. ☞ Article 4.A.5. However, a member must comply with OBLISERV requirements before he or she will be permitted to execute his or her preferred assignment. **Class "A" graduates on their first enlistment will obligate service as required by the ☞ Training and Education Manual, COMDTINST 1500.10 (series).**
2. 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 OBLISERV remaining upon reporting to the new unit.

(1) National **Search and Rescue** Manual, Volume I, COMDTINST M16120.5 (series)

(2) National **Search and Rescue** Manual, Volume II, COMDTINST M16120.6 (series)

(3) Aids to Navigation Manual, COMDTINST M16500.1 (series); COMDTINST M16500.3 (series); COMDTINST M16500.7 (series); COMDTINST M16500.13 (series); and COMDTINST M16500.20 (series)

(4) Naval Engineering Manual, COMDTINST M9000.6 (series)

(5) Civil Engineering Manual, COMDTINST M11000.11 (series)

(6) Boat Crew Training Manual; COMDTINST M16114.9 (series)

(7) Family Advocacy Program, COMDTINST 1750.7 (series)

(8) Command at Sea Orientation Publication, COMDTPUB 1500.17 (**series**)

(9) CG Regulations Manual, COMDTINST M5000.3 (series)

(10) Manual for Courts-Martial

(11) **Coast Guard** Investigations Manual, COMDTINST M5527.1 (series)

(12) Ordnance Manual, COMDTINST M8000.2 (series)

f. Determine the candidate's ability to command and, where appropriate, certify the individual as:

(1) Qualified to command afloat multi-mission

(2) Qualified to command afloat ATON

(3) Qualified to command ashore multi-mission

(4) Qualified to command ashore ATON

g. Candidates for command afloat multi-mission or ATON must have an afloat underway OOD letter. (No waivers). Candidates for command ashore multi-mission or ATON must have been qualified as a coxswain on a vessel greater than **40** feet in length. (No waivers).

4.C.6.d. District OIC Review Board Results

1. Results of the District Review Board for each candidate shall be recorded on a District Review Board Evaluation and Reporting Form (CG-5113). All evaluation forms shall be forwarded to the district commander for transmittal under one cover letter to Commander (CGPC-epm-2) no later than 01 May and 01 November each year.

2. Results of the District Review Board shall be made a part of the member's PDR.

3. Each individual considered by the Board shall be apprised of his or her recommendations by letter from the Board via the chain of command. The following minimum remarks are required:

   You have been found qualified to command _____ (afloat and/or ashore), _____ (multi-mission and/or ATON), by the recent District Review Board. As a result of this certification, your commanding officer is authorized to assign you qualification code(s)__."

   You have been found not qualified for assignment to a certified OIC billet. If you desire to be reconsidered by a subsequent District Review Board, you must submit a request to your district commander on an ADC via your commanding officer.

4. Personnel reporting units shall enter the results of the District Review Board on an Administrative Remarks, CG-3307, and assign appropriate qualification codes.

5. OIC certification remains in effect indefinitely unless removed by Commander (CGPC-epm-2). Those members who have been serving in non-operational billets may be required to appear before a board for confirmation prior to OIC assignment.

4.C.6.e. Assignment as OIC

OIC billets currently exist in the BM, QM, TT, and ET ratings.

1. Assigning enlisted personnel to OIC billets is the responsibility of Commander (CGPC-epm-2).

2. These assignments require a careful screening process because of the high degree of competence and skill required for independent operation. Proven leadership and performance, proper background experience, maturity, dedication, and professionalism are requisite qualifications for command.

3. As a matter of career planning, petty officers who aspire to command should request appropriate executive petty officer (XPO) assignments or other leadership positions in order to gain necessary experience.

4.C.6.f. Submission of Request

1. Requests for assignment as OIC shall be submitted to Commander (CGPC-epm-2) through the commanding officer on the **E-Resume**. Applications should be submitted one year in advance of desired assignment.

2. **Commands can now review members' performance marks through the Employee Review Summaries in CGHRMS.**

3. The commanding officer or group commander shall endorse the request to include comments regarding the applicant's:

    a. Performance in leadership positions and overall performance.

    b. Depth of professional knowledge.

    c. Ability to demonstrate sound judgment.

    d. Ability to work harmoniously with others.

    e. Consistency in presenting a smart military bearing and appearance.

4.C.6.g. Qualifications for Assignment

1. Candidates must have no marks less than four on their enlisted evaluation or a mark of unsatisfactory in conduct for the last two years.

2. Individuals may have no record of civil arrest, court martial, nonjudicial punishment (NJP), alcoholism, drug misuse, indebtedness, etc., for the last two years.

3. Candidates may have no physical impairment that precludes worldwide assignment.

4. Individuals must meet the Commandant's weight standards in accordance with the ☞ **Allowable Weight Standards for Coast Guard Military Personnel**, COMDTINST 1020.8 (series).

5. BMs and QMs not having satisfactorily served afloat in the past seven years or who have not actively maintained certification as coxswain on boats greater than 40 feet within the last **seven** years will not normally be assigned as OIC afloat.

4.C.6.h. Assignment Policy

1. Commander (CGPC-epm-2) will assign personnel to OIC billets based upon:

   a. Demonstrated leadership and performance.

   b. Command recommendation.

   c. Career experience. BMs and QMs who have successfully completed an XPO assignment or have one year deck watch officer experience will have consideration over those who do not have this experience. ETs with recent LORAN experience will have consideration over those who do not have this experience.

   d. Availability of assignments.

   e. Personal preference.

2. Reporting dates will be scheduled to provide an onboard relief with a suitable break-in period.

3. OIC tour lengths will be as prescribed in ☞ Article 4.A.5.b. To ensure operational readiness, some flexibility in tour length will be necessary to phase rotations between the OIC and XPO. Otherwise, extensions will not normally be granted.

4. Personnel selected for an OIC assignment overseas or afloat should anticipate attending training nine months prior to their assignment.

5. The removal of an OIC for substandard performance may be effected by the Commandant at the recommendation of the chain of command. If a commanding officer considers a member not qualified due to performance deficiencies or disciplinary action, a request for removal shall be submitted to Commandant (G-WP) via the chain of command. Removal from an OIC position will be in accordance with ☞ Chapter 4.B.

4.C.6.i. Special Duty Assignment Pay (SDAP) and Relief for Cause (RFC) Procedures

1. General. Legislative Authority, 37 USC 307, entitles the Coast Guard to pay personnel Special Duty Assignment Pay (SDAP) "both as a retention incentive to perform extremely demanding duties or duties demanding an unusual degree of responsibility and as an inducement to persuade qualified personnel to volunteer for such duties." In accordance with law, SDAP is paid at the Coast Guard's discretion as prescribed in regulations established by Commandant (G-W). ☞ Special Duty Assignment Pay (SDAP), COMDTINST 1430.1 (series) establishes regulations for managing SDAP.

2. SDAP and RFC procedures. As authorized by law and established in regulation, the Coast Guard may terminate SDAP for a variety of reasons, including when a member is temporarily relieved for cause (RFC). ☞ Special Duty Assignment Pay (SDAP), COMDTINST 1430.1 (series) and Chapter 4.F. of this manual for specific procedures on payment or termination of SDAP during RFC.

4.C.7 Assignment as Engineering Petty Officer (EPO)

4.C.7.a. General

Certain Machinery Technician (MK) billets require exceptionally well-qualified personnel as Engineering Petty Officers (EPO). Only MKs will be assigned. These billets are listed in the ☞ Enlisted Billet Manual, COMDTINST M5320.6 (series).

1. The assignment of enlisted personnel to these billets is the responsibility of Commander (CGPC-epm-2)

2. EPO assignments require a special selection procedure because of the particularly high degree of leadership, performance, professional competence, and skill required for the job. Proper background experience, maturity, dedication, and professionalism are requisite qualifications for EPO.

4.C.7.b. Submission of Request

1. Requests for EPO assignment shall be submitted to Commander (CGPC-epm-2) through the chain of command on the ADC.

2. The CO or OIC shall endorse the member's request to include comments regarding the applicant's:

   a. Leadership required for independent duty

   b. Technical competence required for the job

   c. Maturity

   d. Dedication

   e. Professionalism

   f. Military bearing and appearance

4.C.7.c. Selection Procedure

1. Commander (CGPC-epm-2) shall review all requests for EPO assignments. Only those with the appropriate endorsement will be considered. If the total number of EPO billets available exceed the number of requests on file, Commander (CGPC-epm-2) will make assignments based on Service needs using the best qualified personnel available.

2. Commander (CGPC-epm-2) will assign personnel to EPO billets based on:

   a. Individual's past performance

   b. Commanding officer's endorsement

   c. Qualification codes

   d. Career experience

   e. Personal preference

4.C.7.d. Assignment Policy

1. Personnel who have served satisfactorily as EPO and possess the appropriate qualification code are considered eligible for subsequent EPO assignments based on that qualification code.

2. Tour lengths for EPO assignments are prescribed in ☞ Article 4.A.5.

3. **Relief for Cause of an EPO will be conducted in accordance with the procedures outlined in ☞ Article 4.F. Commander (CGPC-epm) orders permanent Relief for Cause for EPOs.**

4.C.8. Assignment as Executive Petty Officer (XPO)

4.C.8.a. General

Certain enlisted billets require qualified members as Executive Petty Officers (XPOs).

1. Commander (CGPC-epm-2) assigns enlisted personnel to these billets.

2. These assignments require a special selection process due to the high degree of technical competence, leadership, and managerial ability required of the position.

4.C.8.b. Qualifications for Assignment

1. Candidates must have no marks less than four on their enlisted evaluations and no mark of unsatisfactory in conduct for the last two years.

2. Candidates may have no record of civil arrest, court martial, nonjudicial punishment (NJP), alcoholism, drug misuse, indebtedness, etc., for the last two years.

3. Candidates may have no physical impairment that precludes worldwide assignment.

4. Candidates must meet the Commandant's weight standards listed in the ☞ **Allowable Weight Standards for Coast Guard Military Personnel**, COMDTINST 1020.8 (series).

4.C.8.c. Submission of Request

1. Submit requests for assignment as XPO to Commander (CGPC-epm-2) through the commanding officer or OIC on the ADC.

2. The commanding officer or OIC shall endorse the request addressing whether the applicant meets the requirements of ☞ Article 4.C.8.c.2., and include comments on these characteristics:

   a. Performance in leadership positions and overall performance

   b. Depth of professional knowledge

   c. Ability to demonstrate sound judgment

   d. Ability to work harmoniously with others

   e. Consistency in presenting a smart military bearing and appearance

4.C.8.d. Selection and Assignment Procedure

1. Commander (CGPC-epm-2) shall review all XPO assignment requests but consider only those with appropriate endorsements. Assignments will be based on Service needs using the best qualified personnel available.

2. Commander (CGPC-epm-2) will assign personnel to XPO billets based upon:

   a. Demonstrated leadership and performance;

   b. Command recommendation;

   c. Career experience and qualifications;

d. Availability of assignments;

e. Personal preference.

3. Every effort will be made to allow each XPO an on site relief with a suitable break-in period.

4. Tour lengths for XPO assignments are prescribed in ☞ Article 4.A.5. To ensure operational readiness, some flexibility in tour lengths may be necessary to phase rotations between the CO or OIC and XPO. Otherwise, extensions will not normally be granted.

5. **Relief for Cause of an XPO will be conducted in accordance with the procedures outlined in ☞ Article 4.F. Commander (CGPC-epm) orders permanent Relief for Cause for XPOs.**

4.C.9. Assignment To Vessel Traffic Service (VTS) Duty

4.C.9.a. General

Vessel Traffic Service (VTS) duty is a unique duty involving receiving, processing, analyzing, and disseminating navigation and maritime traffic safety information. Members assigned to a VTS use state-of-the-art market equipment, e.g., radar, computers, radio communications, and closed circuit television, in performing their duties. The VTS training program represents a considerable investment in time and personnel resources. The public expectations and mission requirements of the VTS program demand assigned members interact with maritime pilots, port officials, and other maritime professionals. Accordingly, members assigned to VTS duty must possess a high degree of maturity and stability and exercise sound judgement in performing their duties.

work with others under the most demanding and dangerous conditions. Instructors must be highly motivated, possess exceptional interpersonal skills, and have the ability to communicate effectively with personnel in all paygrades, as well as in front of groups.

4.E.19.b. Additional Qualifications

In addition to the minimum standards outlined in ☞ Article 4.E.2.a., a member applying for Surfman Instructor duty must:

1. Have held certification as a MLB Surfman within the previous 4 years.
2. Have a minimum of 4 years experience serving in the capacity as a Surfman.
3. Have the ability to effectively deliver training under extremely adverse weather conditions, as well as in the classroom.
4. Demonstrate an interest in teaching.
5. Be able to work harmoniously with others.
6. Possess sound judgment.
7. Meet the requirements for instructor per ☞ Article 4.E.6.

4.E.19.d. Surfman Instructor Training

New Surfman Instructors will receive extensive On the Job Training (OJT).

4.E.19.e. Evaluating Surfman Instructor Applicants

New Surfman Instructor applicants may be requested to attend an informal interview with the Commanding Officer and Senior Surfman Instructor at the National Motor Lifeboat School (funded by NMLB School). Once assigned, new members will be evaluated for suitability as Surfman Instructor, by the qualified Surfman Instructor staff, as early as possible. Those members who are found unsuitable shall be reassigned, as necessary, under the provisions of ☞ Article 4.E.4

4.E.20. USCGC Barque EAGLE Non-Rate Assignments

4.E.20.a. General

As the Coast Guard's preeminent major afloat training command and only square rigged sailing ship, service aboard EAGLE involves dangers not found on more conventional afloat units. Inherent in EAGLE's mission of seamanship training are the hazards associated with having large numbers of inexperienced cadets and officer candidates working aloft, far above the deck in her rigging, often during severe weather. Unlike other afloat units, the responsibility for the critical first line instruction and safety supervision of embarked trainees falls to the junior enlisted. In order to maximize safety, prospective crewmembers must be thoroughly screened before being assigned.

4.E.20.b. Screening Process

In addition to the minimum standards outlined in ☞ Article 4.E.2.a., potential candidates must be screened for suitability using the following criteria:

1. **Military Bearing. Must display exceptional military bearing and adherence to core values. EAGLE crewmembers are usually the first and often only exposure future officers have with our enlisted workforce. Therefore, it is essential that these crewmembers make positive, lasting impressions on their trainees.**

2. **Volunteers. All candidates must be well-informed volunteers. Performance as an instructor/safety supervisor requires a personal desire and interest in doing the best job possible.**

3. **Working Aloft. Volunteers must be made fully aware of the demanding and unique nature of regularly working up to 147 feet above deck in the ship's rigging. Therefore, it is extremely critical that candidates have no abnormal fear of heights.**

4. **Assignment Preference. Special consideration will be given to qualified candidates interested in striking either BM or MK. Individuals that successfully advance to petty officer through the striker program can expect to complete a three-year tour.**

4.E.20.c. Assignment Procedures

Commanding Officer, CGC EAGLE, shall provide screening criteria to Commander (CGPC-epm). Commanding Officer, Training Center Cape May shall coordinate with CGPC-epm to ensure strict compliance with the screening requirements.

4.E.20.d. Assignment to Class "A" School

As a result of the specialized training and experience necessary to serve in these critical billets, non-rated personnel assigned will not normally be eligible for assignment to Class "A" School until they have completed a two-year tour.

4.E.21. Rating Force Master Chief

4.E.21.a. General

The Rating Force Master Chief (RFMC) is the principal advocate for their specialty and is responsible for the overall health of the rating. RFMCs will manage the structure of their workforce and ensure that personnel are prepared to meet current and future missions to coincide with Program goals. RFMCs will have a crucial role in unit staffing and communicating Rating and Program

issues within the organization. They shall serve as a role model while exemplifying and promoting the Coast Guard's Core Values of Honor, Respect and Devotion to Duty.

4.E.21.b. Eligibility Criteria

1. **Have attained the rank of E-9, or are above the cutoff on the advancement eligibility list.**
2. **Have demonstrated superior leadership abilities and broad management skills.**
3. **Possess effective communication abilities (oral and written) and proven administrative capabilities.**
4. **Have demonstrated effective counseling skills.**
5. **Have a sharp military appearance and bearing.**
6. **Have an outstanding performance record.**
7. **Have a broad perspective of the rating.**
8. **Be a graduate of the Chief Petty Officer Academy, or a DOD Senior Enlisted Academy.**
9. **Be within two years of normal tour rotation.**

4.E.21.c. Duties and Responsibilities

The duties and responsibilities listed below are not intended to be all-inclusive, or compulsory. Generally, the RFMC shall:

1. **Develop New, Analyze Existing, and Maintain Training Requirements: Review curriculum for resident and nonresident training material. Project future training and course quota requirements. Manage annual training quota usage.**

2. **Manage Training Allowance Billets (TABS): Coordinating prioritization of TABS, ensuring curricula matches needs, work with providers on curricula, provide Program input to selection panel, oversee application process, and liaison with students and detailers.**

3. **Develop Enlisted Performance Qualifications (EPQs): Maintain currency of enlisted performance qualifications. Coordinate Occupational Analysis, rating review, and publication of new EPQs.**

4. **Monitor Enlisted Rating Structure: Monitor body to billet match and staffing standards to ensure alignment of pyramid structure with program missions. Forecast impacts on rating and recommend solutions/options.**

5. **Liaison with G-W: Provide Programmatic input on enlisted workforce initiatives including, but not limited to:**

   a. **Open rate list**

   b. **Selective Reenlistment Bonus**

   c. **Rate determination packages**

   d. **Enlistment bonus**

   e. **Advancement initiatives**

   f. **Special Pay initiatives**

   g. **Waiver Requests**

   h. **Upon invitation, and approval of the respective commander/commanding officer, participate in Headquarters and CGPC convened boards, panels, and studies that impact enlisted members.**

6. **Communicate with the Workforce:**

   a. **Communicate periodically with the Master Chief Petty Officer of the Coast Guard to provide input and exchange ideas regarding all enlisted personnel.**

   b. **Provide articles of interest to enlisted members via Force Notes and CG Intranet addressing current enlisted programs, opportunities, and policies.**

   c. **Endeavor to frequently visit units and meet informally with rating members to exchange ideas and disseminate information affecting all rating personnel.**

   d. **Assist in ensuring that lines of communication, both written and oral, are available to all rating personnel.**

   e. **Attempt to increase the desirability of a Coast Guard career by recommending action to improve the quality of work and life for Coast Guard enlisted personnel within their rating.**

4.E.21.d. Application and Selection Procedures

Those desiring assignment to an active duty RFMC billet will submit an application package to Commander, (CGPC-epm-2) via their chain of command according to the following guidelines.

1. **The application package must contain:**

   (a) **A one page letter requesting assignment to the Rating Force Master Chief position which should include a statement of why the applicant requests assignment to a RFMC billet and what experience the applicant would bring to the position. Two enclosures should also be included with the letter as follows:**

      (1) **A one-page resume listing assignment history.**

      (2) **Biographical Information submitted on U.S. Coast Guard Form CG-4035 (Rev. 10-84) (page one only).**

   (b) **Commanding officer's endorsement. The endorsement should address the following:**

      (1) **Security. Indicate the applicant's current security status and ability to gain and hold a secret clearance.**

      (2) **Core Values. Address applicant's demonstrated commitment to the Coast Guard's Core Values of Honor, Respect and Devotion to Duty.**

2. **Screening. Commander, (CGPC-epm-2) working closely with the specific resource management staffs along with the incumbent RFMC and the appropriate Assignment Officer will screen active duty application packages and provide recommendations to Commander, (CGPC-epm).**

3. **Selection and Assignments. Commander, (CGPC-epm-2) will provide anticipated active duty RFMC openings and issue orders to those selected. A RFMC will be given an Assignment Priority of Three when the member has successfully completed a full tour of duty in the RFMC assignment.**

Example 2. Orders authorize 10 days leave, no proceed time, no travel time, and date of detachment is 1 August.

If the member uses maximum time allotted, count the periods as follows:

1 August	Detached (day of duty)
2 to 11 August	Leave period (10 days)

The member must report for duty by 0900 on 12 August.

Under orders involving leave only, when the member reports determines whether the reporting date is a day of duty or a day of leave. If the member reports at or before 0900, the day would be a day of duty; if he or she reports after 0900 the day is a day of leave.

Example 3. Member detaches from duty outside CONUS. Orders authorize 4 days proceed time, 3 days travel time, 30 days compensatory absence, and 30 days leave, and departure date from the port of debarkation in CONUS is 31 May.

If the member uses maximum time allotted count the periods as follows:

31 May	Day detached (day of duty)
1 to 30 June inclusive	Period of leave (30 days)
1 to 30 July inclusive	Period of compensatory absence (30 days)
31 July to 3 August inclusive	Proceed time (4 days)
4 to 6 August inclusive	Travel time (3 days)

The member must report for duty by 2400 on 6 August.

Example 4. If the member reports on any day *before* 6 August; for example, 22 July, count the period in this manner:

31 May	Day detached (day of duty)
1 to 15 June inclusive	Period of leave (15 days)
16 June to 15 July inclusive	Compensatory absence (30 days)
16 to 19 July inclusive	Proceed time (4 days)
20 to 22 July inclusive	Travel time (3 days)

4.G.16. - 4.G.19. VACANT

4.G.20. Military Travel Orders

4.G.20.a. Forms of Orders

1. Standard Travel Order for Military Personnel (CG-5131).

2. A properly authenticated original message. Messages on teletype type paper are not valid as original orders; however, messages on such paper may be photocopied onto standard 8½x 11 inch paper for authentication. Valid message orders are on 8½ x 11 inch paper only.

3. **A properly authenticated Coast Guard Human Resources Management System (CGHRMS) travel order. To be valid these orders must be printed and signed by an order-approving official (see ☞ Article 4.G.4). All necessary information/amendments (modes of travel, advances, etc.) must be recorded on the orders, or be attached as an endorsement to the orders.**

4. Issue travel orders in letter form when the Standard Travel Order for Military Personnel is inadequate for directing the required travel and duty to be performed.

4.G.20.b. Individual Orders Required

These situations require individual original orders to submit claims. In these circumstances do not include travel in any group travel order:

1. The member is entitled to transportation for dependents and/or household goods.

2. The member has permission to perform travel at his or her own expense subject to reimbursement.

3. The member has authority to travel by POC.

4.G.20.c. Military Travel Orders

Prepare and dispose of Military Travel Orders according to the instructions in the ☞ Personnel and Pay Procedures Manual, **HRSIC**INST M1000.2 (series).

5.C.11.c. Personnel Assigned Designators

Personnel assigned designators may advance only to the rating indicated by their designator. ☞ Article 5.C.29.

5.C.11.d. Change in Rating

1. General Policy. The Commandant desires Coast Guard personnel to serve in the rate or rating for which they have the greatest aptitude and interest. However, due to the implementation of the Coast Guard's High Year Tenure (HYT) and Centralized First Term Reenlistment Review (CFTRR), changes in rating will only be approved for those ratings that need additional personnel. A change in rating may be made for members with less than five years Coast Guard Time In Service:

   a. At the request of the person concerned and requests should be submitted to Commander (CGPC-epm-1) via the chain of command, or

   b. In the best interest of the Coast Guard.

2. Methods by Which Changes in Rating Are Effected.

   a. By special authority of the Commandant;

   b. By Administrative Action in accordance with ☞ Article 5.C.30;

   c. By successful completion of Class "A" or "C" training for the purpose of changing rating;

   d. By Successful Completion of a Striker Program. Participation in a striker program to change rating must be authorized in each specific instance by Commander (CGPC). For specific guidance, see ☞ Chapter 5.E.

3. Personnel who have been approved by Commander (CGPC-epm) to change rating, may participate in the advancement for their present rating if otherwise qualified until they are advanced to E-4 in their new rating.

5.C.11.e. Headquarters Announced Deviation to Path of Advancement

The Commandant may authorize deviations from the normal path of advancement in Commandant Instructions or Notices to establish, disestablish, or merge ratings.

5.C.11.f. Examination of Personnel Under Instruction in Service Schools

1. Normal Path of Advancement. Personnel attending a Class "C" course which provides instruction in their normal path of advancement, if otherwise qualified, may participate in the Servicewide examinations.

2. Under Instruction for Change in Rating. All personnel who have authorization for a change in rating but have not received orders to Class "A" or "C" courses for rating conversion may participate in the advancement program for their present rating, if otherwise qualified, until they are enrolled in school. At that time, they will be considered to be in a "change of rating" status and are not eligible for advancement in the rating from which they are converting. An authorized advancement based on a SWE successfully completed prior to assignment to school may be effected.

3. Automatic Change in Rating in Equal Pay Grade on Completion of Course. Personnel under instruction for change in rating in pay grade E-4 are automatically changed in rating to the new rating in equal pay grade on successful completion of Class "A" course. Personnel in pay grades E-5 and E-6 under instruction for change in rating are automatically changed in rating to the new rating in equal pay grade on successful completion of Class "C" course. Personnel in pay grade E-6, who have requested assignment to Class "A" course and receive orders to such course, are reduced to pay grade E-5 prior to departing present unit. Upon satisfactory completion of Class "A" course all personnel in pay grade E-5 are reduced to pay grade E-4 and changed to the appropriate rating, unless specifically exempted by orders or current directives.

5.C.12 Special Requirement for Certain Ratings

5.C.12.a. Ratings Requiring Normal Color Perception and/or Normal Hearing

These ratings, including the assignment of designators, require incumbents to have normal color perception and/or normal hearing. Requests for waivers to these requirements will not be approved. However, members on active duty, who have previously received a permanent waiver from Commandant, may remain and advance in their rating.

NORMAL COLOR PERCEPTION	NORMAL HEARING
AMT, AVT, AST, BM, EM, ET, FT, GM, HS, PA, QM, RD, TT, **MK**	AST, TC

All personnel, regardless of rating, must possess normal color vision to be assigned to station boat crew billets or Aids to Navigation Teams (ANTs). Commanding officers bear the responsibility for ensuring that strikers in these ratings and all non-rates assigned to Coast Guard cutters qualifying for duty as lookout possess normal color vision.

5.C.14 Service Requirements and Determination of Service

5.C.14.a. Service Requirements

Advancement to:	Minimum Active Service Requirements
E-1 to E-2	May be effected upon recommendation of his or her Commanding Officer.
E-2 to E-3	Six months in pay grade E-2 or satisfactory completion of Class "A" School
E-3 to E-4	Six months in pay grade E-3
E-4 to E-5	Six months in pay grade E-4 **in current rating**
E-5 to E-6	12 months in pay grade E-5 **in current rating**
E-6 to E-7	☞ Article 5.C.5
E-7 to E-8	☞ Article 5.C.5
E-8 to E-9	☞ Article 5.C.5

(All service in the Coast Guard and Coast Guard Reserve must be continuous service conditions. ☞ Article 1.G.7.)

5.C.14.b. Determination of Service

Determination of service for eligibility for advancement will be made as follows:

1. Terminal Eligibility. Terminal dates for time in service and time in rate are designated as 01 July following the November examination and 01 January following the May examination. A Commandant Notice will announce any change to the terminal eligibility dates.

2. Time in Service. Time in service for eligibility for advancement and multiple computation is active duty in any of the Armed Forces and their Reserve components and is computed to the established terminal eligibility date. Periods of inactive duty, periods between discharge and reenlistment, and deductible time are not creditable for time in service. A correct Active Duty Base Date is the basis for this computation. The **U.S. Coast Guard** Pay Manual, COMDTINST M7220.29 (series) provides guidance in determining deductible time.

3. Time in Pay Grade in Present Rating (TIR). TIR is computed from the effective date of advancement to present pay grade for the rating in which presently serving to the established terminal eligibility date. All TIR, while on active duty in the Coast Guard or extended active duty for more than one year in the Coast Guard Reserve, provided the member wasn't reduced and subsequently advanced, will be credited as TIR. No credit will be given for the following service:

   a. If a member is reduced and subsequently advanced, TIR is calculated from the date of the most recent advancement. The time prior to the reduction is lost.

b. Service in any other branch of the Armed Forces or their Reserve components, periods of inactive duty, periods between discharge and reenlistment, and deductible time.

4. Reenlistment Under Continuous Active Service and Broken Active Service Conditions.

a. Only time previously served in the present or higher pay grade in the Coast Guard or Coast Guard Reserve, under continuous active service conditions within three months of separation is creditable toward TIR for eligibility.

b. TIR requirement for members who return to enlisted status after serving as a warrant or commissioned officer commences the date of return to enlisted status as outlined in ☞ Articles 5.C.3 and 5.C.4. Time served as a warrant or commissioned officer is not creditable toward TIR multiple computation.

c. Any enlisted time served in present or higher pay grades prior to serving as a warrant or commissioned officer is creditable for TIR for point purposes only. For example, if a member served as an E-7 for two years prior to being commissioned and then reverts to E-7, credit will be given for TIR by adding those two years to the TIR.

d. If a member has held a higher pay grade, the time in the higher pay grade is not creditable toward TIR calculations for the present pay grade and is not creditable at the higher pay grade if the member is subsequently advanced.

e. Members with broken active service, out of service over three months, will have their Date of Rank (DOR) and TIR based on the effective date of their reenlistment. Members who return to active duty within 2 years of their separation will receive full credit for any TIR formerly creditable prior to their separation. Members who return to active duty after 2 years from their date of separation may submit a request to Commander (CGPC-epm) for determination of credible TIR.

f. TIR credit for Temporary Separation Program. Members who return to active duty from the temporary separation program will receive full credit for any TIR formerly creditable prior to their separation under the temporary separation program.

5. USCGR Personnel on Active Duty Who Voluntarily Accepted a Reduction in Rate to Enlist or Reenlist Under Continuous Service Conditions in the USCG. Former USCGR personnel while on active duty who voluntarily accepted a reduction in rate for the purpose of enlisting or reenlisting in the Regular Coast Guard shall meet all the requirements of ☞ Article 5.C.4 and compete in SWE competition for readvancement on extended active duty, over one year. Time in the higher pay grade is not creditable at the present pay grade and is not creditable at the higher pay grade if the member is subsequently advanced.

6. Personnel Reduced in Rate. Personnel, who have been reduced in rate for any reason, may not count prior service in present or higher rates in determining TIR. The date of reduction is effective date of pay grade in present rating for determining subsequent advancement.

7. Personnel Restored in Rate.

   a. Article 15, Uniform Code of Military Justice (UCMJ). Article 15, UCMJ, and paragraph 134, Manual for Courts Martial (MCM) and the Military Justice Manual, COMDTINST M5810.1 (series), provide commanding officers with authority to set aside, remit, mitigate, or suspend within four months of its imposition, a punishment of reduction in rate imposed under Article 15, UCMJ, without reference to the Commandant. The specific action taken by the commanding officer has a direct effect on the individual's effective date of pay grade in present rating for subsequent advancement purposes. Generally speaking:

      (1) When an individual is reduced in rate and that punishment is later set aside and remitted or mitigated by the commanding officer within four months, the commanding officer shall restore all rights, privileges, and property affected. The individual's TIR is the same as if punishment had not been imposed. In all cases, commanding officers should carefully annotate their actions with appropriate Personnel Data Record entries so that the action they intended may be properly reflected.

      (2) When a commanding officer immediately suspends a punishment of reduction in rate for a probationary period and the probationary period expires without execution of reduction, the member's original TIR is the same as if the punishment had not been imposed.

   b. Commander (CGPC-epm) Action. ☞ Article 5.C.33 provides guidance in recommending personnel for restoration in rate not covered above. If the restoration is approved by Commander (CGPC-epm), the effective date of the restoration and eligibility date for subsequent advancement will be contained in the approval letter.

8. Personnel Removed From Temporary Disability Retired List. Personnel who have been placed on the temporary disability retired list and are subsequently found fit for duty and reenlist, will be credited with all active service in pay grade prior to retirement. In addition, time spent on the temporary retired list is creditable in computing TIR requirement for advancement.

9. Computing Periods of Less Than a Month. Compute service in years and months. Periods of less than one month, when totaled, shall be considered on the basis of 30 days being equivalent to one month.

5.C.15 Sea Duty for Advancement

5.C.15.a. Minimum Sea Duty

1. The minimum sea duty for advancement must be met by 01 February preceding the May SWE or by 01 August preceding the November SWE. Waiver for this requirement will not be granted except in cases where candidate is presently serving at sea or is under orders to sea duty and will meet the sea duty requirement by the effective date of the advancement eligibility list (01 July following the November SWE or 01 January following the May SWE).
2. If a member is transferred from a sea duty assignment before completing the required sea duty for advancement due to the needs of the Service, the sea duty requirements for advancement may be waived. The waiver will be documented in the orders of the member.

5.C.15.b. Sea Duty for Advancement

Sea duty for advancement purposes is defined as duty (PCS, TD, or TAD) aboard a floating unit, mobile unit (Refer to Chapter 4-B-4 of the ☞ U.S. Coast Guard Pay Manual, COMDTINST M7220.29 (series)), aids to navigation facility (ANFAC), CG Yard's WYTM, as a shiprider at a Fleet Training Group/Unit (FTG/FTU), **International Training Division (ITD),** or for LEDET personnel when assigned to vessels on a TAD basis. If a vessel is not listed in the OPFAC manual, it must come within the definition: "vessels 65 feet or over in length except barges, and all tugs of any length." Members claiming sea duty in the Navy or for TAD, must submit proof thereof, showing actual dates served. HRSIC (adv) may consider credit for sea duty on ships other than Coast Guard or Navy on an individual basis. For sea duty to be creditable during TAD periods, the member must not receive per diem (i.e. NESU personnel TAD to a cutter for maintenance).

5.C.15.c. Minimum Sea Duty for Designated Ratings

1. BMs who have been qualified as a Coxswain as defined in the ☞ Enlisted Qualifications **Codes** Manual, COMDTINST **M1414.9** (series), with at least 12 consecutive months of satisfactory performance as a regularly assigned boat coxswain on a **boat listed in the ☞ Boat Crew Training Manual, COMDTINST M6114.9 (series) (includes standard and non-standard boats),** are considered to have met the sea duty requirement for advancement to E-6. Winter months **that** preclude boat activity will be credited toward the consecutive duty criteria. The member's **unit or** servicing PERSRU will **record the coxswain competency into CGHRMS**.
2. Surfmen (**SU**, SM, or SK) who have satisfactorily served for 12 months as a certified Surfman (E4-E6) at a unit with an MLB or SRB assigned are considered to have permanently met the sea duty requirement for advancement to BMC.
3. For those members entering the TC rating prior to 01 February 1994 and who have had 12 months of duty above pay grade E-3 at a communications or radio station are considered to have met the 12 month sea duty requirement for advancement as outlined.

4. For members entering their designated ratings prior to 01 February 1994, the minimum sea duty requirements for eligibility for advancement in the ratings are listed below:

PAY GRADE	RATINGS	MINIMUM SEA TIME
E-6	BM, DC, EM, GM, MK, QM	Six months in any pay grade
E-6	FT, RD	18 months in the designated rating in any pay grade
E-7	BM, DC, EM, MK, TC, QM	12 months above pay grade E-3
E-7	FT, GM	18 months in pay grade E-5/E-6
E-7	RD	24 months in any combination of pay grades E-4/E-5/E-6

5. For members entering their designated ratings on or after 01 February 1994, the minimum sea duty requirements for eligibility for advancement in the ratings are listed below:

PAY GRADE	RATINGS	MINIMUM SEA TIME
E-6	BM	6 months in any pay grade
E-6	**ET, FT, GM, MK**	**12 months in any pay grade**
E-6	DC, EM	**12 months in the designated rating in any pay grade**
E-6	**QM**	**18 months in any pay grade**
E-6	**FS**	**24 months in any pay grade**
E-6	RD	30 months in any pay grade
E-7	BM	12 months above pay grade E-3
E-7	TC, TT	18 months in any pay grade
E-7	DC, MK	18 months in the designated rating in any pay grade
E-7	EM, ET, GM	24 months in the designated rating in any pay grade
E-7	FS, QM, RD	36 months in the designated rating in any pay grade
E-7	FT	48 months in the designated rating in any pay grade

5.C.15.d. Excluded Ratings

Individuals advancing in ratings excluded from ☞ Article 5.C.15.c. are not required to have sea duty experience.

5.C.15.e. Sea Duty Requirement for Change in Rating

A person holding a rating excluded from sea duty requirement under ☞ Articles 5.C.15.c. and d. above, desiring a change to a rating that has a sea duty requirement must meet the sea duty requirement for the desired rating.

5.C.16. Sea Duty Points for Servicewide Examination Competition

All personnel competing in the Servicewide Examination (SWE) competition will receive credit for each full month of Coast Guard sea duty earned after 1 February 1994, not to exceed 2 whole points per year, up to a maximum of **30** points in a career. **The points shall be applied to each SWE competition, irrespective of whether a candidate has been previously advanced using the sea duty points or the candidate's current duty assignment.** The Creditable Sea Duty point factor is not to be confused with Sea Duty for SWE Eligibility (See ☞ Article 5.C.15.c and d). Creditable Sea Duty points will be computed from 1 February 1994 to the Servicewide Eligibility Date of 1 February (for the May exam) and 1 August (for the November exam). The Human Resources Service and Information Center (HRSIC) will compute total sea duty points for each member prior to the SWE competition.

5.C.17. Vacant

5.C.18 Verification of Eligibility

Personnel Data Record entries, including PBQ form CG-3303C, must support eligibility to participate in the examination to advance in or change rating.

5.C.19 Requesting Personnel Data Record (PDR) Information

A candidate's current Personnel Data Record (PDR) should contain the information necessary to verify an individual's eligibility for advancement. However, if the PDR does not, the local unit can request such information from Commander (CGPC-epm). Since the information request is purely administrative, the unit need not send the request through the chain of command and can mail it directly to Commander (CGPC-epm), who will return it in the same manner. Submitting requests early is essential to avoid penalizing eligible candidates. Substitute examination will not be provided except in extenuating circumstances; see ☞ Article 5.D.3.

5.C.20. through 5.C.24. Vacant

5.C.25. General Provisions for Advancement

5.C.25.a. More than One Grade

An enlisted person shall not be advanced more than one grade at a time, except by specific authority of the Commandant or as authorized by ☞ Article 5.C.33.

5.C.25.b. Unfit for Duty

Personnel declared unfit for duty by Commander (CGPC)'s final action on physical disability retirement and separation procedures are eligible for advancement if their name appears above the cut-off for advancement on the current advancement eligibility list. Members who are being retired for physical disability under the provisions of Title 10, Chapter 61 will be promoted prior to retirement.

5.C.25.c. Withholding Advancements

1. The commanding officer shall withhold advancement for the following reasons:

   a. Disciplinary action pending.

   b. The member has not continued to remain eligible for advancement. ☞ Article 5.C.4.

   c. Undergoing medical treatment as a result of his or her own misconduct and subject to disciplinary action.

   d. Holding an aviation rating but in a non-flying status. ☞ Management and Administration of Aviation Incentive Pays, COMDTINST 7220.39 **(series)**.

   e. Personnel whose names appear below the cut-off for advancement on the current advancement eligibility list and who have been declared unfit for duty by the Commandant's final action on physical disability retirement and separation procedures are ineligible for advancement.

   f. Not complying with ☞ **Allowable Weight Standards for Coast Guard Military Personnel**, COMDTINST M1020.8 (series).

2. If an advancement is not effected for any reason listed above, the commanding officer shall notify Commander (CGPC-epm) and the cognizant PERSRU by message with the Human Resources Service and Information Center as an information addressee. The message shall include the reasons for the action and a statement that the member understands why advancement was withheld.

3. An advancement withheld based on reasons specified above may be effected at a later date but not later than the expiration of the current eligibility list. When the commanding officer feels that an individual is deserving of an advancement that has been withheld, he or she shall advise Commander (CGPC-epm) with their recommendation in order that the member may be advanced. No member whose advancement has been withheld may be carried over to the new eligibility list.

5.C.25.d. Cancellation of Advancement

If at any time prior to effecting an advancement, a commanding officer wishes to withdraw his or her recommendation because an individual has failed to remain eligible and it appears that eligibility will not be attained prior to expiration of the current eligibility list, the commanding officer shall advise the Human Resources Service and Information Center by message with Commander, (CGPC-epm), as an information addressee, to remove the individual's name from the eligibility list. When the commanding officer notifies Commander, (CGPC) that he or she has withdrawn his or her recommendation, he or she shall state his or her reasons for the action and include a statement that the individual understands the reasons his or her name will be removed from the eligibility list. This notification is not for the purpose of a review of the commanding officer's decision, but rather to allow for orderly personnel and financial planning by Commander (CGPC). The only review of the commanding officer's decision under ☞ Articles 5.C.25.c. or d. would be a complaint under Article 138, UCMJ.

5.C.25.e. Obligated Service Requirement

1. Personnel advancing to pay grade E-7, E-8, or E-9 will be required to remain on active duty for two years from the effective date of their advancement to the new grade. Personnel who accept advancement to pay grade E-7, E-8, or E-9, **not serving on an indefinite reenlistment**, will be required to either extend their enlistment or reenlist prior to advancement, if necessary, to ensure meeting the two year obligated service requirement. If personnel cannot reenlist or extend for the full two years due to High Year Tenure, then they must obligate to their Professional Growth Point for the new pay grade.
2. Personnel advanced to pay grade E-7, E-8, or E-9 understand that a request for voluntary retirement or early release will not be effected prior to completion of the two year obligated service requirement. ☞ Articles 1.G.14.a.2., 4.C.3., 12.B.12.b.2., and 12.C.11.a.2.b.(4)

4. Personnel who do not desire to incur the two year obligated service must decline the advancement to pay grade E-7, E-8, or E-9 prior to the effective date of advancement. Follow ☞ Article 5.C.25.f. for personnel who decline advancement or voluntarily elect to have their name removed from the SWE advancement eligibility list. Upon effecting the advancement to pay grade E-7, E-8, or E-9, personnel incur the two year obligated service.

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5.E. StrikerProgram

5.E.1 Striker Program

5.E.1.a. Discussion

A viable, effective advancement opportunity for nonrated members is available through the striker program. Strong command support and close attention to the administration of the striker program, within the constraints of on-the-job training opportunities existing at a particular unit, are considered leadership obligations for all supervisors. Guidelines for the striker program are set forth below:

1. The striker ratings and the appropriate advancement path for personnel desiring to advance in this manner are as follows:

   a. SN to BM, DC, FS, PS (Reserve only rating), QM, YN, or SK.

   b. FN to MK, EM or DC.

   c. In situations where a nonrated member is judged to be qualified for advancement to a rating outside the normal path of advancement listed above, Commanding Officers and Officers in Charge may allow the member to strike and/or be subsequently **designated** or advanced to the chosen rate if all eligibility criteria for that rating are met. **Upon receipt of notification from the unit (☞ Article 5.E.1.a.3.), HRSIC will convert the member's rate and assign an appropriate designator. (Example: When a SN completes the MK striker program he or she will be converted to FNMK until advanced to MK3).**

2. To be recommended for advancement under the striker program, a member must:

   a. Be serving in pay grade E-3 and meet the six month Time in Paygrade (TIG) requirement;

   b. Complete the required correspondence courses;

   c. Complete the required performance qualifications as outlined in ☞ Enlisted Performance Qualifications Manual, COMDTINST M1414.8 (series); and

   d. For six months prior to being recommended for advancement under the striker program and for the entire period from recommendation to advancement, personnel in pay grade E-3 must have no unsatisfactory conduct mark, court-martial (CM) or civil convictions, or NJP punishments. If confinement is imposed by NJP or CM and the member is confined, the good conduct eligibility period starts on the date of release, regardless if on probation. If no confinement is included in the punishment or sentence, the good conduct

eligibility period starts the day following conviction or awarding of NJP. Good conduct eligibility following unsatisfactory marks in conduct or a factor mark less than those provided for in ☞ Article 10.B.9., begins on the day following the effective date of the Enlisted Employee Review Form. Commanding officers will submit a message to HRSIC(adv), with Commander, (CGPC-epm-1), as information adressee, to remove from the current striker advancement eligibility list any person who has received a court martial or civil conviction, NJP, or unsatisfactory conduct mark (☞ Article 10.B.9.), after the individual has been recommended for advancement, but has not been advanced under the striker program.

3. When a member is fully qualified in one of the striker ratings, a commanding officer may submit a message recommendation to HRSIC and inform Commander, (CGPC-epm-1) in the following format:

   a. Member's name, rate, and SSN.

   b. Date advanced to SN/FN.

   c. Completion dates for Performance Qualifications, Rating EOCT, and MRN EOCT.

   d. Certification by the commanding officer that the member is fully qualified and recommended for **a designator and/or** advancement.

4. No waivers of the above requirements will be granted.

5. Members will be placed on the respective striker eligibility list according to Date Time Group (DTG) of the message submitted by the commanding officer. Personnel are then advanced to pay grade E-4 by precedence from these lists to fill Servicewide vacancies in each striker rating. A commanding officer may withhold or cancel his/her recommendation for advancement in accordance with ☞ Article 5.C.25.

6. The striker advancement eligibility lists will be published as an addendum to the SWE advancement eligibility lists following each SWE. These lists will be updated monthly, and will be distributed in conjunction with the monthly Class "A" School waiting lists.

5.E.1.b. Methods of Change in Rating

1. By successful completion of a Striker Program for ratings of BM, DC, EM, MK, QM, SK, FS, YN and PS. ☞ Article 5.E.1.a.

2. Upon successful completion of Class "A" or "C" training.

7.B.2.b. Regular Liberty

Liberty should normally be granted from the end of normal working hours on one day to the commencement of working hours on the next working day. On weekends, this regular liberty should normally be authorized to commence at the end of working hours on Friday afternoon until commencement of normal working hours on the following Monday morning. For members on shift work, equivalent schedules should be arranged, though the days of the week may vary. Regular liberty periods shall not exceed three days in length, except in the case of public holiday weekends and public holiday periods specifically extended by the President.

7.B.2.c. Special Liberty

Special liberty periods of three or four days may be granted on special occasions or in special circumstances, such as:

1. Compensation for significant periods of unusually extensive working hours.

2. Compensation to members on board ship in overhaul away from homeport.

3. Compensation for duty in an isolated location where normal liberty is inadequate. (Note: This does not apply to units for which compensatory absence is authorized.)

4. As special recognition for exceptional performance, as determined by the commanding officer.

5. As a traffic safety measure on long weekends or to avoid peak traffic periods.

6. **For PCS related activities (e.g., household goods packing and pickup).**

7.B.2.d. Combining regular and special liberty

Treat the combination of regular and special liberty as special liberty. Special liberty and leave shall not be combined to permit continuous absence from the duty station. They shall not be affected in succession or series through commencement of one immediately upon return to duty from the other.

7.B.2.e. Compensatory Time

When the operational situation permits, compensatory time off as liberty should normally be granted following in-port duty on national holidays. When granted, this compensatory time off should, except in unusual circumstances in individual cases, be granted the first working day after the holiday. If a holiday falls on a weekend and a Friday or Monday is designated as the non-work day, compensatory time off is to be applied to both the holiday and the observed day, on a day-for-day basis.

7.B.2.f. Treatment for Infectious or Contagious Diseases

Members under treatment for infectious or contagious diseases shall not be granted liberty while in an infectious stage except in cases of urgent personal matters which, in the discretion of the command, require the member's presence.

7.B.2.g. Public Holidays

The following public holidays established by law will be observed except when military operations prevent. When such holidays fall on a Saturday, the preceding Friday will also be considered a holiday. When such holidays fall on a Sunday, the succeeding Monday also will be considered a holiday. Holidays are charged as leave if they fall on or within the effective dates of leave:

New Year's Day	1 January
Martin Luther King Jr's Birthday	Third Monday in January
Washington's Birthday	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	4 July
Labor Day	First Monday in September
Columbus Day	Second Monday in **October**
Veteran's Day	11 November
Thanksgiving Day	Fourth Thursday in November
Christmas Day	25 December
Other	When directed by proper authority under law

7.B.2.h. Deprivation of Liberty

Subject to the provisions of the Manual for Courts-Martial, restriction as a punishment may be awarded by courts-martial or at captain's mast (nonjudicial punishment), which will result in the deprivation of liberty. Assignment of extra duties shall not be construed to include deprivation of liberty on shore except during the hours such extra duties are being performed. Upon completion of the daily extra duty assignment, if the liberty period is long enough to permit, liberty should be granted on the days when the member concerned would normally be entitled to it.

to speedy trial. When it is known at the time of transfer or subsequently becomes apparent that extraordinary circumstances will prohibit bringing an accused person transferred in accordance with this article to trial in less than 60 days, the command having assignment authority over the accused will designate the accused member's duty status as temporary duty (TEMDU) for disciplinary action. Similarly, should it be known at the time such transfer is ordered that the person awaiting trial is unlikely to be returned to the parent command after trial, transfer will be ordered as TEMDU for disciplinary action. Competent authority to order TAD or TEMDU transfers of persons awaiting trial is the command normally having transfer authority over that person. Competent authority is Commander (CGPC-epm). For officer personnel, competent authority is Commander (CGPC-opm). When apprehended or surrendering deserters are returned to Coast Guard custody, Commander (CGPC-epm) will designate the individual's command assignment and duty status in accordance with the provisions of ☞ Article 8.C.3. When the apprehended or surrendering deserter is an officer, Commander (CGPC-opm) will so designate. The authority under which persons may be ordered into TAD or TEMDU status and/or transferred while awaiting trial pursuant to this article terminates effective with completion of a court-martial or resolution of the charges by other means. Persons found guilty and sentenced to confinement and/or punitive discharge shall be administered as provided for in ☞ Article 8.F.4.i. All others will be ordered to a permanent unit to resume regular duties.

8.F.4.i. Military Duty Status of Persons Sentenced to Confinement by Court-Martial

1. Persons sentenced to confinement of less than 90 days shall normally be placed in a TAD status for the duration of confinement unless:

   a. The member was also sentenced to a punitive discharge, or

   b. The assignment authority otherwise considers it unlikely that the offender will be ordered to return to his or her parent command after release from confinement.

2. Coast Guard members with sentences to confinement of 90 days or more, or with an unsuspended punitive discharge approved by the convening authority shall be assigned to:

Unit	OPFAC	Servicing PERSRU
Commanding Officer Human Resources Service & Information Center Federal Building 444 S.E. Quincy Street Topeka, KS 66683-3591	53-47400	53-47400-02

3. Assignment to HRSIC(SES) does not alter, expand, or reduce the convening authority's responsibilities under the UCMJ with respect to the member, see R.C.M 1107(a), MCM (series).

4. The procedures for required appellate leave are found in ☞ Article 12.D.2.

8.F.4.j. Changes in Status

Whenever the reason for placing a person in TAD or TEMDU status changes, the command having assignment authority over the person will, upon notification by the individual's command, reevaluate the situation and order a change in status and/or assignment if appropriate. For example, should an accused person who had been transferred on TAD to another unit pending trial subsequently be convicted by court-martial and sentenced to three months confinement, the status would be changed to TEMDU, and transfer to a different unit for post-trial administrative processing may be ordered if warranted. The commanding officer holding a member's Personnel Data Record will be his or her commanding officer for all administrative functions and purposes.

8.F.4.k. Action Required Prior to Delivery of Prisoners

Delivery of prisoners to Naval brigs should be planned to provide for the prisoner's arrival at the brig during working hours. Should exceptional circumstances preclude this, appropriate prior liaison with the commanding officer of the designated brig will be initiated by the controlling Coast Guard command. Upon designation of place of confinement, a designation message confirming all details shall be transmitted to the appropriate brig, listing as information addressees: Commandant (G-WPM) and Commander (CGPC-opm) or (CGPC-epm) as appropriate; the Coast Guard and Naval districts involved; the parent command of the designated brig; and all Coast Guard commands having administrative responsibility for the member (including the member's servicing PERSRU and ACO). An estimated time of arrival (ETA) for the prisoner should be included and updated by message or telephone as necessary. The message should also specifically detail the prisoner's pay status, (e.g., whether or not an adjudged automatic forfeiture of pay and allowances is in effect), and shall identify the servicing PERSRU who maintains the member's pay and personnel records. If a non-duty-hour ETA has been agreed to by the brig, details should be confirmed in the designation message.

8.F.4.l. Movement and Escort of Prisoners and Offenders

The movement and escort of persons undergoing disciplinary action, or of newly apprehended offenders, shall be accomplished in strict compliance with the provisions of ☞ Articles 8.G.4 and 8.G.5.

8.F.4.m. Pre-Confinement Physical Examination

Prior to accepting members for confinement, Navy policy requires certification that the member is physically fit for confinement. Specifically, the signature of a medical officer attesting to a prospective prisoner's fitness for confinement is required at the bottom of the Confinement Order, NAVPERS l640/4. (☞ Article 8.F.5.a.) Normally, the certification may be rendered by the medical facility tasked to provide routine medical support to the command. When this is not possible, the nearest available military medical officer or contract physician should certify fitness for confinement. When emergency circumstances preclude conduct of a pre-confinement physical examination, details should be discussed with the commanding officer of the brig during the predesignation telephone liaison required by ☞ Article 8.F.4.b. This liaison should be used to clarify details of the certification of fitness for confinement in every case.

8.F.5. Confinement Orders and the Process of Confinement

8.F.5.a. Confinement Order

1. The brigs listed on the current Confinement Designation Chart (☞ Exhibit 8.F.1.) will receive Coast Guard prisoners provided space is available. Commanding officers of brigs are authorized to establish a maximum prisoner population that shall not be exceeded. Coast Guard units using the brig are obliged to comply with the brig's local administrative and operational instructions. The officer ordering confinement must in every case provide a written order of confinement, with offenses indicated and properly signed. Form NAVPERS l640/4 will be used for this purpose. The signed order should specify the nature of the offense(s) charged against the prisoner and the UCMJ article under which each offense is charged for confinement.

2. A Confinement Order may be prepared by or signed by the member's commanding officer or other officer designated for that purpose by the commanding officer. The "Remarks" section of the Confinement Order should note specifically any physical or behavioral abnormalities of which the brig should be aware. Examples would be: Diagnosed or suspected suicidal tendencies or any limitations to normal activity. The "Remarks" section should also identify by name and phone number, the commanding officer of the prisoner's reporting unit. Care should be taken in completing the offense portion of the order since the details thereof will assist the brig in proper evaluation of the prisoner and may influence the custody classification assigned. The term safekeeping is not a reason for confinement and shall not be used as a substitute for an offense. When the reason for confinement changes; e.g., when a prisoner who has been confined pending trial for an alleged violation of the UCMJ (pretrial) subsequently is convicted by court-martial and sentenced to confinement, a new confinement order shall be prepared reflecting the change of status. This confinement order shall be delivered to the brig at the time the prisoner is reconfined. When a place of confinement is redesignated or a transfer is authorized as provided in ☞ Article 8.F.4.e., a new confinement order may be required as determined by the circumstances and the desires of the commanding officer of the brig.

3. If confined by sentence of court-martial, the order shall show the date confinement begins (if other than date adjudged) and by what authority imposed.

8.F.5.b. Notification of Confinement Status

Following trial, the convening authority shall notify the commanding officer operating the brig, in writing, of the charges and specifications of which the accused has been convicted, and the sentence. Likewise, the convening and supervisory authorities shall promptly inform the commanding officer of the brig by certified true copies of their action in the case. Complete and current official information concerning a prisoner's legal status is essential to the brig's planning for adequate security measures and program participation. When an action is promulgated by a court-martial order or supplementary order, a certified true copy thereof will serve as the written notice required above.

8.F.5.c. DNA Collection and Analysis Requirements

1. **Authority. Section 1565 of Title 10 U.S.C. requires the Military Departments and the Department of Transportation to collect DNA sample from each member of the armed forces under their jurisdiction who has been convicted of a "qualifying military offense" (QMO) listed in ☞ Exhibit 8.F.3. This requirement does not include any member in the custody of the Federal Bureau of Prisons or under the supervision of a Federal probation office. The U.S. Army Criminal Investigation Laboratory (USACIL) will analyze the sample and send the results to the Federal Bureau of Investigation for inclusion in its Combined DNA Index System (CODIS).**

2. **Definition. A QMO conviction is defined as the findings of guilty by a general or special court-martial that include a QMO after the court-martial convening authority has taken action under Article 60, UCMJ. The requirement to collect DNA samples does not apply to the findings of a summary court-martial or a proceeding under Article 15, UCMJ.**

3. **Staff Judge Advocate Responsibilities. Staff Judge Advocates (SJA) shall determine if a member has been convicted of a QMO. A list of UCMJ offenses determined to be "qualifying military offenses" (QMO) is contained in Exhibit 3. Every convening authority action containing QMO's must have "DNA processing required IAW 10 U.S.C. 1565" annotated in bold on the top of the first page of the initial promulgating order. SJAs shall ensure that a copy of each annotated promulgated order is provided to the USACIL and, as applicable, the correctional facility and/or unit to which the convicted member is assigned.**

   Send promulgating orders to:

U.S. Army Criminal Investigation Laboratory **ATTN: CODIS Lab** **4553 N. 2nd Street** **Forrest Park, GA 30297-5122**

4. **Collecting DNA Samples from members already in confinement. Members in confinement at the time the convening authority's promulgating order is signed will have their blood extracted either at the correctional facility or be taken to a local dispensary. Each DoD correctional facility will identify and collect DNA samples from all of its prisoners who have a QMO conviction regardless of Service affiliation. The correctional facility will ensure that the member's confinement file reflects that a DNA sample has been collected.**

5. **Collecting DNA Samples from members on appellate leave. For members who have been released from confinement and remain on active duty, the cognizant Staff Judge Advocate will coordinate with the nearest correctional facility and service member's parent command to ensure they are sent to have their DNA sample extracted.**

6. **<u>Collecting DNA Samples from members not in confinement</u>. The statute requires DNA extraction from all members convicted of a QMO who remain subject to military jurisdiction as established by Article 2, UCMJ. For those members still on active duty, and not in confinement, the member's command must identify whether they have been convicted of a QMO, then coordinate with the nearest correctional facility or dispensary to secure a DNA sample.**

7. **Correctional representatives or command representatives will ensure that all DNA samples are collected by qualified medical personnel using the kits provided by USACIL and in accordance with the accompanying instructions. The sample must be sent to USACIL to be analyzed and the results will be sent to the Federal Bureau of Investigation for inclusion in its Combined DNA Index System (CODIS). The sender will notify the USACIL by letter that the sample has been mailed. The notification shall include only the name of the individual from whom the sample was taken, the kit number, and the location from which the sample is being mailed. The USACIL will confirm receipt of the sample and notify the sender if problems are encountered that require the DNA sample to be redrawn. The USACIL can be contacted at (404) 469-7023. The correctional facility or command representative responsible for ensuring that a DNA sample is collected from a member with a QMO conviction will ensure that the member is given a card informing him or her that if the conviction for each QMO is reversed during appellate review, the member may request, via chain of command, that the USACIL expunge the DNA analysis from CODIS. The USACIL will provide preprinted cards as part of the collection kit.**

8. **<u>Processing of expungement request</u>. Upon receipt of expungement request, the USACIL will, for each QMO conviction, request the member's command or representative to provide a certified copy of a final order establishing that the conviction was overturned. Additionally, the USACIL will determine whether the requester has a conviction for qualifying Federal offense (section 14135a of Title 42, U.S.C.), or qualifying District of Columbia offense (section 14135b of Title 42, U.S.C) before taking action to expunge the record based on a QMO. Only in those cases where the USACIL has verified that the requester has no other qualifying military, Federal, or District of Columbia conviction will it expunge the DNA analysis from CODIS. When a DNA analysis is expunged, the DNA sample maintained at the USACIL will be destroyed.**

9. **Any question concerning the above policy shall be directed to Commandant (G-WPM-1).**

8.F.5.d. Records

A prisoner shall be transferred with his or her health record, prescribed court records, including the report of trial, and copies of any Personnel Data Record (PDR) pages which may be requested by the commanding officer of the brig at the time of the predesignation liaison. In all court-martial cases certified true copies of his or her court-martial order will be forwarded to the designated place of confinement as required by the

☞ Military Justice Manual, COMDTINST M5810.1 (series). The report of trial shall include a statement of the number of days of pretrial confinement, any judicially ordered credit for unlawful pretrial confinement, and the provisions of any pretrial agreement binding upon the convening authority. Whenever a convening authority or Officer Exercising General Court-Martial Jurisdiction deems that PDR information which has been requested by the brig is essential to the Coast Guard's review of the case, machine copies of the appropriate pages will be retained for the review, vice the PDR itself. Prior to transfer, the transferring command will ensure that an up-to-date form CG-33l2D is included in the prisoner's record.

8.F.5.e. Uniforms

Prisoners shall be delivered in the appropriate Service Dress uniform. During the predesignation telephone liaison, the officer ordering (or arranging for) confinement should determine the requirements of the commanding officer of the brig concerning the items and amount of clothing to accompany the prisoner on delivery. As a guide, however, the regular prison uniform at Navy and Marine Corps brigs is the properly marked working uniform of the prisoner's own Service, including protective footwear. The Navy considers bath towels and handkerchiefs as part of the prisoner's seabag. Accordingly, an adequate supply of each should accompany the prisoner upon delivery. It should be noted that brigs are unable to provide spare items for the Coast Guard uniform. Accordingly, it is important that the prisoner be delivered with a sufficiently full seabag to sustain his/her needs during the anticipated period of confinement. A prisoner delivered without the proper uniforms will be required to purchase whatever Navy or Marine Corps uniform items may happen to be available, provided the prisoner is in a pay status. The prisoner will have the option of paying cash or having the purchase charged against his or her pay account, whether or not the charge will result in overpayment. Prisoners in non-pay status who are delivered to the brig without the necessary prisoner uniforms will be loaned whatever Navy or Marine Corps items of clothing can be provided.

8.F.5.f. Health and Comfort

While Naval brigs will provide enlisted prisoners in a non-pay status with health and comfort issues at Government expense; e.g., toilet articles, laundry items, grooming items, tobacco, postage, writing materials, and other necessities to maintain personal comfort, hygiene, and military appearance, all other prisoners will be required to purchase these items. A prisoner is considered to be in a non-pay status if:

1. All pay has been stopped either as the result of an adjudged sentence or by operation of the automatic forfeiture provisions of Article 58B, UCMJ.

2. Confined awaiting trial by a foreign court under the conditions set forth in the ☞ **U.S. Coast Guard Pay Manual**, COMDTINST M7220.29 (series).

3. The member is serving post-trial confinement and his or her enlistment has expired. (☞**U.S. Coast Guard Pay Manual,** COMDTINST M7220.29 (series)).

4. Awaiting determination separation because of fraudulent enlistment. Commanding officers and convening authorities should identify the health and comfort items that

should accompany a prisoner upon delivery at the time of the predesignation liaison. If the prisoner has these items, or is confined during working hours and can obtain them, the items should accompany the prisoner upon delivery to confinement. It is the responsibility of the prisoner's commanding officer to ensure that prisoners have an adequate supply of health and comfort items upon commitment. When exigent circumstances require that a prisoner be confined without the necessary health and comfort items, the brig will issue essential items during processing for commitment. Thereafter, the brig will provide each prisoner with a periodic resupply of consumable items. The initial supply should be adequate for one month's average use, but may be prorated if the regular replacement, or the prisoner's release, will be in less than a month. Any items on the following list will normally be approved in adequate quantities:

Laundry Bag	Comb	Soap, Bath
Blades, Razor	Deodorant, Stick Type	Soap or Powder, Laundry
Box, Soap	*Handkerchiefs	Toothpaste or Powder
Brush, Shaving	Razor, Safety or Electric	*Towels, Bath
Brush, Tooth	Sandals, Bath	Writing Materials and Postage
Clipper, Nail	Shoe shining Gear	
Cloths, Face	Smoking Material and Matches	

*Handkerchiefs and bath towels are available in Navy retail clothing stores and are considered as items of clothing for Navy prisoners, rather than as health and comfort items.

8.F.5.g. Military Pay and Allowances

While in military confinement, the prisoner's pay and personnel records shall be maintained by the appropriate servicing PERSRU. The designation message required by ☞ Article 8.F.4.k. shall indicate the prisoner's pay status and identify the PERSRU who handles the prisoner's pay and personnel records. The commanding officer of the brig must be advised of changes in a prisoner's pay status, such as automatic forfeiture or execution of an adjudged sentence to forfeiture. The member's PERSRU must be kept appraised of the member's confinement status so that appropriate pay and confinement-related documents can be prepared.

8.F.5.h. Delivery of Prisoners

Delivery of prisoners to brigs should be planned to provide for the prisoner's arrival at the brig during working hours. Should exceptional circumstances preclude this, appropriate prior liaison will be initiated by the controlling Coast Guard commanding officer with the commanding officer of the brig.

8.F.5.i. Prisoner Escorts and Transportation of Prisoners

Members designated to serve as prisoner escort should be mature, responsible officers, chief warrant officers, or petty officers, who are well qualified by training and/or experience for the assignment, as required by ☞ Chapter 8.G. The appointment and

conduct of escorts and the movement of prisoners shall be in strict compliance with the policy contained in ☞ Chapter 8.G.

8.F.6. The Corrections Phase

8.F.6.a. Policy

Upon arrival of a sentenced prisoner at a brig, the military corrections process discussed in ☞ Article 8.F.1 comes fully into play. Congress has tasked the military corrections system to strive toward both punitive and rehabilitative goals. For rehabilitative purposes, the Armed Force operating the correctional center or Naval brig is responsible for conducting an adequately supported corrections program designed to enhance the offender's ability to reorient his or her own behavior, at least to the extent of preparation for successful and productive integration back into either military or civilian society. Inasmuch as the Coast Guard does not operate its own brigs, this article deals primarily with command responsibilities relating to Coast Guard prisoners confined in Naval brigs and with the avenues to statutory and administrative relief which are open to the offender.

8.F.6.b. Command Responsibilities during Confinement: Command Visits

Naval brigs are authorized and funded primarily to rehabilitate offenders for resumption of productive service in the case of restorees, or for productive integration back into society at large in the case of dischargees. Accordingly, contemporary military corrections programs place a heavy emphasis on rehabilitation through provisions of specialized, incentive weighted counseling and training conducted in an environment oriented toward rehabilitation. **As part of the rehabilitative process the** Navy makes involvement and support of the parent organization mandatory. **Regular Service visitation and/or contact is required** by all commands, including Coast Guard and Marine Corps commands, utilizing Naval brigs for either pretrial or sentence confinement. Command visitation is encouraged where Army or Air Force facilities may be utilized as well. Specifically:

1. <u>Pre-trial Confinement and Confinement less than 90 days</u>.

    a. Commanding officers will establish a visitation program to provide for visiting offenders in confinement at least weekly **pre-trial and monthly post-trial. The** commanding officer may designate a commissioned officer or senior petty officer to act in his or her behalf. When the parent command is a Coast Guard operational command which is deployed, the district commander or shoreside operational commander, as appropriate, should arrange for the visits to be conducted by a commissioned or senior petty officer from his or her staff. If the commanding officer deems appropriate, he or she may augment the command visitation program by calling on the capabilities of special program personnel such as a chaplain, the senior enlisted advisor, or civil rights counselor. The requirement for command visitation applies to all Coast Guard commands ordering prisoners into confinement, whether the confinee is attached only for TEMDU or is a member of the permanent party.

b. The prisoner visitation requirement potentially imposes an unreasonable travel burden on some Coast Guard commands. As a general guide, commanding officers are authorized to waive physical visitation when the one-way travel time between the unit and the brig normally exceeds **2** hours, or when genuine operational or administrative priorities preclude visitation. **The command, however, must ensure that the prisoner is visited at least monthly by a Coast Guard representative and that the brig has the name of a reliable, single point of contact both for the prisoner or for the needs of the brig. In between visits**, the command should maintain a liaison with the prisoner and the commanding officer of the brig by mail, telephone, or both.

2. <u>Confinement greater than 90 days and prisoners with unsuspended punitive discharges</u>. It is a very rare circumstance that a member awarded long-term confinement returns to his or her unit. While the prisoner is entitled to certain administrative support from the parent Service, the rehabilitation process does not require the same level of face-to-face contact with the prisoner.

a. Upon entry into confinement, the prisoner is transferred PCS to HRSIC. Prior to releasing the prisoner to HRSIC, the member's parent command or the convening authority shall ensure that the following data is available:

(1) The prisoner's expected release date (assuming good behavior).

(2) A determination of the prisoner's post-release transportation entitlement (e.g., to the last point of active service, home of record, place of enlistment, or home of selection).

(3) Other entitlements authorized to the prisoner (i.e., movement of household goods, dependent travel).

(4) An accounting line for travel and transportation for the prisoner, any dependents and any personal effects authorized for relocation. Where the prisoner's sentence is likely to span multiple fiscal years, the convening authority shall provide a point of contact for obtaining a current accounting line to be used at the time of release.

b. The primary source of on-site rehabilitative assistance for long-term prisoners will be the commanding officer of the confinement facility to which the prisoner is assigned. Commanding Officer, HRSIC shall make a representative of his or her command available on-site within 24 hours of receiving a request from the commanding officer of the confinement facility. Commanding Officer, HRSIC shall respond to any need for administrative support immediately upon receiving such a request from the commanding officer of the confinement facility.

c. Commanding Officer, HRSIC will function as the long-term prisoner's commanding officer for the purpose of the Article 138 UCMJ complaint process and will so inform the prisoner in writing during the prisoner's first week assigned to confinement. The prisoner shall be informed of the procedure for contacting HRSIC to address personal or logistical concerns (pay, obtaining health and well-being items, uniform availability, movement of personal effects and dependent support). Commanding Officer, HRSIC, or his or her representative shall maintain contact with the prisoner by mail or telephone weekly during the first month of

confinement and at least monthly thereafter for the duration of the confinement. Commanding Officer HRSIC shall seek targets of opportunity (e.g., extending the TDY of any HRSIC military member who is on temporary duty in close proximity to a brig housing a long-term Coast Guard prisoner) to achieve a target of visiting each of HRSIC's prisoners at least quarterly.

3. **Appellate Process. Commanding Officer, HRSIC's designation as Commanding Officer for prisoners in long-term confinement remains primarily administrative for the purposes of providing logistics support. This designation does not alter the responsibility of the convening authority or the Chief Counsel to perform such duties as are necessary to bring the case to an orderly conclusion under the UCMJ and the Federal appellate process.**

4. Command visitation **of all prisoners or offenders** will be made at least weekly in all cases where confinement in a civilian facility has been authorized.

8.F.6.c. Reduction in Confinement by Reason of Good Conduct

1. Good Conduct Time. Coast Guard prisoners serving confinement sentences in Naval brigs automatically have the opportunity to earn reduction-in-sentence (to confinement) as a reward for satisfactory conduct during confinement. To secure uniformity in computing this reduction for all prisoners in the Navy Correctional Program, the policy of the Department of the Navy shall be followed and Coast Guard prisoners accorded the same opportunity to earn good conduct time as those from the Navy Department. Good conduct time shall be computed beginning on the day the sentence commences to run, to be credited as earned and computed monthly as follows:

   a. Five days for each month of the sentence if the sentence is less than one year.

   b. Six days for each month of the sentence, if the sentence is at least one year but less than three years.

   c. Seven days for each month of the sentence, if the sentence is at least three years but less than five years.

   d. Eight days for each month of the sentence, if the sentence is at least five years but less than ten years.

   e. Ten days for each month if the sentence is ten years or more.

2. Crediting Good Conduct Time. The law provides that each sentenced prisoner may earn a specified number of days per month according to the total length of the sentence.

3. Forfeiture and Restoration of Good Conduct Time. The commanding officer of the brig may direct forfeiture of any or all of the good conduct time previously credited pursuant to a prisoner's misconduct in confinement. Similarly, the commanding officer of a brig may restore all or any part, except time forfeited because of parole or probation violation, of the good conduct time previously ordered forfeited either by him or herself or by a previous commanding officer.

4. Extra Good Conduct Time. The commanding officer of the Naval brig may reduce the term of a prisoner's sentence for good conduct based on faithful observance of all the rules and regulations of the brig.

5. Credit for Pretrial Confinement. The correctional facility will reduce the sentence to confinement by applying the appropriate credit required both by administrative regulation and judicial order for pretrial confinement in accordance with its regulations.

8.F.6.d. Suspension or Remission of Unexecuted Portion of Sentence

Provisions relating to the powers of court-martial convening authorities and of supervisory authorities to remit or to suspend unexecuted portions of sentences are set forth in Rule 1108, MCM (series).

1. Clemency. Clemency is an action taken by duly constituted authority to reduce the amount or severity of a court-martial sentence. It is the Commandant's policy to extend to persons convicted by courts-martial whatever clemency may represent the best interests of the Coast Guard and the individual. Clemency may consist of mitigation, remission, or suspension of a sentence in whole or in part. Mitigation usually is a reduction in the amount of the sentence. It may also take the form of a change in the kind of punishment from that adjudged to another authorized punishment which is another authorized punishment which is less severe (confinement to restriction, forfeiture of pay to detention of pay, dishonorable discharge to bad conduct discharge). An adjudged punishment can never be increased in severity. Remission of punishment amounts to a reduction or cancellation of unexecuted portions of a sentence, but not to a change in the nature thereof. Suspensions are stays of execution of unexecuted portions of a sentence with provisions for automatic remission at the successful completion of a specified term of probation. It should be noted that clemency in no way affects an approved conviction. Rather, a grant of clemency merely represents an administrative relaxation of the terms of an adjudged sentence. The following commanding officers are authorized to remit, mitigate, or suspend any part or amount of the unexecuted part of any sentence (grant clemency) under the authority of Article 74(a) of the Code:

   a. The Commandant, except while a case is being reviewed by the Coast Guard Court of Criminal Appeals or the U.S. Court of Appeals for the Armed Forces.

   b. The officer exercising general court-martial jurisdiction over the accused, but only to those parts of a sentence which do not include a punitive discharge, except while a case is being reviewed by a supervisory authority other than him or herself, the Coast Guard Court of Criminal Appeals, or the U.S. Court of Appeals for the Armed Forces.

   c. In addition to his or her authority contained in the Manual for Courts-Martial the immediate commanding officer of the accused, in cases where a punitive discharge has previously been approved, but only as to those parts of the sentence which do not include the punitive discharge, except while a case is being reviewed by the supervisory authority, the Coast Guard Court of Criminal Appeals, or the U.S. Court of Appeals for the Armed Forces.

2. Clemency Action by the Convening Authority. When acting on the findings and sentence of a court-martial, the Convening Authority is authorized by Article 60 of the UCMJ, the Manual for Courts-Martial, and the ☞ Military Justice Manual, COMDTINST M5810.1 (series), in his or her sole discretion, to set aside findings of guilty, change findings to guilty of a lesser included offense, and to approve, disapprove, commute, or suspend any part of the sentence.

3. Clemency Action by the Commanding Officer or Officer Exercising General Courts-Martial Jurisdiction over the Member. Except while the member's case is being reviewed by the Coast Guard Court of Criminal Appeals or the Court of Appeals of the Armed Forces, any Officer Exercising General Court-Martial Jurisdiction over a member is authorized to remit or suspend any unexecuted part of that member's sentence, other than a punitive discharge or a sentence approved by the President. If a punitive discharge has been previously approved, the immediate commanding officer of the member may also exercise the authority described above, subject to the same limitations. ☞ See Military Justice Manual, COMDTINST M5810.1 (series), Enclosure (9).

4. Clemency Power of the Coast Guard Commandant. The Secretary of Transportation has delegated to the Commandant of the Coast Guard the authority contained in Article 74(a), UCMJ, to grant residual clemency, as provided in Enclosure (9) of the ☞ Military Justice Manual, COMDTINST M5810.1 (series). The Secretary reserves this authority in cases in which appellate review is not complete. Pursuant to authority in 10 USC 953, a Coast Guard Clemency Board automatically reviews courts-martial cases that include an unsuspended punitive discharge to determine whether they merit remission or suspension of any unexecuted portions of a court-martial sentence. When an enlisted member sentenced to a punitive discharge waives appellate review of his or her court-martial conviction in accordance with RCM 1110, Manual for Courts-Martial (series), the punitive discharge may be executed by the Officer Exercising General Court-Martial Jurisdiction (OEGCMJ) if the record is forwarded to the OEGCMJ in accordance with RCMs 1112(e) and 1113 and the execution of the sentence is approved. In all other cases no court-martial sentence to a punitive discharge may be executed before the Coast Guard Clemency Board, Commandant, or Secretary as appropriate has reviewed it. Reviewing authorities recommend or determine clemency on the basis of equity and good conscience. Factors affecting clemency include: the nature and circumstances of the offense(s); the defendant's military and civilian history; potential value to the Service or society at large; conduct in confinement; contrition; sincerity in motivation for rehabilitation; social factors including hardship, psychological or personality factors; sentence disparity; and pure mercy.

   a. Residual Clemency Review. In keeping with the delegation of clemency authority under Article 74(a), UCMJ, when appellate review is complete, the Clemency Board will review every court-martial record whose sentence includes an unsuspended punitive discharge to determine whether that sentence should be executed (no clemency) or to recommend remitting, mitigating, or suspending the punitive discharge sentence (granting residual clemency). The Clemency Board's review also automatically embraces consideration for clemency of any other remaining unexecuted portions of the sentence, such as the remainder of a term of confinement, as well as

any petition for clemency provided to it for consideration. Residual clemency review normally will immediately follow completion of the legal review process.

b. Petitions for Clemency are not required, and exhaustion of the appellate process and other remedies under the UCMJ must occur before the Clemency Board will consider such a petition. Nevertheless, persons convicted by courts-martial may petition for clemency of the unexecuted portions of their sentences, even if their approved sentences do not extend to punitive discharge. Any petition will generally be considered simultaneously with the automatic clemency review, if applicable. Although no specific form for such petitions is required, petitions need not be considered, and may be returned to the member without action, if they do not meet the following minimum requirements:

(1) Petitions must be forwarded to Commandant (G-WPM) and must arrive within 60 days after the sentence and conviction are final under Rule for Court-Martial 1209, Manual for Courts-Martial (series).

(2) Petitions must state the specific relief requested, and the specific reasons why the member believes such relief to be appropriate.

(3) Where the case has been previously reviewed by the Clemency Board, the petition must identify new facts or circumstances justifying a second review or reconsideration.

(4) Petitions must include sufficient evidence to support the request. Such evidence must be in writing and may include documents and citations to specific sections of the record of trial.

c. <u>Commandant (G-WPM)</u>:

(1) Will review all petitions for clemency to insure compliance with section 4.b. above.

(2) Will establish a Clemency Board in accordance with ☞ Article 8.F.2.h. consisting of a panel of at least three senior officers.

(3) Will forward all petitions that are in compliance with this article, and all records of trial received that include an unsuspended punitive discharge, to the Clemency Board or to other appropriate officials.

(4) May return petitions that are not in compliance with this article to the member.

(5) May forward other matters, as appropriate, to the Clemency Board.

(6) Will, in any case in which the review required by this section has been completed and clemency action has not been ordered, issue a statement to that effect, and forward the record of trial to Commandant (G-LMJ) for further processing.

(7) Will, in any case in which clemency action has been ordered, take action as necessary to implement that order.

(8) Will ensure compliance with crime victims' rights to information about convicting, sentencing, incarcerating, and releasing offenders, as mandated by law, throughout the clemency process. See the ☞ Coast Guard Military Justice Manual, COMDTINST M5810.1 (series), Article 2-R.

d. The Coast Guard Clemency Board:

(1) Will review all court-martial cases or petition submitted to it for a recommendation by proper authority.

(2) Will forward its recommendation to Commandant (G-WP) via Commandant (G-WPM).

e. Commandant (G-WP) may take final action to approve a recommendation to deny residual clemency and will then return the record to Commandant (G-LMJ). If Commandant (G-WP) does not concur with a Clemency Board recommendation to grant clemency Commandant (G-WP) will provide an endorsement and forward the matter to Commandant for final action.

f. Commandant (G-WP) will also forward a case or petition to the Commandant or to the Secretary, with an appropriate endorsement, if:

(1) The Secretary or Commandant has indicated a desire to make the clemency decision personally.

(2) Law or regulation reserves authority to act in the case to higher officials. These include cases that are still pending completion of appellate review or cases where the sentence extends to death or the dismissal of an officer or Academy cadet.

(3) The case involves violations of national security.

(4) The Clemency Board or Commandant (G-WP) recommends clemency action or personal consideration by the Secretary or Commandant.

5. Clemency Consideration for Persons in Confinement. The Coast Guard retains clemency authority over all Coast Guard offenders, including Coast Guard prisoners confined in military correctional centers or facilities, including Naval brigs, of the Department of Defense. Nevertheless, the prisoner's conduct in confinement, attitude, and rehabilitation progress represent valuable information to a Coast Guard convening or reviewing authority considering clemency. Accordingly, Navy or Marine Corps commanding officers of Naval brigs are prepared to act on requests of any Coast Guard convening or reviewing authority or of the prisoner personally to provide a Prisoner Evaluation Report, NAVPERS 1640/13, concerning the accused in question. In the event the brig considers clemency warranted with respect to any unexecuted portion of the sentence including an unsuspended sentence to punitive discharge, the brig's non-binding report will recommend accordingly. Prisoner Evaluation Reports are ordinarily prepared annually for all prisoners in long-term confinement (exceeding six months), but can be provided at any time upon request.

8.F.6.e. Parole

Parole as defined in ☞ Article 8.F.2.x. may be granted to carefully selected individuals. l0 USC 952 authorizes the Secretaries of the respective Armed Forces to establish a system of parole for prisoners in military confinement facilities. Parole as a modification of the conditions under which a sentence to confinement may be administered constitutes an element of military corrections process. The Coast Guard has not established a military corrections (confinement) system of its own but relies rather on support from the U.S. Navy for long-term confinement. It is nevertheless desirable that the parole opportunities for Coast Guard prisoners confined in Naval brigs be equal to and consistent with those accorded the Navy and Marine Corps prisoners with whom they share the confinement experience. Accordingly, the Secretary of Transportation has delegated the authority to the Secretary of the Navy to adjudicate parole requests and to administer parole for Coast Guard prisoners confined in Naval brigs in precisely the same manner as for prisoners from the Navy Department. It is stressed in this regard, that parolees remain in the legal custody and under the control of the commanding officer of the Naval brig until the expiration of the full-term or aggregate terms of the sentence to confinement, without credit for good time allowance. Within the Navy Department, the Secretary of the Navy has tasked the Naval Clemency and Parole Board with responsibility for determination of parole requests. Petitioners for parole have appeal rights to the Director, Navy Council of Review Boards. Note that these provisions permit Navy determination of Coast Guard prisoners' parole requests only. Clemency powers on the contrary remain resident in appropriate Coast Guard authorities as provided for in ☞ Article 8.F.6.d.

1. Eligibility. A military prisoner with an unsuspended sentence to punitive discharge or dismissal shall be eligible for parole consideration by the Naval Clemency and Parole Board as follows:

   a. Sentence or aggregate sentence of:

      (1) More than one year and not more than three years, who has served one-third of the term of confinement, but in no case less than six months; or

      (2) More than three years who has served not less than one year. If not considered earlier, the prisoner will become eligible for consideration after serving one-third of the approved or affirmed sentence or aggregate sentence, or not more than ten years when the sentence is life or in excess of 30 years.

   b. Good time allowance will be excluded in computing eligibility for parole consideration.

   c. With respect to parole consideration of a prisoner whose sentence provides for contingent additional confinement in the event an approved sentence to fine is not paid, eligibility for parole shall be based on the basic term of confinement plus any additional contingent confinement incurred through failure to pay the fine. If the approved sentence provides for confinement only if a fine is not paid, a prisoner confined in lieu of payment will become eligible for parole consideration after having served 6 months of the sentence to confinement in lieu of payment of the fine, and annually thereafter.

d. Prisoners reconfined after revocation of parole may not ordinarily be considered again for parole until completing one year in reconfined status unless the brig commanding officer recommends earlier consideration.

2. Preliminary Parole Consideration Procedures. Prior to becoming eligible for parole consideration, each prisoner is accorded the opportunity to request parole consideration by the parole officer within 90 days of the date of eligibility. The parole officer will provide the prisoner with the necessary assistance to develop a satisfactory tentative parole plan. Prisoners who do not desire parole when eligible, or prisoners whose previous requests for parole were disapproved, may request consideration prior to their next annual eligibility date with the approval of the commanding officer of the brig.

3. Clemency and Parole Board Action.

   a. Requests for parole will be considered by a local clemency and parole board which is established within the brig. Following the local board's consideration and notwithstanding their recommendation, requests are forwarded to the Naval Clemency and Parole Board to arrive not less than 30 days prior to the prisoner's parole eligibility date. Requests may be considered as much as l20 days in advance of the eligibility date when that action will permit concurrent consideration of parole with annual Prisoner Evaluation Reports for clemency prepared in accordance with the provisions of ☞ Article 8.F.6 d.(5). In all cases the local board will forward the request along with a Court-Martial Progress Report. The recommendation of the local clemency and parole board will be endorsed by the commanding officer of the brig with such recommendation for approval or disapproval as he or she deems appropriate.

   b. Authority to approve or disapprove parole rests with the Naval Clemency and Parole Board.

   c. All parole determinations (favorable and unfavorable) will be published by the Naval Clemency and Parole Board.

   d. Approval of parole is conditioned upon completion of a parole plan considered to be satisfactory by the commanding officer of the brig and acceptable to the probation officer.

   e. The Naval Clemency and Parole Board will provide prisoners denied parole with written notification of the reasons for denial.

   f. The prisoner may file a written appeal of the Naval Clemency and Parole Board's decision to the Director, Navy Council of Review Boards.

4. Completion of Parole Plan. Prior to release of a prisoner on parole, the commanding officer of the brig will:

   a. Request the probation officer to establish the validity of the residence arrangement, employment, and other elements of the tentative parole plan.

b. Send a letter to the prospective employer requesting the execution of a Tender of Employment, and upon receipt thereof, provide a copy to the probation officer.

5. Employment Requirements. Unless a waiver is granted for justifiable reasons, no prisoner will be released on parole until satisfactory evidence has been furnished that he or she will be engaged in a reputable business or occupation. If every effort to obtain employment has been made without success, a waiver of employment may be granted for good and sufficient reasons.

CONFINEMENT DESIGNATION CHART
U.S. NAVAL BRIGS

	Length of Sentence:			
	90-180 Days		181 Days - One Year	
Sentence Category Disposition of Prisoner:	**Duty**	**Discharge**	**Duty**	**Discharge**
Brig:				
Charleston	X	X	/3	/3
Corpus Christi	X	X	/6	/6
Great Lakes	X	X	X	X
Guam *	/2, 5	/2, 5	/5	/5
Guantanamo Bay *	/1, 3	/1, 3	/1, 3	/1, 3
Jacksonville	X	X	/3	/3
New London	/7	/7	/3	/3
Newport	X	X	/3	/3
Norfolk **	X	X	X	X
Pearl Harbor *	X	X	/5	/5
Pensacola	X	X	/6	/6
Rota	/3	/3	/3	/3
San Diego	X	X	X	X
Seattle	X	X	/5	/5
Yokosuka	X	/2, 5	/5	/5
Camp Lejune	(Transfer personnel in accordance with joint-Service Agreement)			
Camp Pendleton				
Quantico				

Legend:

1. All Brigs may accept prisoners for sentences for less than 90 days.
2. * Indicates facilities for females; normally only pretrial at Guam and Guantanamo.
3. ** Indicates long term facility for all sentences over one year.
4. X Indicates prisoners are accepted in the sentence category.
5. Numbers Indicate brigs to which prisoners originating in that geographic area are to be transferred.

/1 - Norfolk
/2 - Pearl Harbor
/3 – Philadelphia
/4 - San Diego
/5 - Treasure Island
/6 - Great Lakes
/7 - Newport

Qualifying Military Offenses under 10 U.S.C. § 1565

Court Martial Conviction. The findings of a general court-martial (10 U.S.C. § 818) or special court-martial (10 U.S.C. § 819) at the time of action of the court-martial convening authority pursuant to 10 U.S.C. § 860.

Offenses:	UCMJ Article	Title 10 Section
Murder	118	918
Voluntary Manslaughter	119	919
Rape	120	920
Carnal Knowledge	120	920
Forcible Sodomy	125	925
Sodomy With a Child	125	925
Aggravated Assault (with a dangerous weapon or other means or force likely to produce death or grievous bodily harm)	128	928
Aggravated Assault (in which grievous bodily harm was intentionally inflicted)	128	928
Indecent Assault	134	934
Indecent Acts With Another	134	934
Indecent Acts With a Child	134	934
Indecent Language to a Child	134	934
Pandering (By compelling or by arranging or by receiving consideration for arranging)	134	934
Prostitution Involving a Minor	134	934
Kidnapping	134	934
Robbery	122	922
Burglary	129	929
Housebreaking	130	930
Maiming	124	924
Arson	126	926
Assault With Intent to Commit Murder	134	934
Assault With Intent to Commit Rape	134	934
Assault With Intent to Commit Voluntary Manslaughter	134	934
Assault With Intent to Commit Robbery	134	934
Assault With Intent to Commit Sodomy	134	934
Assault With Intent to Commit Arson	134	934
Assault With Intent to Commit Burglary	134	934
Assault With Intent to Commit Housebreaking	134	934
Solicitation of Another To Commit a Qualifying Offense	134	934

3. Mandatory meetings and use of the OSF for ensigns and lieutenants (junior grade). Supervisors shall conduct beginning and end-of-period meetings and are required to maintain a record of significant performance related events for all Reported-on Officers in these grades as prescribed in c., d., and f. above. In cases of geographic separation, telephone or written exchange of information may suffice.

10.A.2.e. Reporting Officer

1. Designation.

   a. The Reporting Officer is normally the supervisor of the Supervisor.

   b. Coast Guard officers, officers of other U.S. Armed Forces, officers of Foreign Armed Services, U.S. Public Health Service officers, and U.S. government civilian employees may serve as Reporting Officers. The reporting officer of a reserve officer may be either an active duty or reserve officer or individual stated above. If Reporting Officer is not a Coast Guard employee, specify which branch of service (i.e. USN, USA, USAF, DOD) in section 11a. of the OER Form.

   c. The Reporting Officer will normally be senior to the Reported-on Officer. Except for commanding officers, at least two year groups should normally separate these rating chain positions if they are of the same grade. Commander (CGPC-opm) or Commander (CGPC-rpm) will handle exceptions to this policy on a case-by-case basis.

   d. The Reporting Officer for an officer other than the commanding officer, will normally be designated no higher than the unit's commanding officer.

   e. The following officers in the grade of LT or above, or civilian members of the Coast Guard Senior Executive Service (SES), can be both Supervisor and Reporting Officer for their immediate subordinates:

      (1) Commanding officers.

      (2) Headquarters: assistant commandants, directors, deputy directors, office and division chiefs.

      (3) Deputy commanders, executive officers, chiefs of staff, division and branch chiefs at:

         (a) Area Commands.

         (b) Maintenance and Logistics Commands.

         (c) Districts.

         (d) Headquarters units.

Any exception not specifically cited herein must be authorized by Commander (CGPC-opm) or Commander (CGPC-rpm). See paragraph j. below on Reporting Officers for captain evaluations.

f. The Headquarters program manager having technical responsibility for the unit will be the Reporting Officer for commanding officers of Headquarters units.

g. The Reporting Officer for an officer assigned to another Service's staff or mission will be the commanding officer or senior staff officer to whom the Reported-on Officer is assigned.

h. The Reporting Officer of officers under direct supervision of civilian employees outside the Coast Guard but within the Department of Transportation (DOT) shall be designated by appropriate DOT directive.

i. The Headquarters program manager who exercises technical responsibility for the program will be the Reporting Officer for officers assigned to duty in civilian agencies other than DOT or in liaison service with other governments.

j. The Reporting Officer for **all** captains must be a flag officer or a civilian member of the Coast Guard Senior Executive Service (SES). This requirement is not mandatory for assignments outside the Coast Guard.

2. Responsibilities. The Reporting Officer:

a. Bases evaluation on direct observation, the OSF or other information provided by the Supervisor, and other reliable reports and records.

b. Describes the demonstrated leadership ability and the overall potential of the Reported-on Officer for promotion and special assignment such as command. Prepares Reporting Officer sections of the OER; ☞ Article 10.A.4.c.

c. Ensures the Supervisor fully meets responsibilities for administration of the OES. Reporting Officers are expected to hold designated Supervisors accountable for timely and accurate evaluations. The Reporting Officer shall return a report for correction or reconsideration, if the Supervisor's submission is found inconsistent with actual performance or unsubstantiated by narrative comments. The Reporting Officer may not direct that an evaluation mark or comment be changed (unless the comment is prohibited under ☞ Article 10.A.4.f.).

d. Forwards the completed OER to the Reviewer; returns the OSF, if used, to the Reported-on Officer.

e. Initiates an OER if the Supervisor does not perform in a timely manner. Ensures the OER is forwarded to the Reviewer not later than 30 days after the end of the reporting period.

f. Provides performance feedback to the Reported-on Officer as appropriate.

g. If the Reporting Officer changes and a complete OER is not submitted, the departing Reporting Officer shall provide the new Reporting Officer a draft of the applicable OER sections. The draft may be handwritten and shall include marks and comments (bullet statements are acceptable) for the period of observation, prepared and signed by the departing Reporting Officer; ☞ Article 10.A.3.a.

h. An outgoing Reporting Officer shall provide a written report to the new Reporting Officer listing those officers for whom the outgoing Reporting Officer is preparing complete OERs and for whom signed OER drafts have been provided.

10.A.2.f. Reviewer

1. Designation.

a. The Reviewer is normally the Supervisor of the Reporting Officer. While the Supervisor and Reporting Officer are specific individuals, the Reviewer is a position **designated by competent authority, which in certain circumstances may be junior to the Reporting Officer**. The officer occupying that position has a definite OES administrative function and may perform an evaluative function.

b. Only Coast Guard commissioned officers, the USPHS flag officer serving as Director of Health and Safety, Commandant (G-WK), or Coast Guard SES members, may serve as Reviewer.

c. A commanding officer may serve as Reviewer for a Reported-on Officer if that commanding officer is not otherwise in the Reported-on Officer's rating chain. (For any officer at a major command whose position is lower than the department head level, the rating chain should be structured so that the Reviewer is no higher than the commanding officer.) **In certain situations (i.e., CO on extended TAD), Executive Officers and Deputy Commanders serving in an "Acting" capacity may sign as reviewer if not otherwise in the rating chain. "For" signatures are not authorized under any circumstance.**

d. Flag officers shall serve as Reviewers on those reports for which they are Reporting Officers. Civilian members of the Senior Executive Service (SES) may serve as Reviewers on those reports for which they are Reporting Officers. Only flag officers or SES members may serve as Reviewers on OERs for which they have also been Reporting Officers. When a flag officer or SES member serves as both Supervisor and Reporting Officer on the same OER, the following will serve as Reviewer:

Supervisor/Reporting Officer	Reviewer
Headquarters Assistant Commandant	Chief of Staff
Area Commander	Vice Commandant
MLC Commander	Area Commander
District Commander	Area Commander
All Others	Vice Commandant

e. No one may serve as Supervisor, Reporting Officer, and Reviewer on the same OER except for the Commandant (G-C); and Commandant (G-L); the latter may sign as Supervisor, Reporting Officer, and Reviewer for the OER of the Coast Guard's Chief Trial Judge.

f. The responsible Headquarters program manager will be the Reviewer for reports of officers assigned to other Services or agencies as liaison officers. If no appropriate program manager is obvious, Commander (CGPC-opm) or Commander (CGPC-rpm) will identify, or act, as a Reviewer.

g. The Reviewer of a Captain's OER must be a flag officer or Coast Guard SES member except in the case of captains assigned to Senior Service Schools, in which case the Reviewer is the appropriate program manager.

2. Responsibilities. The Reviewer:

a. Ensures the OER reflects a reasonably consistent picture of the Reported-on Officer's performance and potential.

b. Adds comments as necessary, using form CG-5315 (series), that further address the performance and/or potential of the Reported-on Officer **not otherwise provided by the Supervisor or Reporting Officer**. For any officer whose Reporting Officer is not a Coast Guard commissioned officer, member of the Coast Guard Senior Executive Service (SES), or a USPHS flag officer serving with the Coast Guard, Commandant (G-WK), the Reviewer shall describe the officer's "Potential" and include an additional "Comparison Scale" or "Rating Scale" mark. The comparison scale is not to be completed unless the Reviewer comments are mandatory. Local reproductions of form CG-5315 may be used; ☞ Article 10.A.4.d. for the format for Reviewer comments **and ☞ Article 10.A.4.c.11.g. for circumstances when Reviewer comments are mandatory.**

d. Makes minor administrative corrections without returning an OER to the rating chain.

e. Conducts an administrative review of the OER. However, the OER Administrator may return an OER to the Reviewer when it contains substantive error; ☞ Article 10.A.4.f.

10.A.2.i. Commander, Coast Guard Personnel Command

1. Designation. Commander, Coast Guard Personnel Command has overall responsibilities for the OES. Administrative servicing of OERs is accomplished by Commander (CGPC-rpm) or Commander (CGPC-opm-3). Servicing of an officer's performance record is accomplished by Commander (CGPC-adm-3).

2. Responsibilities. Reserve Personnel Management Division (CGPC-rpm) or Officer Evaluations Branch (CGPC-opm-3):

   a. Processes OERs into the Personnel Decision System (PDS), an automated tracking system. Ensures that all OERs go through a quality review.

   b. Corrects OERs containing minor administrative errors.

   c. Provides final quality control review of OERs containing substantive errors, including "restricted" remarks as outlined in ☞ Article 10.A.4.f. Normally, the appropriate member of the original rating chain will return these OERs to the Reviewer for correction or redaction. However, in certain situations, returning an OER through the rating chain could lead to unacceptable delays and prejudice a Reported-on Officer who is being considered by a board or panel. In order to achieve a balance between accuracy and timeliness, certain corrective measures may be taken to expedite validation of OERs, Reviewer comments, OER Replies, and Addenda.

   d. Returns the official (validated) copy of the OER to the Reported-on Officer when the original OER is filed in the officer's record. This usually occurs within 45 days after receipt of the OER at Commander (CGPC-rpm) or Commander (CGPC-opm-3). An official (validated) copy of reserve OERs are sent to the Integrated Support Command (to be used for assignment purposes only).

   e. Provides Reporting Officers, upon request, their historical comparison rating pattern.

   f. Develops and implements system changes as necessary to maintain a healthy system.

   g. Maintains all applicable instructions and forms and recommends policy governing the OES.

h. Responds to individual and command requests related to OES policy.

i. Provides training on the OES, subject to resource availability.

j. Conducts the required training for civilian employees assigned rating chain responsibilities.

3. Responsibilities. Records Branch (CGPC-adm-3):

a. Maintains officer records system.

b. Responds to individual inquiries and requests related to those records, including missing copies of OERs.

10.A.3. SUBMISSION SCHEDULE

The intent of the submission schedule is for officers with a biennial, annual or semiannual reporting period to be evaluated as closely to those frequencies as possible. While every effort has been made to accommodate possible deviations to the schedule, unusual circumstances may dictate the submission of reports, or not allow their submission, which may be contrary to the intent of the OES.

10.A.3.a. Regular OERs

1. Biennial (on even numbered years), annual or semiannual (Figure 10.A.1.) as of the last day of the month as follows:

Grade	ADPL	IDPL	
Captain	April	April	(Annual)
Commander	March	March	(Biennial)
Lieutenant Commander	April	April	(Biennial)
Lieutenant	May	May	(Biennial)
Lieutenant (Junior Grade)	**January and July** **(In zone/above zone promotion board eligible candidates due 30 June)**	July	(Annual)
Ensign	March and September	March	(Annual)
Chief Warrant Officer (W4)	April	April	(Biennial)
Chief Warrant Officer (W3)	July	July	(Biennial)
Chief Warrant Officer (W2)	June	June	(Biennial)

a. A reporting period shall never extend beyond 30 months for biennial reports, 18 months for annual reports or 12 months for semiannual reports.

b. Annual or semiannual OER submission is optional (waivers not required) if:

(1) A regular OER (or a special OER that counts for continuity) was submitted within **182** days prior to the scheduled submission date **for annual reports or 92 days for semiannual reports.**

(2) A regular OER will be submitted within the **182 days following** the scheduled due date **for annual reports or 92 days for semiannual reports**. Exception: Those officers above zone, and in zone, for promotion as specified by ALCGOFF promulgated by Commander, (CGPC-opm) shall not delay their regular annual or semiannual OER past the scheduled due date, unless the Reported-on Officer has an approved retirement letter or voluntary resignation on file, and is planning on submitting an OER for continuity purposes only. For officers who meet this criteria, a waiver must be obtained as provided in ☞ Articles 10.A.3.a.5.b. and 10.A.3.b.

(3) The Reported-on Officer under Permanent Change of Station (PCS) orders and has been observed at the new unit for less than **120** days. The observations shall be recorded in the next regular OER. (NOTE: The term "observed," for the purpose of this paragraph only, means on-the-job time, excluding travel, temporary duty not performed in the execution of the officer's normal duties, leave, rating chain transitions, and hospitalization.)

c. Reserve biennial or annual OER submission is optional (waivers not required) if:

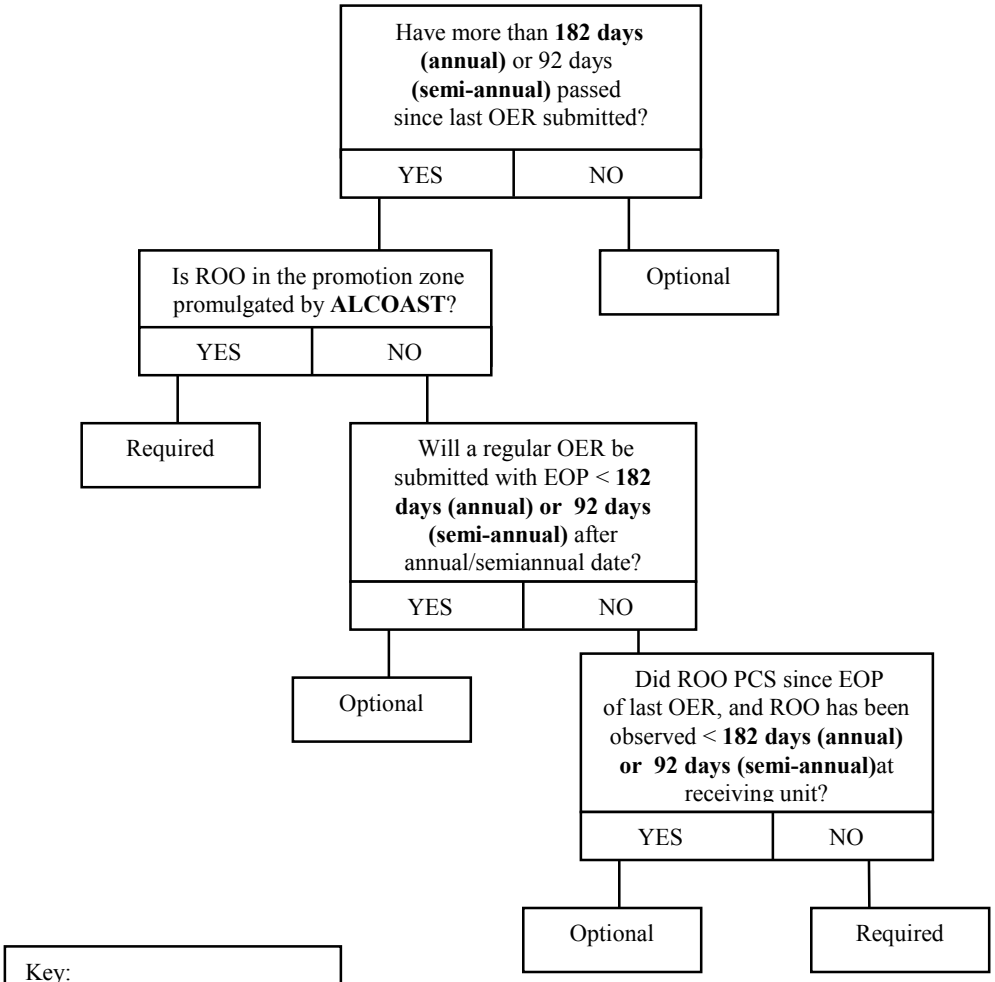
(1) A regular OER (or a special or ADSW OER which counts for continuity) was submitted within 6 months prior to the scheduled submission date.

(2) A regular OER will be submitted within the following 6 months of the scheduled due date. Exception: Those officers above and in zone for promotion as specified by ALCGRSV promulgated by Commander, (CGPC-rpm) shall not delay their biennial or annual OER past the scheduled due date, unless the Reported-on Officer has an approved retirement letter or voluntary resignation on file, and is planning on submitting an OER for continuity purposes only. ☞ Article 10.A.3.a.5.b. and Article 10.a.3.b.

(3) The Reported-on Officer under PCS orders has been observed at the new unit for less than 6 months. The observations shall be recorded in the next regular OER.

OER FOR ANNUAL/SEMIANNUAL SUBMISSION

10.A.3.a(1)

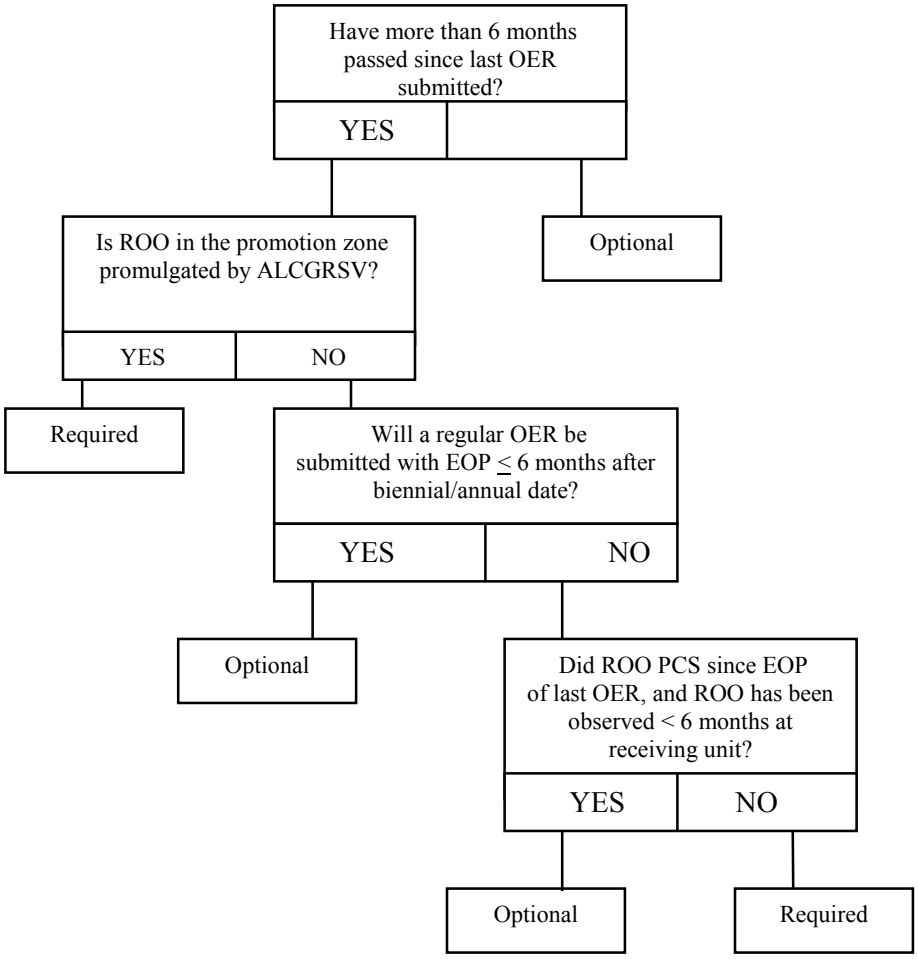


Key:
ROO = Reported-on Officer
EOP = End of period

FIGURE 10.A.1

RESERVE OER FOR BIENNIAL/ANNUAL SUBMISSION

10.A.3.a.(1)



Key:
ROO = Reported-on Officer
EOP = End of period

FIGURE 10.A.1 RESERVE

2. Detachment or change of the Reporting Officer (Figure 10.A.2.):

   a. OERs for officers on a biennial submission schedule are required if more than 12 months have elapsed since the ending date of the last regular OER or the date reported present unit, whichever is later.

   b. OERs for officers on an annual submission schedule are required if more than six months **(i.e., 182 days)** have elapsed since the ending date of the last regular OER or the date reported present unit, whichever is later.

   c. OERs for officers on a semiannual submission schedule are required if more than **three** months **(i.e., 92 days)** have elapsed since the ending date of the last regular OER.

   d. OER submission is optional in other situations.

OER FOR DETACHMENT OR CHANGE OF REPORTING OFFICER

10.A.3.a(2)

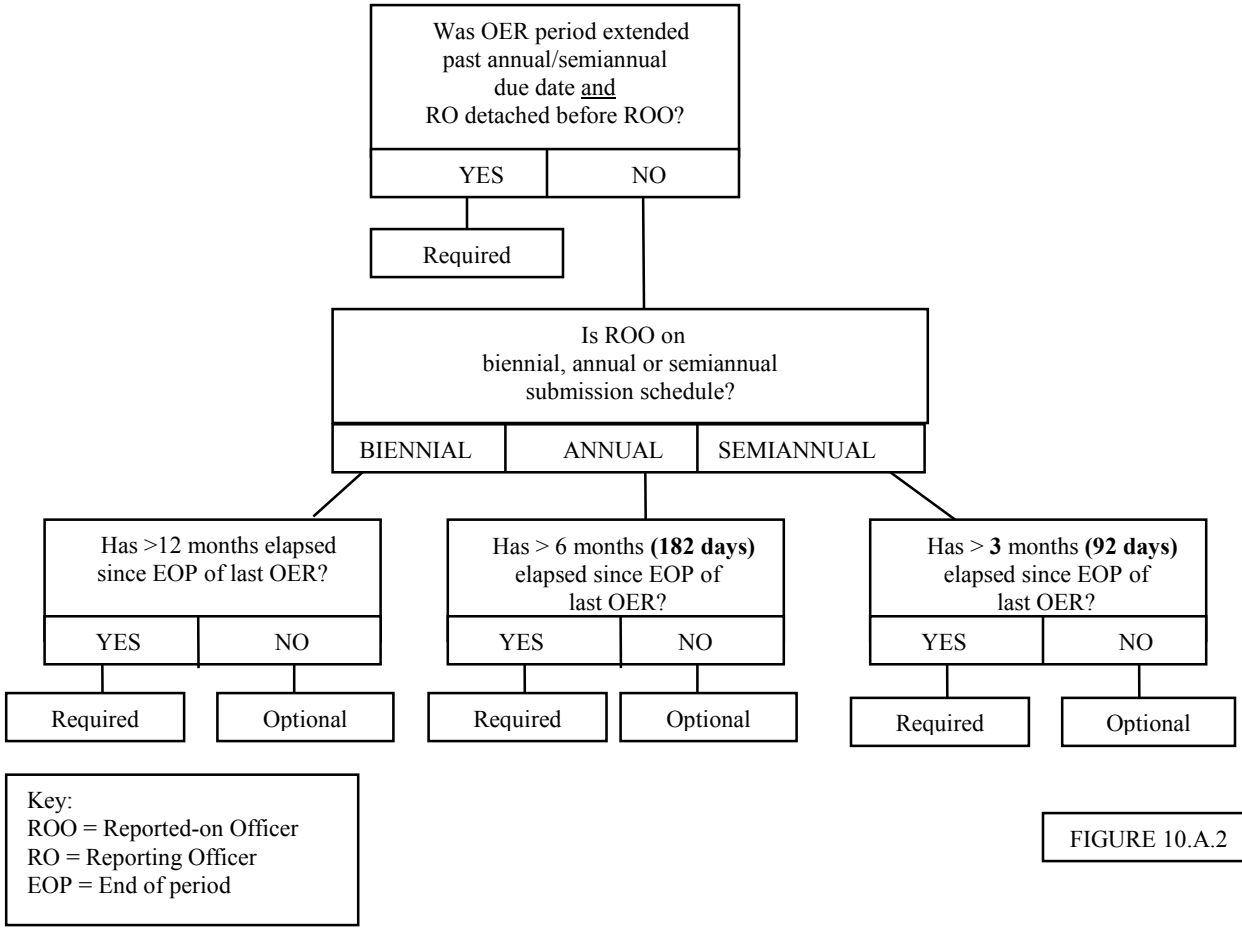


FIGURE 10.A.2

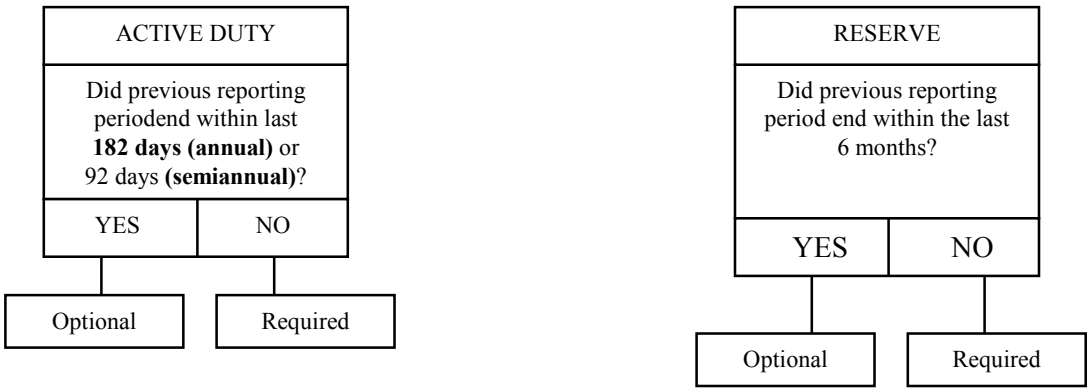
3. Detachment on PCS orders, or separation from the Service of the Reported-on Officer (Figure 10.A.3.):

   a. OER submission is optional for PCS detachment if the previous regular reporting period ended, or the officer was commissioned, within the last 92 days **for officers with semiannual submission schedules, 182 days for officers with annual submission schedules, or** the last 6 months for reserve **officers**. The days between the end of the previous regular OER and the detachment date (or from the date of commissioning through the detachment date) may be reflected as "Days Not Observed, Other" on the first OER from the next unit, with a short explanation in Section 2 (e.g., Detached USCGC DAUNTLESS on 97 01 15).

   b. For officers separating from the Service, the period of the report shall end on the final day of active service, including days on terminal leave.

OER FOR DETACHMENT OF REPORTED-ON OFFICER

10.A.3.a(3)



Key:
ROO = Reported-on Officer

Note: For officers separating from the service, the reporting period shall end on the final day of active service, including days on terminal leave.

FIGURE 10.A.3

4. Promotion of Officers (Figure 10.A.4.):

   a. Captains selected for promotion to flag grade shall, with the concurrence of their rating chain, submit an OER for continuity purposes only to coincide with their promotion.

   b. Promotion OERs **are only required** for promotion to captain **and for CWO to LT**. **However**, if an OER was completed within **182** days of the promotion date **for regulars or** within 6 months for reserve **officers**, the Reported-on Officer need not submit a promotion OER or a waiver request.

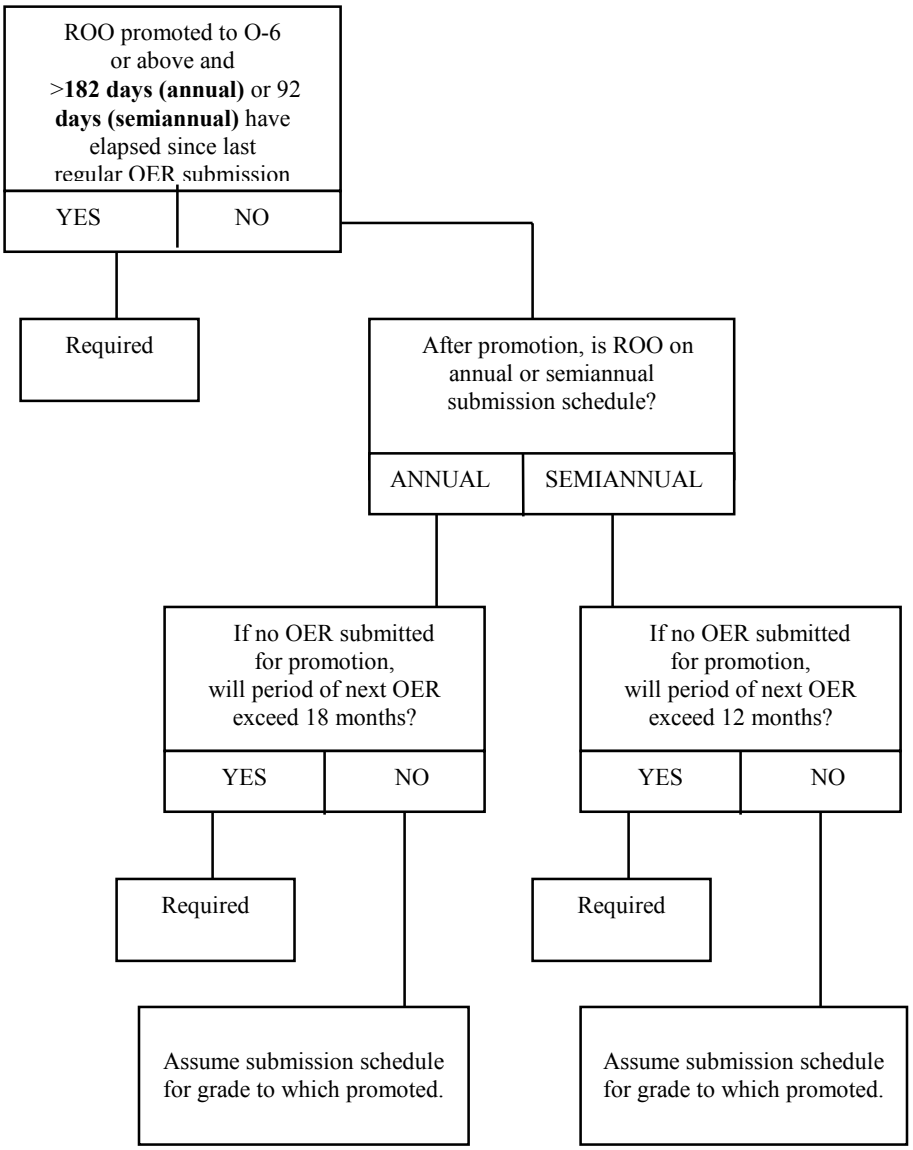
   c. Officers promoted to commander, or below, during a reporting period shall apply the submission criteria for the grade to which promoted to determine when their next OER is due (e.g., O-1 promoted to O-2 on 20 January shall do a 31 January O-2 semiannual OER). Promotion OERs are authorized only if this results in a period of greater than 30 months (biennial cycle), greater than 18 months (annual cycle) or greater than 12 months (semiannual cycle). Example: An O-4 promoted to O-5 during April (11 months since the last O-4 OER) who would not otherwise receive an OER until the following March, providing there are no other anticipated intervening occasions, should do a promotion OER. If the intervening occasion will occur more than 92 days after the promotion date, then ☞ Article 10.A.3.b. applies. The Reported-on Officer's grade on the occasion of the "promotion of officer" OER is the grade prior to promotion.

   d. Officers promoted under the CWO to Lieutenant program shall submit a promotion OER. The annual CWO report may be extended up to 182 days to coincide with the LT appointment without Commander (CGPC-opm-3) approval.

   e. Officers who have been frocked shall follow the schedule and exceptions described above for their actual pay grade, not for the grade to which they have been frocked.

OER FOR PROMOTION OF REPORTED-ON OFFICER

10.A.3.a.(4)



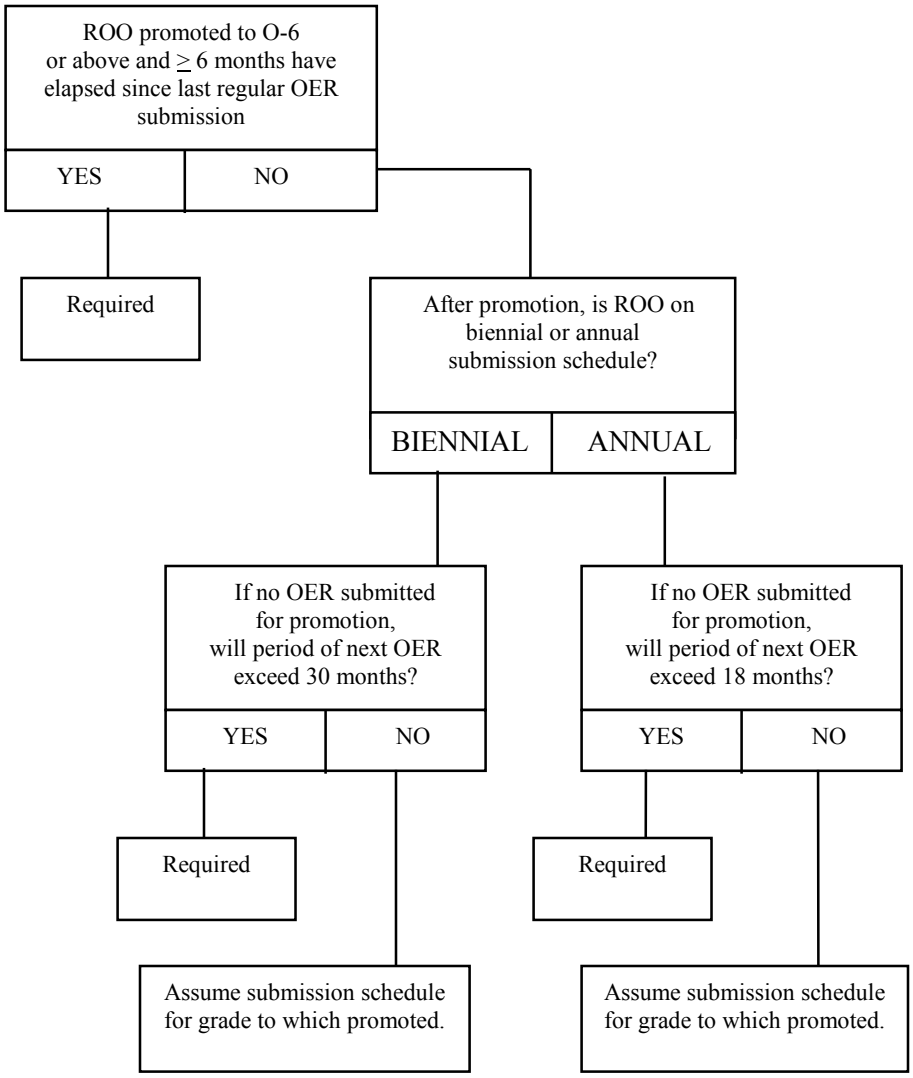
Key:
ROO = Reported-on Officer

Note: Where an OER is required
1) The reporting period ends on the day before the effective date of promotion.
2) The officer's grade is the grade prior to promotion

Figure 10.A.4

RESERVE OER FOR PROMOTION OF IDPL REPORTED-ON OFFICER

10.A.3.a.(4)



Key:
ROO = Reported-on Officer

Note: Where an OER is required
1) The reporting period ends on the day before the effective date of promotion.
2) The officer's grade is the grade prior to promotion

Figure 10.A.4. Reserve

5. Reports for Continuity Purposes (☞ Figure 10.A.5) (**may be referred to as a Continuity OER**). Such reports may be submitted in cases where an OER is required by these instructions, but full documentation is impractical, impossible to obtain, or does not meet officer evaluation system goals.

   a. Reserve. A continuity OER shall be submitted for officers assigned to the Individual Ready Reserve (IRR). The OER shall encompass the entire period the officer was in the IRR. Exception: For officers being considered for promotion during a particular year (even if Reported-on Officer is still in the IRR) a continuity OER shall be submitted and shall not be delayed past the scheduled submission date. The Integrated Support Command (ISC) should contact Commander (CGPC-rpm) to confirm dates for OER.

      (1) The ISC (pf) branch chief shall complete or delegate the completion of OER Sections 1, 2, 13, and prepare Section 11, "Reporting Officer Authentication," for the CO's signature. The CO may delegate the Reporting Officer signature authority to the XO, Personnel Division Chief, or Force Optimization and Training Branch Chief. Section 6 (Supervisor Authentication) and Section 12 (Reviewer Authentication) are not used for IRR OERs.

      (2) Section 2, "Description of Duties," should read "Submitted for continuity purposes only IAW ☞ Article 10.A.3.a.5.a. ROO is in IRR." The "Not Observed" circle should be filled for all marks assigned with Section 9 (Comparison Scale) left blank.

      There is no requirement for officers on the Inactive Status List (ISL) to submit an OER since personnel management goals (promotion, assignment, career development, etc.) of the OES do not apply.

   b. A continuity OER may be submitted under the following conditions:

      (1) The reporting period is 92 days or fewer or for reserve, is 6 months or fewer and the Supervisor and Reporting Officer have little or no information regarding the Reported-on Officer's performance or qualities, e.g., separating from the service; ☞ Article 10.A.3.a.

      (2) An officer on a semiannual schedule has an approved retirement or separation (voluntary resignations and discharges only) date within 12 months of the last regular OER submission and has met the expected high standard of performance during the period. **Reviewer comments are not required for these reports.** Officers requesting reserve commissions or being released from active duty (RELAD) may not apply these criteria.

(3) An officer on an annual schedule has an approved retirement or separation (voluntary resignations and discharges only) date within 18 months of the last regular OER submission and has met the expected high standard of performance during the period. **Reviewer comments are not required for these reports.** Officers requesting reserve commissions or being released from active duty (RELAD) may not apply these criteria.

(4) An officer on a biennial schedule has an approved retirement or separation date within 30 months of the last regular OER submission and has met the expected high standard of performance during the period.

(5) Reserve CWO4 Only. Reserve CWO4s who have at least one fully documented OER, validated and in the Headquarters personnel record, at the CWO4 grade and continue to meet the expected high standard of performance may submit continuity OERs thereafter. In addition to procedures outlined in ☞ Article 10.A.3.a.5.d. below, Section 2 of the OER shall include the following statements, "OER is submitted under ☞ Article 10.A.3.a.5.b.(5). ROO concurs with decision to submit this continuity OER." Account for IDT Drills and ADT and ADSW days in Section 2 of the OER. Exception: CWO4's considering a direct commission or OCS candidacy may not apply this OER option. CWO4s who do not meet above criteria shall submit fully documented OERs as occasion for report dictates.

(6) A waiver shall be obtained from Commander (CGPC-rpm) or Commander (CGPC-opm-3) to extend a continuity only OER upon retirement or separation (voluntary resignations and discharges only) beyond an intervening submission occasion (e.g., detachment of Reporting Officer).

c. An OER for continuity purposes may be required by Commander (CGPC-opm) or Commander (CGPC-rpm) to implement judicial and administrative adjudications, and when directed by Commander (CGPC).

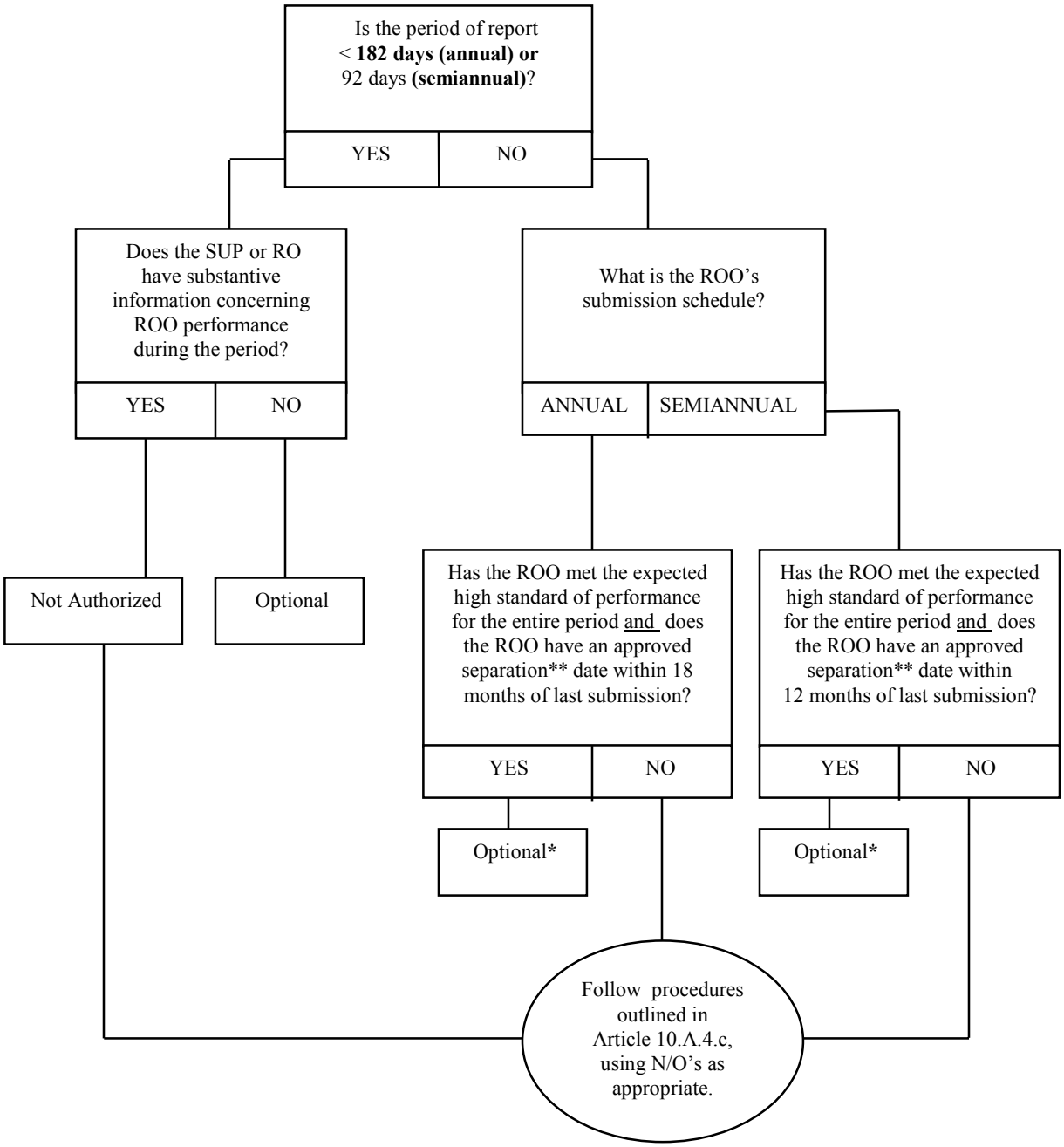
d. When submitting a continuity OER, the Reported-on Officer shall complete Sections 1 and 13. The designated Supervisor shall briefly describe the Reported-on Officer's responsibilities in Section 2 and state the reason the OER is submitted for continuity purposes, e.g., Submitted IAW ☞ Article 10.A.3.a.5., member separating on 01 July 2000. All other evaluation areas, including section 9, shall be left blank with "NOT OBSERVED" marked for each dimension. In determining whether a "continuity purposes only" OER is appropriate for officers being separated, consideration should be given to the Reported-on-Officer's opportunity to request a reserve commission at some future date. Lack of a fully documented OER upon separation may adversely affect the Reported-on Officer's ability to later obtain a reserve commission and compete at future reserve officer selection boards. Thus, for officers departing

the service for reasons other than retirement, the Supervisor shall ensure that the Reported-on Officer acknowledges reviewing this paragraph. The Supervisor shall also include the following language in Section 2 of the report: "Officer states that he/ she has reviewed the provisions of ☞ Article 10.A.3.a.5., and concurs with the decision to submit this 'continuity purposes only' OER." Where any member of the rating chain, including the Reported-on Officer, has information deemed significant enough to report for the period the OER covers, ☞ Article 10.A.4.c. procedures apply.

e. Requests for waivers of the time restrictions of this article should be addressed to Commander (CGPC-rpm) or Commander (CGPC-opm-3). These waivers may be appropriate if intervening occasions, e.g., change of Reporting Officer, would otherwise necessitate successive continuity reports.

OER FOR CONTINUITY PURPOSES

10.A.3.a.(5)



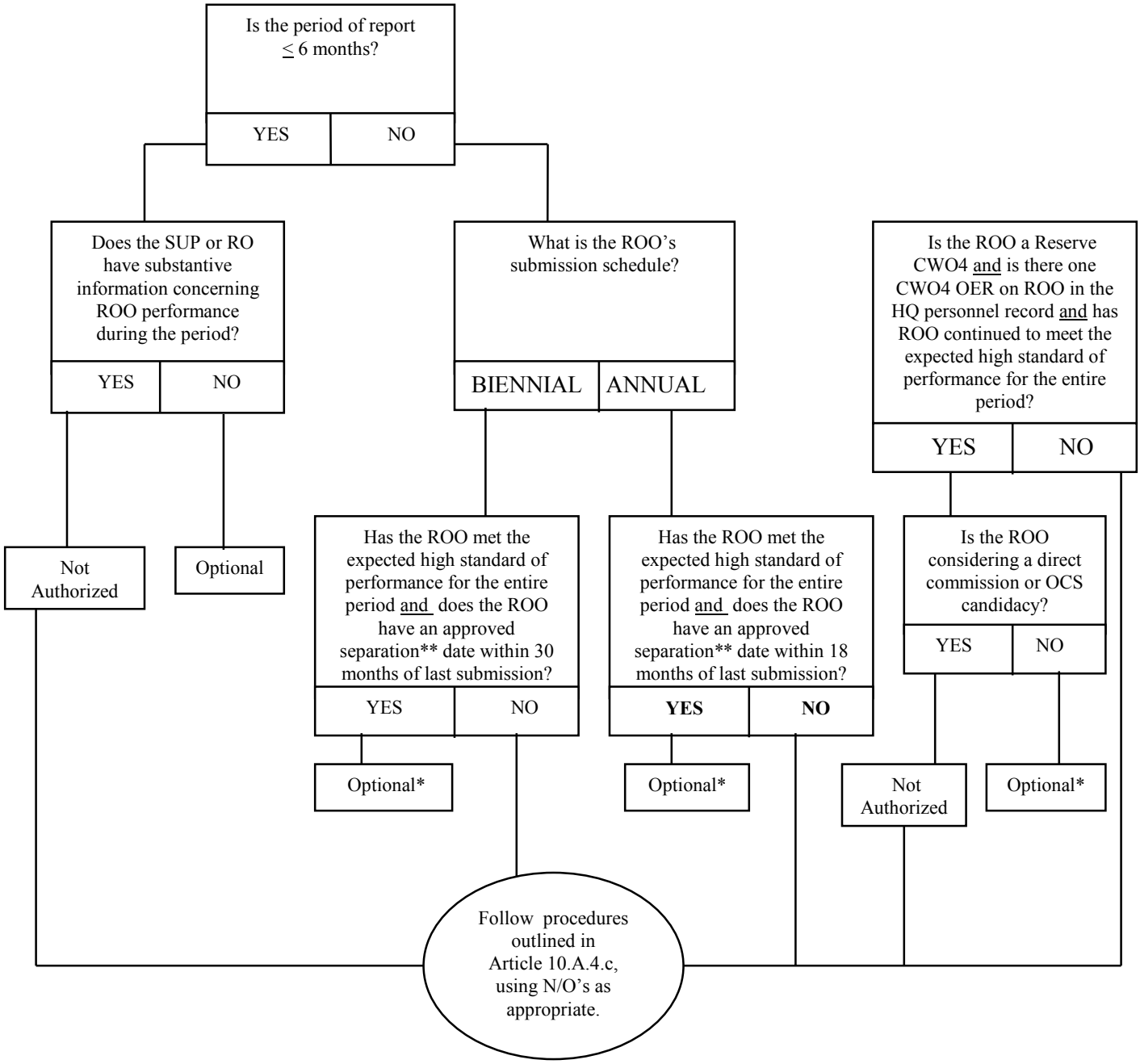
Key:
ROO = Reported-on Officer
SUP = Supervisor
RO = Reporting Officer
N/O = Not Observed

* In this instance, a regular OER must be completed if a continuity OER is not.
** Separations include retirement, discharge, and voluntary separation

Figure 10.A.5.

RESERVE OER FOR CONTINUITY PURPOSES

10.A.3.a.(5)



Key:
ROO = Reported-on Officer
SUP = Supervisor
RO = Reporting Officer
N/O = Not Observed

* In this instance, a regular OER must be completed if a continuity OER is not.
** Separations include retirement, discharge, and voluntary separation

Figure 10.A.5. Reserve

10.A.3.b. OER Waivers

1. Written requests for waivers to the submission schedule (including deadlines for Derogatory OER addenda and OER replies) shall be submitted by the Reported-on Officer to Commander (CGPC-rpm) or Commander (CGPC-opm-3) via the rating chain. Waivers to the normal submission schedule will not be granted without indicating extraordinary circumstances.

2. The Reported-on Officer should identify his or her social security number, phone number, requested period of report, and specific reason(s) for waiver request. If they are in or above zone for promotion, and their intent is to submit a continuity OER upon their retirement or separation, a statement that they understand that their record will be incomplete before the board must be included. The welfare of the Reported-on Officer should be considered along with system goals when determining the appropriate time to submit an OER.

10.A.3.c. Exception OERs

1. Special OERs. The Commandant, commanding officers, higher authority within the chain of command and Reporting Officers may direct these reports. The circumstances for the Special OER must relate to one of the situations described in subsections a. through e. The authorizing article listed below should be cited in Section 2 of the OER along with a brief description of the circumstances which prompted the OER's submission. [Example: "This OER is submitted under Article 10.A.3.c.(1)(--) due to ..."]. Special OERs present unique preparation problems for members of the rating chain. Therefore, preparers are strongly encouraged to contact Commander (CGPC-rpm) or Commander (CGPC-opm-3) for guidance prior to submitting these exception reports. **IAW regular OER submission schedules, Special OERs should be completed by the rating chain and received by CGPC no later than 45 days after the end of the period.**

   a. A special OER may be completed to document performance notably different from the previous reporting period, if deferring the report of performance until the next regular report would preclude documentation to support adequate personnel management decisions, such as selection or reassignment. This report should not normally reflect performance that is reportable under ☞ Article 10.A.3.c.1.b. Notably changed performance is that which results in marks and comments substantially different from the previous reporting period and results in a change in the Section 9 comparison or rating scale. This OER counts for continuity.

   b. A special OER is required after an officer is found guilty of a criminal offense and the conduct relates to the Reported-on Officer's performance or any other matter on which an officer may be evaluated, ☞ Article 8.B.4.b. A special OER is also required when an officer receives non-judicial punishment which is not subject to appeal or when the final reviewing authority's action on an investigation includes direction that a Special OER shall be prepared because the evidence established that the officer was criminally culpable. In court-martial cases, the special OER shall be initiated once the convening authority has taken action and the finding of guilty has not been disapproved.

6. Assign marks in ink. Line out and initial changed marks in ink. Reprint the OER if more than two marks are changed.

7. Acronyms which are uncommon or are specific to a particular Coast Guard program must be clearly defined. This may be effectively accomplished in Section 2 of the OER.

8. Use abbreviations in moderation and only to improve readability and efficiency of the comments. They should also be commonly understood by all Coast Guard officers, e.g., "msg" and "ltr" are common abbreviations; however, "abrvtns" is difficult to interpret.

10.A.4.b. Forms

The following forms shall be used:

Grade	Form
Captain	CG-5310 with page 3C
Commander	CG-5310 with page 3B
Lieutenant Commander	CG-5310 with page 3B
Lieutenant	CG-5310 with page 3B
Lieutenant (jg)	CG-5310 with page 3A
Ensign	CG-5310 with page 3A
Warrant Officer	CG-5310 with page 3A

10.A.4.c. Preparation

1. Section 1—Administrative Data. The Reported-on Officer shall complete all items in this Section, and Section 13 (Return Address), no later than 21 days before the end of the reporting period. The Reported-on Officer is responsible for the accuracy of the information and the appropriate form for the grade.

   Items:

   a. NAME—Last and initials only. First names shall not be used.

   b. SOCIAL SECURITY NUMBER—Ensure correct.

   c. RESERVE TIME COMPLETED (IDPL officers only)—Until further notice, this section should not be used. The following information should be entered (as shown) in Block 2 as the last part of the “Description of Duties”: IDT Drills Scheduled/Attended: XX/XX; ADT: XX Days; ADSW: XX Days. Enter number of drills and days even if zero. The drills/days should reflect the number completed within the period of report, NOT the number completed during the anniversary year.

d. GRADE—Two-character pay grade, e.g., W2, O5, as of the end of period date. Frocked officers shall use the report form appropriate to their pay grade, not their frocked grade.

e. DATE OF RANK—Date of rank in all numerals**,** e.g., 1997/01/23**,** for the rank of the officer associated with the period of report.

f. UNIT—Identification of the unit to which permanently attached, e.g., Commandant (G-LMJ) or USCGC DECISIVE (WMEC-629). For concurrent OERs, use the TAD unit name. For "ADSW" OERs use the ADSW unit name.

g. ATU-OPFAC.

(1) Administrative Target Unit (ATU)—The two-digit numeric designation of the district, area, and headquarters unit to which administratively assigned, e.g., 01 for First District, 98 for Headquarters, 71 for Institute.

(2) Operating Facility (OPFAC)—The five-digit numeric designation of the unit to which permanently attached.

h. DAYS NOT OBSERVED—Enter a two-digit number in all categories representing the days the Reported-on Officer was not present for duty during the evaluation period. Enter as follows:

LV—The number of days leave taken during the evaluation period **(i.e., sick leave, regular leave).**

Other—TAD not performed in the execution of the officer's normal duties. Hospitalization, PCS, including travel, TEMDU, and proceed time, etc.; ☞ Article 10.A.3.a.

i. DATE REPORTED—Indicate the actual date of reporting to the unit specified in f. as shown by PMIS data entry. Enter date in the same format as e. above. NOTE: Intra-unit PCS transfers constitute a change in Date Reported Present Unit.

j. PERIOD OF REPORT—The regular reporting period commences the day after the ending date of the previous regular OER or the day of commissioning (for the first OER for newly commissioned officers) and ends on the date of the occasion for the current report. (Note: The period for a promotion OER ends on the day prior to promotion.) Elapsed time between permanent or temporary duty stations (in transit, on leave, hospitalized, etc.) shall be accounted for in the next period of report and noted in section 1.h., Days Not Observed. Enter dates in the same format as e. above. "ADSW" OERs shall include only dates while on ADSW.

c. Block c. SSN—Ensure correct Employee ID Number.

d. Block d. TITLE OF POSITION (e.g., Chief, Administration Division; Commanding Officer; Chief, Officer Management Branch).

e Block e. DATE—The date the Reporting Officer submitted the evaluation to the Reviewing Officer. Because this date indicates when OES responsibilities were completed, a date preceding the **end-of-the-period is prohibited.** Enter **date using a numeric format** (e.g., 2000/11/22).

11. Section 12, Reviewer Authentication.

a. When adding comments, the Reviewer checks the "Comments Attached" box in Block a.

b. Block b. SIGNATURE—The Reviewer's signature verifies that the OER has been completed properly and in accordance with these instructions. A typed or stamped name is required to clearly identify the Reviewer.

c. Block c. GRADE—Two-character military pay grade or civilian equivalent (e.g., O6, SES1).

d. Block d. SSN—Ensure correct Employee ID Number.

e. Block e. TITLE OF POSITION (e.g., Chief, Administration Division; Commanding Officer; Chief, Officer Personnel Management Division).

f. Block f. DATE—The date the Reviewer completed the review and forwarded the OER to the OER Administrator. Because this date indicates when OES responsibilities were completed, a date preceding the end-of-period is **prohibited**. **Enter date using a numeric format (e.g., 2000/11/22).**

g. On form CG-5315 (series), the Reviewer may comment on the Reported-on Officer's performance, qualities, potential, or value to the Coast Guard if these areas need to be expanded or explained further. Comments and a comparison/rating scale mark are required if the Reporting Officer is not a Coast Guard Officer, Coast Guard Senior Executive Service (SES) member, or the USPHS flag officer serving as Chief, Office of Health and Safety, Commandant (G-WK); ☞ Article **10.A.2.f.2.b**. The Reviewer may explain or reconcile discrepancies or conflicts reflected in the completed report, if these inconsistencies cannot be resolved by returning the report to the concerned rating chain members or through personal discussions. Additionally, the Reviewer shall limit comments to performance or behavior observed during the reporting period and/or discussion of the Reported-on Officer's potential.

h. The Reviewer shall forward the completed report, together with any authorized attachments, to the appropriate OER Administrator.

12. Section 13, Return Address. The Reported-on Officer provides the home address to which the official copy of the OER will be returned when the original is filed in the officer's record. Use of this page is mandatory for return address purposes; however, the checklist is optional. If Reported-on Officer is in the process of a PCS move, the new home address may be used or the address of a relative/friend.

13. Section 14, OER Administrator Review. Use of this block by OER Administrators is optional.

14. Validation. **The validation** block on page one of the OER **of** the copy mailed from Commander (CGPC-rpm) or Commander (CGPC-opm-3) will be stamped:

    Official Receipt Copy: Original Filed in Record

    The stamp will distinguish the official copy from unofficial copies the officer may receive from the rating chain.

10.A.4.d. Format for Reviewer Comments

1. Reviewers desiring to attach comments to the OER shall restrict their comments to a maximum of one page of form CG-5315 (series) or one single-spaced page (8½" x 11") typed on one side with no enclosures. The comparison scale is not to be completed unless the Reviewer comments are mandatory ☞ Article 10.A.4.c.11.g.

2. When form CG-5315 is not used, Reviewer comments shall be formatted as follows:

    a. NAME/RANK/SSN OF REPORTED-ON OFFICER.

    b. PERIOD OF REPORT.

    c. REVIEWER COMMENTS:

    d. Add comparison or rating scale if required by ☞ Article 10.A.2.f.

    e. Following the last line of comments the Reviewer shall sign as below:

    Signature/Date
    Name: Rank: (typed)
    Reviewer

3. Reviewer comments should be stapled to the back of the OER.

10.A.4.e. OER Administrator

1. After the OER Administrator has processed the OER, the original and two photocopies and any authorized attachments will be mailed directly to Commander (CGPC-rpm) for reserve OERs or the original and one photocopy of the OER and any authorized attachments will be mailed directly to Commander (CGPC-opm-3) for active duty OERs to arrive not later than 45 days after the end of the reporting period; ☞ Article 10.A.2.f.

2. Mail OERs in double envelopes with the inner envelope marked "Officer Evaluation Reports - For Official Use Only,' unless mailed directly to either a rating chain member, Commander (CGPC-rpm) or Commander (CGPC-opm-3). A double envelope is required if the OER is mailed through any chain of command or via any addressee.

10.A.4.f. Restrictions

Members of the rating chain shall not:

1. Mention the officer's conduct is the subject of a judicial, administrative, or investigative proceeding, including criminal and non-judicial punishment proceedings under the Uniform Code of Military Justice, civilian criminal proceedings, PRRB, CGBCMR, or any other investigation (including discrimination investigations) except as provided in ☞ Article 10.A.3.c. Referring to the fact conduct was the subject of a proceeding of a type described above is also permissible when necessary to respond to issues regarding that proceeding first raised by an officer in a reply under ☞ Article 10.A.4.g. These restrictions do not preclude comments on the conduct that is the subject of the proceeding. They only prohibit reference to the proceeding itself.

2. Consider or evaluate the performance of any officer as a member of court-martial, or give a less favorable evaluation to any defense counsel because of the zeal with which they represented an accused. Such evaluations are prohibited by the Manual for Courts-Martial, M.C.M. 104 (b) (1). This is not intended to preclude the accurate evaluation of, and comment on, counsels' advocacy skills (e.g., trial preparation, organization, logical analysis, writing ability, oral advocacy, direct or cross examination, handling of evidence, use of expert witnesses or demonstrative evidence, etc.) displayed in a court-martial setting. However, in commenting on such performance, whether favorable or unfavorable, no reference will be made to the name, case number, or final result (acquittal, conviction, or sentence).

3. Mention or allude to the fact that the Reported-on Officer was not selected by a board or panel (e.g., references to non-voluntary retirement or separation).

4. Mention any PRRB or CGBCMR application or decision.

5. Mention any medical or psychological conditions, whether factual or speculative. Restriction applies to Reported-on Officer and family members. **The mention of NFFD status is prohibited.**

6. Mention pregnancy. Restriction applies to Reported-on Officer and family members.

7. Expressly evaluate, compare, or emphasize gender, religion, color, race or ethnic background.

8. Place emphasis upon a third party by gender, religion, color, race, or ethnic background (e.g., Catholic lay minister wrote award recommendation for African-American civilian). **Although there is no restriction on naming third parties, rating chains should realize it is much easier to reconcile titles with positions of authority rather than correlating performance with proper names.**

9. Refer to the Reported-on Officer by first name.

10. Refer to Reported-on Officer's marital or family status.

11. Discuss Reported-on Officer's performance or conduct which occurred outside the reporting period.

12. Provide comments, attachments or citations which include information subject to a security classification. Evaluations of officers in billets dealing with classified national security issues should characterize performance in a manner which captures the essence of actions and their impact as specifically as possible without raising the classification above the UNCLAS level.

10.A.4.g. Reported-on Officer Reply

1. The Reported-on Officer may reply to any OER regardless of its content and have this reply filed with the OER. Replies provide an opportunity for the Reported-on Officer to express a view of performance which may differ from that of a rating official.

2. Comments should be performance-oriented, either addressing performance not contained in the OER or amplifying the reported performance. Restrictions outlined in ☞ Article 10.A.4.f. apply. Comments pertaining strictly to interpersonal relations or a personal opinion of the abilities or qualities of a rating chain member are not permitted.

3. Reported-on Officer replies must be submitted to Commander (CGPC-rpm) or Commander (CGPC-opm-3) via the original rating chain. Replies shall not be forwarded through the OER Administrator. If the whereabouts of the original rating chain members are unknown, submit the original and one copy directly to Commander (CGPC-rpm) or Commander (CGPC-opm-3) who will forward the reply to the Supervisor, Reporting Officer, and Reviewer.

4. Replies must be submitted to the Supervisor within 14 days from receipt of the official copy from Commander (CGPC-opm) or Commander (CGPC-rpm). Replies based upon receipt of local copies will not be accepted.

5. The OER Reply should be processed by the rating chain to arrive at Commander (CGPC-rpm) or Commander (CGPC-opm-3) not later than 30 days after the date the Reply was submitted to the Supervisor.

6. The Reported-on Officer shall inform Commander (CGPC-rpm) or Commander (CGPC-opm-3) directly by written communication (E-mail is acceptable) if the official receipt copy of the OER Reply has not been received 60 days from the date the Reply was submitted to the Supervisor.

7. Reported-on Officer replies do not constitute a request to correct a record. An officer who believes his or her OER contains a major administrative or substantive error should **follow** the procedures to correct military records **as** outlined in ☞ Article 10.A.7. This includes requests to have the OER, or a part thereof, removed from the record. Members of the rating chain who, in their review of a Reported-on Officer's reply, concur with the Reported-on Officer that an error may be present in the OER, shall return the reply to the Reported-on Officer and assist that officer in following ☞ Article 10.A.7. procedures.

8. Format for replies:

Date: (Submitted to Supervisor)

Signature

From: (**RANK, NAME, USCG/USCGR**)

To: Commander, Coast Guard Personnel Command (opm-3)
Thru: (1) (Original Supervisor by name)
(2) (Original Reporting Officer by name)
(3) (Original Reviewer by name)

Subj: OER REPLY

Ref: (a) Personnel Manual, COMDTINST M1000.6 (series)

1. As authorized by reference (a), I request the below reply be filed with my evaluation report for the period (YR, MONTH, DAY) to (YR, MONTH, DAY).

#

9. Reported-on Officers shall limit their replies to a maximum of two single-spaced pages (8½" x 11") typed on one side with no enclosures. Each rating chain member responding to the reply shall limit that response to a maximum of one single-spaced page (8½" x 11") typed on one side with no enclosures. If a rating chain member elects not to respond to the reply, he or she shall initial and date in the **thru** block of the Reply, and forward through the rating chain.

10. Any rating chain member who, upon reviewing a Reported-on Officer's reply, finds reason to concur that an error of fact may be present in the OER shall comment in their response and assist the officer in following the records correction procedures in ☞ Article 10.A.7.

10.A.4.h. Derogatory Reports

1. Definition. Derogatory reports are OERs that indicate the Reported-on Officer has failed in the accomplishment of **assigned** duties. Derogatory reports are only those OERs which:

   a. **Contain a** numerical mark of one in any performance dimension, or

   b. **Contain** an "unsatisfactory" mark by the Reporting Officer in section 9.

   c. Documents adverse performance or conduct that results in the removal of a member from his or her primary duty or position.

2. Processing. Derogatory OERs are processed as follows:

   a. The Reporting Officer shall provide a copy **(**authenticated through Section 11) to the Reported-on Officer requesting that an addendum be prepared. The Reported-on Officer is not required to prepare an addendum. The Reported-on Officer's addendum does not constitute an official request for correction of a record but provides the Reported-on Officer an opportunity to explain the failure or provide their views of the performance in question. Commenting or declining comment does not preclude the Reported-on Officer from an official request for correction of the record under ☞ Article 10.A.7. or submitting an OER Reply under ☞ Article 10.A.4.g.

   b. After completing the addendum, the Reported-on-Officer shall forward the OER along with the addendum to the Reporting Officer. The Supervisor and the Reporting Officer shall be afforded the opportunity to address the Reported-on Officer's addendum. In all cases, the rating officials shall each endorse the addendum by signature. The Reporting Officer will then forward the OER and attachments to the Reviewer.

   c. If the Reported-on Officer declines to make an addendum they shall so indicate by attaching the following statement: "I am aware of the contents of the performance report and decline comment." An addendum by the Reported-on Officer must be made within 14 days of receipt of the OER unless an extension is specifically requested from Commander (CGPC-rpm) or Commander (CGPC-opm-3). If the Reported-on Officer fails to provide either an addendum or the above statement within 14 days, the Reporting Officer shall forward the OER to the Reviewer noting that an addendum was solicited and not received. In such cases, the Reviewer shall prepare a Reviewer Attachment specifically stating that an addendum was solicited but not received.

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10.B. Enlisted Employee Review System (EERS)

10.B.1. General

10.B.1.a. Purpose

The **Enlisted Employee Review System (EERS)** has been designed to serve several specific purposes:

1. To set standards by which to evaluate the performance and behavior of all enlisted members;
2. To inform enlisted members of the performance standards they will be measured against;
3. To provide a means by which enlisted members can receive feedback on how well they are measuring up to the standards;
4. To capture a valid, reliable assessment of enlisted members' performance, so the Coast Guard may advance and assign members with a high degree of confidence;
5. To provide critical information that may affect discharges, re-enlistments, good conduct, advancement eligibility, and reductions in rate.

The employee review is not only used to document an individual's past performance, but more importantly, to provide a road map for future improvement.

10.B.1.b. Policy

Each commanding officer/officer in charge must ensure all enlisted members under their command receive accurate, fair, objective, and timely employee reviews. To this end, the Service has made enlisted performance criteria as objective as possible, within the scope of jobs and tasks enlisted personnel perform. In using the Enlisted Employee Review System, strict and conscientious adherence to the specific wording of the standards is essential to realizing the purpose of **the employee review process**.

10.B.2. Required Supporting Remarks

10.B.2.a. Discussion

1. **Supporting remarks are required to be submitted along with the employee review, up through the marking chain to address the future leadership potential of all enlisted personnel, E-6 and above, and for any recommended marks of 1, 2, or 7, unsatisfactory conduct mark, or loss of recommendation for advancement. ☞ Articles 10.B.6.a., 10.B.7. and 10.B.9.a.**

   (a) **Employee reviews that result in assignment of an unsatisfactory conduct mark or low competency marks as defined in ☞ Article 10.B.8.a. must be supported by an adverse remarks entry for:**

(1) Non-judicial punishment;

(2) Court-martial;

(3) Civil conviction;

(4) Financial irresponsibility;

(5) Not supporting dependents;

(6) Alcohol incidents; and

(7) Not complying with civilian and military rules, regulations, and standards.

(b) Do not confuse this entry with the many other reasons to **provide supporting remarks when completing an employee review. This entry must either state an NJP, CM, civil conviction or low competency mark (☞ Article 10.B.8.a.)** occurred, or give specific examples of financial irresponsibility, non-support of dependents, alcohol incidents, nonconformance to civilian and military rules, regulations, and standards which discredited the Coast Guard.

(c) In noncompliance with civilian and military rules, regulations, and standards; a one-time, minor infraction (e.g., late to work) is insufficient to be classified as an adverse **remarks** entry, which, in turn, necessitates conducting a special employee review and terminating Good Conduct Award eligibility. Adverse entries dealing with minor infractions should focus on patterns of unacceptable behavior instead of a one-time minor infraction.

(d) To clearly distinguish this type of remarks entry from all others, start the entry in the conduct competency field with:

This is an adverse supporting remarks entry for

(e) All employee reviews submitted on enlisted personnel, E-6 and above, are required to include supporting remarks, documenting the individual's leadership potential, along with the commanding officer's advancement recommendation. They must clearly identify the member's current and future potential for positions of greater responsibility. The accuracy of these entries is essential to distinguish individuals requesting to compete for command cadre or special assignment positions.

10.B.2.b. Definitions

1. **<u>Enlisted Employee Review Management System (EERMS)</u>. The automated system which assists Commandant (G-W) in monitoring EERS performance, providing system feedback, enforcing enlisted employee review discipline, and serving as the data base of official marks of each member.**

2. **<u>Enlisted Employee Review (EER)</u>. The series of web pages contained in CGHRMS used to report the performance of Coast Guard enlisted**

personnel. The EER contains updated performance standards and is a web-based application used to initiate, review and transmit a member's completed employee review.

3. **Enlisted Employee Review System (EERS).** The Coast Guard system, which addresses the performance appraisal of its enlisted personnel.

4. Evaluee. The enlisted member being evaluated.

5. **Competency Types**. The four major categories of performance.

   a. Military. Measures a member's ability to bring credit to the Coast Guard through personal demeanor and professional actions.

   b. Performance. Measures a member's willingness to acquire knowledge and the ability to use knowledge, skill, and direction to accomplish work.

   c. Professional Qualities. Measures those qualities the Coast Guard values in its people.

   d. Leadership. Measures a member's ability to direct, guide, develop, influence, and support others performing work.

6. **Competencies.** The individual elements on which the Coast Guard evaluates its enlisted personnel.

7. **Employee Review Worksheet. This form is optional and shall be used only by units without access to CGHRMS. Those units not having CGHRMS access can access the procedures for completing an off-line Employee Review Worksheet at www.uscg.mil/hq/hrsic/Manuals-Pubs-Newsletters/PPPM/PPPM-PDR-BYCHAP/CHAP10.pdf. The Approving Official shall ensure any employee review initiated using a worksheet is properly entered into CGHRMS. In these cases, the unit that entered the review into CGHRMS (typically a unit providing administrative support, e.g. PERSRU, Group Office, etc.) provides the approving official with a copy of the Member Counseling Receipt which reflects the effective status of 'Active'. This printed receipt serves as confirmation to the unit and servicemember that the Employee Review Worksheet was properly recorded into CGHRMS.**

8. Performance Feedback. No specific form or forum is prescribed for performance feedback. Performance feedback - formal or informal - actually occurs whenever an evaluee receives any advice or observation from a rating official on their performance or any other matter on which they may be evaluated. Performance feedback can occur during a counseling session, particularly during a mid-period session, through on-the-spot comments about performance, or at the end of the employee review period. Each evaluee must be continuously alert for the "signals" received in one of these ways from the rating chain. If the signals are not clear, the evaluee must ask the rating chain for clarification.

9. **Competency Descriptions.** The written criteria on the **EER** that define objective performance levels within each competency.

10. Rating Officials. The individuals responsible for evaluating and helping to motivate the performance and behavior of the evaluee.

11. Supervisor. The Supervisor shall be an officer, civilian, or enlisted person.

    a. If enlisted, the Supervisor must be at least one pay grade senior to the evaluee except as noted below:

        (1) The command may designate a first class petty officer (E-6) as the Supervisor.

        (2) A supervisor who is a first class petty officer, designated as executive petty officer, does not have to be one pay grade senior to the evaluee.

    b. If civilian, must be an official designated as the member's supervisor.

    c. If necessary, the Marking Official can fill the role of Supervisor.

12. Marking Official. The Marking Official shall be an officer, civilian, chief petty officer, or first class petty officer. However, a first class petty officer must be designated as an executive petty officer. A Marking Official who is a designated executive petty officer does not have to be one pay grade senior to the evaluee.

13. Approving Official. The Approving Official must be a Coast Guard officer, officer in charge (E-7 or above), or Coast Guard civilian who is the official supervisor of the Marking Official.

    a. Approving Officials will appoint rating chain officials within the prescribed guidelines for any enlisted personnel who are not otherwise covered by the general guidelines.

    b. If necessary, the Approving Official can fill the role of the Marking Official.

14. Regular Employee Review. Any annual or semiannual employee review.

15. Special Employee Review. An employee review performed for any reason other than a regular Employee Review as prescribed in ☞Article 10.B.5.b.

10.B.3. Designating Officials

10.B.3.a. Evaluators

Figure 10.B.3.1. designates those personnel who execute the employee review process for enlisted personnel. Waiver requests for exceptions to these designations shall be addressed to Commander, (CGPC-epm-1) for determination.

FIGURE 10.B.3.1.

ENLISTED EMPLOYEE REVIEW RATING CHAIN

UNIT TYPE	SUPERVISOR[1]	MARKING OFFICIAL[1]	APPROVING OFFICIAL[1]	APPEAL AUTHORITY[1]
Headquarters	As Division Chief designates	Division Chief	Office and Staff Chiefs	Assistant COMDT (G-A, G-W, etc.)[6]
Area/MLC Offices	Supervisor as Branch Chief designates	Section Chief	Operations Branch or Chief, Staff Components	Area/MLC Commander
District Offices	Section Chief or as Branch Chief designates	Branch Chief	Division Chief or Chief, Staff Components	District Commander
Academy	Section Chief or as Branch Chief designates	Branch Chief	Division Chief	Superintendent (including EAGLE)
Headquarters Units	As Division Chief designates	Division Chief	Commanding Officer	Commandant
TRACEN	**As Approving Official designates**	**As Approving Official designates**	**Division Chief or Training Division Branch Chief**	**Commandant (G-WT)[8]**
Area/District Vessels/Units[2]	As Marking Official designates	Department Head, Division Chief[5]	Commanding Officer	Area/District Commander
Units/Vessels, Groups, Sections[2]	As Marking Official designates	Department Head, Division Chief[5]	Commanding Officer, Group/ Section/Activity Commander[7]	District/MLC Commander
Group/Units/ Vessels	As Commanding Officer or Officer- in-Charge designates[9]	Executive Officer/ Executive Petty Officer	Group Commander/[3] Commanding Officer/Officer In Charge	District Commander
ADASGN Personnel and Reservists at PSUs and CNCWUs	As Commanding Officer designates	As Commanding Officer designates	Commanding Officer[4]	District/Area/MLC Commander
Master Chief Petty Officer of the Coast Guard	As designated by Approving Official	As designated by Approving Official	As designated by Approving Official	Commandant (G-CCS)

ENLISTED EMPLOYEE REVIEW RATING CHAIN FOOTNOTES FOR FIGURE 10.B.3.1.

1. ☞ Article 10.B.2.b. for specific guidelines on the definitions of the rating officials.
2. Includes ship indoctrination units, aircraft program offices, detachments, liaison offices, and other similar units. For those units where Figure 10.B.3.1. does not clearly indicate roles, contact Commander, (CGPC-epm-1) for direction.
3. Group and activity commanders will be the Approving Official for employee reviews of officers in charge and may designate Marking Officials as defined in ☞ Article 10.B.2.l (2).
4. The Approving Official must be a Coast Guard officer or officer in charge (E-7 or above). Public Health Service officials assigned to Coast Guard commands may sign as Approving Official.
5. In rare circumstances, the executive officer or executive petty officer may serve as Marking Official where they provide primary task direction.
6. The Chief of Staff is the Appeal Authority for enlisted members assigned to the Commandant's staff and the Vice Commandant's staff. When the Commandant personally signs as Marking Official and Approving Official the Appeal Authority will be the Board for Corrections of Military Records.
7. **Commander, Coast Guard Activities New York and Baltimore have authority to assign division chiefs as Approving Official and branch chiefs as Marking Official for those members assigned to duty within their rating chain.**
8. **Commanding Officer, TRACEN Yorktown, Petaluma and Cape May have authority to assign Division Chief or Training Division Branch Chief as Approving Official for those members assigned to duty within their rating chain. CO has authority to grant an appeal. Appeals not granted will be endorsed by the CO and forwarded to Commandant (G-WT) for consideration and final decision.**
9. **The supervisor must be an E-6 or above.**

10.B.3.b. Delegating Approving Official Authority

Approving Official authority may not be delegated.

10.B.3.c. Approving Official Supervises Member

If an evaluee works directly for the Approving Official and no one else supervises the member, such as at district, MLC, CGPC, or Area independent staff components, liaison offices, detachments, etc., the Approving Official completes the entire employee review and any appropriate **supporting** remarks ☞ **Article 10.B.2**.

10.B.3.d. Flag Officer Supervises Member

If an evaluee, such as a flag level Command Master Chief, Special Command Aide, etc., works directly for a flag officer, the flag officer completes the entire employee review and any **required supporting remarks ☞ Article 10.B.2.**

10.B.3.e. Member Assigned to units without Access to CGHRMS

If an evaluee is assigned to a unit without access to CGHRMS, the appropriate individuals shall utilize an Employee Review Worksheet ☞ Article 10.B.2.b.7., completing the Supervisor and Marking Official sections, if necessary. The completed worksheet is then forwarded to the member's designated Approving Official ☞ Figure 10.B.3.l. for final review and entry into CGHRMS.

10.B.4. Responsibilities

10.B.4.a. The Unit

1. **Responsible for reviewing the personnel roster through CGHRMS to determine when employee reviews are required ☞ Article 10.B.5.**

2. **Determine the reason for employee review if the member is being evaluated for any reason other than a regularly scheduled annual or semiannual employee review.**

3. **Initiates the EER and ensures all required competencies receive an assigned mark and the EER is forwarded through the rating chain.**

4. **Ensures employee reviews are completed, including the signed counseling sheet, not later than 21 days after the end of the employee review period ending date. If an evaluee refuses to sign the counseling sheet, a unit representative should so state in the evaluee's signature block and sign the statement prior to transmitting the completed EER to HRSIC. The unit provides the evaluee the original counseling sheet.**

10.B.4.c. The Evaluee

The evaluee and the rating chain are responsible for meeting all **EERS** standards. The evaluee is ultimately responsible for:

1. Learning the **EERS** intent and procedures as set forth in these prescribed guidelines.

2. Finding out what is expected on the job.

3. Obtaining sufficient feedback or counseling and using that information in adjusting, as necessary, to meet or exceed the standards.

4. If desired, providing a list of significant accomplishments.

5. **Signing in the member's signature block of the counseling sheet and retaining this form as a receipt to indicate acknowledgment of:**

   a. The counseling and review of their employee review;

   b. The impact of their employee review on their Good Conduct eligibility;

   c. The appeal time frame;

   d. His or her advancement potential and recommendation.

6. **Verifying through CGHRMS self service that their individual employee review has been properly recorded.**

Note: Members that have an approved employee review will be notified on their Leave and Earnings Statement (LES). It is their responsibility to verify their employee review and report any discrepancy thru their chain of command.

10.B.4.d. The Rating Chain

1. The rating chain assesses an enlisted member's performance and value to the Coast Guard through a system of multiple evaluators who present independent views and thus ensure accurate, prompt, and correct reporting. It reinforces decentralization by placing responsibilities for development and performance review at lower levels within the command structure. It ensures the evaluee is evaluated on the required period ending date and the employee review is based on how the evaluee performed in each competency consistently throughout the period, except for Conduct, which must be adhered to every day of the period.

2. Responsibility for evaluating the performance of enlisted personnel has been placed at several different levels. The employee review begins with the evaluee's Supervisor and is progressively reviewed and modified, as necessary, by higher supervisory levels until finally approved by the Approving Official. Through this process, the **EERS** has a built-in check and accountability system to ensure supervisory personnel are aware of the importance of employee reviews and give them incentive to be totally objective and accurate. Each rating official shall:

   a. Review and correct any inconsistencies found in employee reviews when considering an individual's performance compared to the written standards;

   b. Hold the next lower supervisory level accountable for their employee reviews by observing the accuracy and quality of the employee reviews they submit, and by reporting the same on **their EER or OER.**

3. The Supervisor.

   a. Must become thoroughly familiar with the instructions, **competencies,** and standards before initiating an employee review(s).

   b. Must clearly communicate goals and acceptable standards of performance to the evaluee before and throughout the marking period.

   c. Gathers all written and oral reports on the evaluee's performance. Ascertains the status of the evaluee's performance qualifications for next higher pay grade.

   d. Establishes a method for the evaluee to provide input on his or her performance. **A suggested method is to have the evaluee submit a list of significant achievements or aspects of performance midway during the marking period and not later than 14 days before the end of the marking period.**

   e. Routes the completed employee review to the Marking Official no later than nine days prior to the period ending date, including supporting comments for any recommended supporting remarks ☞ Article 10.B.2.

   f. Counsels the evaluee on the employee review after the Approving Official's action. The importance of how effective this piece of the evaluation process can be in setting the evaluee up for future success cannot be over emphasized. How well the supervisor clearly communicates the member's past performance and methods in which to improve are primary to ensuring future success. The Supervisor is required to ensure the evaluee is provided with a printed counseling sheet and acknowledges receipt by obtaining their signature ☞ Article 10.B.4.a.4.

4. The Marking Official.

   a. Must become thoroughly familiar with the instructions, competencies, and standards before performing the employee review(s).

   b. Gathers all written and oral reports on the evaluee's performance.

   c. Reviews recommended marks. Discusses with the Supervisor any recommendations considered inaccurate or inconsistent with the member's actual performance, paying special attention to recommended 1s, 2s, 7s, unsatisfactory conduct marks, or low competency marks. ☞ Article 10.B.8.a. The Marking Official has the authority to return the employee review to the Supervisor for further justification or support for any marks.

d. Routes the completed employee review to the Approving Official not later than five days after the employee review period ending date.

e. Holds Supervisor accountable for his or her **EERS** responsibilities.

5. The Approving Official.

a. Must become thoroughly familiar with the instructions, competencies, and standards before performing the employee review(s).

b. Gathers all written and oral reports on the evaluee's performance.

c. Is responsible for ensuring:

(1) Overall consistency between assigned marks and actual performance/behavior and output without using any type of forced distribution process;

(2) Evaluees are counseled and advised of appeal procedures;

(3) Employee reviews are submitted on time;

(4) The required supporting remarks are completed ☞ Article 10.B.2

(5) All reviews initiated using an Employee Review Worksheet are entered into CGHRMS ☞ Article 10.B.2.b.7.

d. Reviews the Marking Official's recommended marks and discusses with him or her any recommendations considered inaccurate or inconsistent with the evaluee's actual performance, paying special attention to recommended marks of 1, 2, or 7; unsatisfactory conduct marks; low competency marks, or a "Not Recommended" mark in the Recommendation for Advancement competency ☞ Article 5.C.4.b.1.l., 5.C.4.e.5.a. and 10.B.7.3. The Approving Official has the authority to return the employee review form to the Marking Official to further justify or support any marks ☞ Article 10.B.2.

e. Holds Marking Official responsible for his or her **EERS** responsibilities.

f. Forwards the completed employee review to the Supervisor to counsel and inform the evaluee.

g. Ensures the completed employee review, with supporting remarks (if applicable), are processed in sufficient time to permit them to be reviewed by the evaluee through CGHRMS self service not later than 30 days following the employee review period ending date.

6. Commandant (G-W). Commandant (G-W) has overall responsibilities for the **EERS** for all enlisted personnel.

7. Commandant (G-WPM) (for active duty members).

   a. Provides individual appeal and policy guidance.

   b. Maintains all applicable instructions and establishes policy governing the EERS.

8. Commandant (G-WTR) (for reservists).

   a. Provides individual appeal and policy guidance.

   b. Maintains all applicable instructions and establishes policy governing the **EERS**.

9. Commander, (CGPC-epm) or (CGPC-rpm).

   a. Monitors all applicable instructions, and policy governing the **EERS**.

   b. Responds to individual and command requests related to **EERS** policy. Direct phone inquiries to Commander, (CGPC-epm-1) or (CGPC-rpm).

   c. Conducts statistical analysis of servicewide marking patterns to assist in system discipline.

10. Commanding Officer, (HRSIC (adv)). Provides administrative quality control of all employee reviews.

10.B.5. Submission Schedule

10.B.5.a. Regular Employee Reviews

1. Regular Employee Reviews for active and reserve members are required to be submitted as shown in Figure 10.B.5.1. The deadline months shown in Figure 10.B.5.1 ensure all employee reviews are submitted in sufficient time for processing and completing the final multiple for Servicewide Examinations.

Figure 10.B.1 – Regular Employee Review Submission Schedule

PAY GRADE	DEADLINE DUE THE LAST DAY OF:
E-1	February (all) & August (AD only)
E-2	February (all) & August (AD only)
E-3	January (all) & July (AD only)
E-4	March (all) & September (AD only)
E-5	April (all) & October (AD only)
E-6	May (all) & November (AD only)
E-7	September (all)
E-8	November (all)
E-9	June (all)

2. If the rating chain must perform a special employee review on the same period ending date as the member's regular period ending date, enter as regular instead of the special reason, excepting a special disciplinary employee review; for that, enter the reason as disciplinary instead of regular.

3. Regular employee reviews may not be delayed. The unit rating chain is responsible for ensuring complete reviews are acknowledged by the evaluee and completed within CGHRMS not later than 30 days after the employee review period ending date.

4. Do not complete a regular employee review on a member until the next regular period ending date when:

   a. A special employee review has been completed within 92 days for E-6 and below employee reviews, 184 days for E-7 and above employee reviews, or 19 drill periods for reservists before the end of a regular period ending date,

   b. An evaluee has been assigned to a new duty station for fewer than 92 days for E-6 and below employee reviews, 184 days for E-7 and above employee reviews, or 19 drill periods for reservists on a regular period ending date.

5. Do not complete any employee review for the following circumstances:

   a. Upon discharge, reenlistment, release from active duty, or retirement;

   b. Evaluee is undergoing Class “A,” “C,” advanced, or recruit training, except in disciplinary situations described in ☞ Article 10.B.5.b.3;

c. Evaluee is in an unauthorized absence or desertion status on the regular period ending date;

d. Evaluee is granted leave awaiting appellate review of a court-martial;

e. Evaluee is in Home Awaiting Order Status (HAOS) awaiting Final Action of a Formal Physical Evaluation Review Board.

f. On awarding NJP or civil conviction if the NJP award or conviction was due to an alcohol incident for which the member was previously assigned a special employee review. This exemption applies to alcohol incidents only.

g. Upon advancement to any pay grade up to, and including, advancement to pay grade E-6.

10.B.5.b. Special Employee Reviews

Special employee reviews are conducted for any reason other than a regular employee review. While the **EERS** focuses on regular employee reviews, occasionally a special employee review is in order. Use the following to determine whether to perform a special employee review.

1. Complete a special employee review if the rating chain completed a regular or special employee review for a period ending more than 92 days for E-6 and below employee reviews, 184 days for E-7 and above employee reviews, or 19 drill periods for reservists before one of the events listed below.

   a. Advancement or change in rating to pay grade E-7 or above. Complete a special advancement employee review as of the day prior to the effective date of advancement or change in rating using the employee review competencies for the previously held pay grade.

   b. Detachment for permanent change of station. Commands shall ensure members sign the counseling sheet for transfer employee review NO LATER THAN 15 days before departing the unit to allow adequate time for counseling and appeal processing if required.

   c. Detachment for intra-command reassignments if the Approving Official will change.

   d. Detachment of an Approving Official who directly supervises an evaluee.
   ☞ Articles 10.B.3.c and 10.B.3.d.

2. **The TAD, Active Duty for Special Work-Reserve Component (ADSW-RC), or Active Duty for Special Work-Active Component (ADSW-AC) commanding officer should provide, in writing, supporting documentation for input in the**

member's next regular employee review when an evaluee completes TAD, ADSW-RC, or ADSW-AC for any length of time.

3. The following events require a special employee review, regardless of the time since the last employee review.

   a. On the date a member is awarded non-judicial punishment (NJP) or convicted by a court-martial (CM).

      (1) When a member awarded NJP or convicted by CM is stationed at a major Headquarters unit whose designated commanding officer of enlisted personnel for the command is not the regular Approving Official for the individual (i.e., Chief, Administration Division at a District Office or Commanding Officer, Headquarters Support Command), that officer sends a memorandum explaining the circumstances and a copy of the Court Memorandum, CG-3304, completed as a result of the NJP or CM to the member's designated Approving Official. The designated Approving Official uses the information provided to complete a special disciplinary employee review when:

         (a) A member, including all students except Class "A" school and PCS DUINS, is awarded NJP or convicted by CM while serving on TAD and is to return to the parent command on completing the TAD; e.g., commanding officer of a training center for a person attending a two-week course who is awarded NJP while at the training center. The command effecting the NJP or CM conviction sends a letter explaining the circumstances to the member's parent command, including with the letter a copy of the Court Memorandum, CG-3304, completed as a result of the NJP or CM. The member's parent command completes a special disciplinary employee review using the information provided and its knowledge of the member's performance.

         (b) When a member is awarded NJP or convicted by CM while serving PCS DUINS or as a Class "A" school student, the commanding officer completes a special disciplinary employee review, assigning an unsatisfactory conduct mark only, and leaves all other competencies blank.

         (c) When a member is undergoing recruit training and is awarded NJP or convicted by CM, the commanding officer completes a special disciplinary employee review, assigning an unsatisfactory conduct mark only, and leaves all other competencies blank.

      (2) On the date a civil court convicts a member if the civil offense compares to similar offenses covered by the Uniform Code of Military Justice (UCMJ). The following guidelines apply:

(a) The Approving Official determines whether a civil offense resulting in conviction, action amounting to a finding of guilt or forfeiture of bail, is a minor or major offense compared to similar offenses covered by the UCMJ.

(b) Civil convictions must be evaluated carefully to avoid lowering conduct marks inappropriately or unjustly. Treat certain civil offenses; e.g., parking tickets, as not warranting a special employee review unless they are excessive.

(c) If the Approving Official determines a civil offense is a minor offense, they should normally consider it equivalent to NJP. Examples of minor offenses might include provoking a fight, a minor case of disturbing the peace, or an excessive number of parking tickets.

(d) If the Approving Official determines a civil offense is a major offense, they should normally consider it equivalent to a CM conviction. Examples of major offenses include robbery or driving while intoxicated.

(e) If a civil offense warrants an employee review of a member undergoing any Class "A," "C," advanced, or recruit training, the commanding officer completes a special disciplinary employee review, assigning an unsatisfactory conduct mark only, and leaves all other competencies blank.

(f) When a member is TAD, ADSW-RC, or ADSW-AC and convicted in civil court, the TAD, ADSW-RC, or ADSW-AC command writes a letter to the member's parent command to explain the circumstances. The parent command completes a special disciplinary employee review using the information provided and its knowledge of the member's performance.

4. For reduction in rate.

a. Reduction as punishment.

(1) Complete a special disciplinary employee review effective the date punishment is imposed.

(2) Use the competencies for the rate from which reduced.

(3) If a reduction in rate was awarded but the punishment was suspended and the suspension was later vacated, complete a special disciplinary employee review if more than 92 days have elapsed (for E-6 and below

Employee Reviews), 184 days (for E-7 and above Employee Reviews), or 19 drill periods (for reservists) between the conviction and the reduction dates.

b. Reduction for incompetence or at the member's request.

(1) Complete a special reduction employee review effective the day before the effective reduction date.

(2) Use the competencies for the rate from which reduced.

5. At the end of a three-month probationary period for incompetency. ☞ Article 5.C.38.c.

6. For Servicewide Examination (SWE) purposes. Complete a special SWE employee review only if the rating chain has not completed an employee review for the current pay grade during the prescribed time frame for advancement. ☞ Chapter 5.C.

7. Complete a special employee review to allow Individual Ready Reserve (IRR) members to compete in a SWE.

8. A special employee review is required for a member who has an alcohol incident.

10.B.6. The Employee Review Process

10.B.6.a. General

1. The rating chain will evaluate each enlisted member on the required period ending date to assess his or her actual performance since the last recorded employee review. The rating chain shall base employee reviews on how the member performed in each competency consistently throughout the period, except for conduct, to which the member must adhere every day of the period. Normally, a single, isolated event (either positive or negative) should not drastically affect the marks assigned during the employee review period. However, the rating chain must consider the overall positive or negative impact of the event.

2. The rating chain uses employee reviews to evaluate enlisted members' performance of duties in any position or pay grade, whether in specialty or not.

3. For members with a limited opportunity to perform for reasons such as illness, injuries, pregnancy, use the following guidelines.

a. Occasionally, circumstances resulting from a temporary condition may limit a member's opportunity to perform. These circumstances may cause specific performance restrictions; e.g., those imposed by a medical authority, and may

even require restructuring or reassigning duties. While rating chains shall not give preferential treatment, commanding officers shall ensure these individuals do not receive adverse employee reviews solely for these circumstances.

b. In consultation with the health care provider, the commanding officer must establish a "reasonable expectation of performance" in the member's current circumstances. In particular, the commanding officer must determine whether a member requires reassignment to a different work environment, restrictions on performing specific types of tasks, or reduced work hours. When considering reassigning or restructuring duties, commanding officers should strive to identify service needs, which compliment the member's temporary limited abilities.

4. Members are divided into three pay grade groups: master, senior, and chief petty officers (E-9, E-8, and E-7); petty officers (E-6, E-5, and E-4); and non-rated personnel (E-3, E-2, and E-1). Use the non-rated employee review for non-rated personnel with designators.

5. Each competency is defined in terms of three performance standards: low, middle, and high. These standards are not the same for each pay grade group. The higher the pay grade group, the higher the standards become, as should be expected considering their increased training and experience. All raters shall mark each evaluee against the written standards, not against others in the same rate or rating.

6. For a mark of 2, 4, or 6, the member must meet these standards and no others in the next higher performance standard. A mark of 4 represents the expected performance level of all enlisted personnel. Normally, a single, isolated event, either positive or negative, should not drastically affect the marks assigned during the employee review period. However, the rating chain must consider the overall positive or negative impact of the event.

7. Use the following guidelines to assign marks.

MARK	MEANS THE MEMBER CONSISTENTLY
1	(Unacceptable) - Did not meet all the written performance standards in the "2" level and the rater considered the impact severely detrimental to the organization or to others.
2	(Poor) - Met all the written performance standards in this level.
3	(Below Standard) - Did not meet all the written performance standards in the "4" block.
4	(Average) - Met all the written performance standards for this level and none in the "6" level.
5	(Above Average) - Met all the written performance standards in the "4" level and at least one of those in the "6" level.

6	(Excellent) - Met all the written performance standards for this level and did not exceed any of them.
7	(Superior) - Met all the written performance standards in the “6” level and exceeded at least one of them.

10.B.6.b. Documentation

1. The employee review is designed to inform members how they are performing compared to the written standards. The form requires few or no supporting remarks and should cover explicitly all performance factors for each evaluee. The rater may use the employee review as a tool in counseling the evaluee.

   a. Raters must provide supporting remarks for certain marks ☞ Article 10.B.2. These remarks serve as supplemental information on the evaluee in determining decisions such as OIC certification, removal for cause, regular duty assignments, or special duty assignments as a recruiter, instructor, investigator, or CMC.

   b. Specific comments that paint a succinct picture of the evaluee's performance and qualities allow the reader to determine WHAT or HOW they exceeded or failed to meet the standards and may reduce or even eliminate subjectivity and interpretation.

   c. The rater’s challenge is to convey to the reader the performance picture observed daily. This is difficult because the reader does not “see” the evaluee in action and cannot read into a general comment what the evaluator sees every day and takes for granted. If the reader cannot form a clear performance picture, the human tendency is to disregard or assign a lesser value to the comments. This “collective group of words” could be the deciding factor in today’s competitive environment for choice assignments.

2. The Approving Official may solicit other comments on observed performance to support any marks at any time. Likewise, the Supervisor or Marking Official may comment any time either believes more should be said about the evaluee in any competency or factor.

3. Use any comments that affected the employee review results during the counseling and feedback session.

10.B.7. The Advancement Recommendation

1. While the rating chain must consider past performance, it must also consider and base the recommendation on the member's potential to perform satisfactorily the duties and responsibilities of the next higher pay grade, qualities of leadership, and adherence to the Service’s core values. Each rating chain member must address this independent section every time they complete an employee review.

2. When completing this part of the employee review, the rating chain should focus on the guidelines in ☞ Chapter 5.C. on advancement recommendations and then select one of the following choices.

   a. RECOMMENDED. The member is fully capable of satisfactorily performing the duties and responsibilities of the next higher pay grade. The rating chain should choose this entry regardless of the member's qualification or eligibility for advancement. If the member has met all eligibility requirements, choosing this value constitutes an official recommendation for advancement. **Personnel, E-6 and above, must receive a supporting remarks entry clearly documenting their present and future leadership potential for greater responsibility ☞ Article 10.B.2.a.(1).(d).**

   b. NOT RECOMMENDED. The member is not capable of satisfactorily performing the duties and responsibilities of the next higher pay grade.

3. If the Approving Official marks "Not Recommended," they must ensure the member is properly counseled on the steps necessary to earn a recommendation and prepare supporting remarks ☞Articles 5.C.4.b.1.l., 5.C.4.e.5.a., 10.B.2. , and 10.B.4.d.5.c.(4)(d).

4. The Approving Official's decision on the advancement recommendation is final and may not be appealed. However, if the Approving Official learns new information and decides to change the recommendation, they should follow the procedures in ☞ Article 10.B.11.b.

10.B.8. Good Conduct Award Eligibility

10.B.8.a. Eligibility

A new period of eligibility for the Good Conduct award begins any time a member receives an unsatisfactory mark in conduct or a competency type total mark less than shown in the following chart.

GROUP	MIL	PERF	PROF	LDRSHP
Nonrate	9	18	18	12 (E-3 only)
PO	6	21	18	21
CPO	6	27	18	21

10.B.8.b. An Unsatisfactory Conduct Mark

The rating chain must assign an unsatisfactory mark in conduct whenever an individual meets any of the criteria listed in ☞ Article 10.B.2.a.

1. Use the following guidelines to determine when terminating Good Conduct Award eligibility is warranted:

   a. On the effective date the member is awarded NJP or convicted by CM, or in civil court. Do not complete a special disciplinary employee review if the civil conviction was due to an alcohol incident for which the rating chain previously completed a special employee review. This exemption applies to alcohol incidents only. The rating chain must still document the civil conviction under ☞ Chapter 8.B.

   b. On the employee review period ending date if the member receives an unsatisfactory conduct mark or lower than minimal competency marks or competency type totals.

2. Assigning an unsatisfactory conduct mark may impact advancement to the next higher pay grade, change in rate, or participation in the Servicewide Examination. ☞ Article 5.C. for specific guidance on advancements.

10.B.9. Appeals

10.B.9.a. General

1. The employee review is designed to be as objective as possible. However, when one human being evaluates another, there will be some subjectivity. Even when the member perceives no difference in performance from one period to the next, small variations in marks can occur.

2. The appeals process is designed to review marks the evaluee believes were based on:

   a. incorrect information;

   b. prejudice;

   c. discrimination; or

   d. disproportionately low marks for the particular circumstances.

3. The recommendation for advancement portion on the employee review may not be appealed.

10.B.9.b. Responsibilities

1. <u>The member</u>.

a. Before writing an appeal, the member should request an audience with the rating chain to verbally express any concerns that could lead to a written appeal.

b. If this meeting does not lead to an agreement between the Approving Official and the member, the member can appeal in writing and submit the appeal to the Appeal Authority indicated in Figure 10.B.3.1., via the commanding officer. If the member has been reassigned, they must submit the appeal to the Appeal Authority for the former command, via the commanding officer of that command.

c. The appeal letter must contain the specific competencies in dispute and supporting information indicating why the marks should be reviewed. Supporting information must include specific examples of demonstrated performance that indicate how the member met or exceeded the written standards. The member attaches a copy of the signed employee review counseling sheet as enclosure (1) and other enclosures pertinent to the assigned marks.

d. The member must submit the appeal within 15 calendar days (30 calendar days for reservists) after the date they signed the acknowledgment section of the counseling sheet for the disputed employee review.

e. If appealing more than 15 calendar days (30 calendar days for reservists) after the date the member signed the employee review acknowledgment section, the member must explain the circumstances that did not allow or prevented him or her from submitting the appeal within the prescribed time limit.

2. The commanding officer. In most cases the commanding officer is the Approving Official. However, for commands such as district offices, area offices, and MLCs, the commanding officer might not be the Approving Official. In these instances, the Approving Official is synonymous with the title commanding officer for the below responsibilities.

a. Each commanding officer must ensure all enlisted persons are aware of their right to appeal under this Article.

b. Each commanding officer must ensure counseling and clerical assistance are provided to any member desiring to exercise these appeal rights.

c. As a result of the appeal, a commanding officer may raise or leave marks unchanged, but may not lower any marks. If the member accepts the relief the Approving Official grants, the appeal need not be sent to the Appeal Authority. If the relief does not satisfy or only partially satisfies the member, the commanding officer must send the appeal and then comply with the change procedures in ☞ Article 10.B.10.b.

d. Commanding officers shall endorse and send the appeal letter to the Appeal Authority within 15 calendar days of receiving it from the member. The Appeal Authority may extend the 15 days if the commanding officer needs additional information before responding to the appeal; e.g., if a rating chain member has been transferred and the commanding officer needs more information from this member before they can respond to the appeal adequately. The commanding officer's endorsement should address this delay.

e. The commanding officer's endorsement shall contain specific examples of demonstrated performance that warranted the assigned marks and address any extenuating circumstances. The commanding officer shall ensure the member receives a copy of the command's endorsement.

3. Appeal Authority.

a. The Appeal Authority must review and act on the appeal within 15 calendar days after receiving it. Commander, (CGPC-epm-1) may extend the 15 days if the Appeal Authority needs additional information from either the member or commanding officer before responding to the appeal.

b. In acting on an appeal, the Appeal Authority may raise or leave unchanged the member's marks, but may not lower any marks an Approving Official assigned.

c. Once the Appeal Authority has decided, they should ensure copies of the appeal package (member's letter, command endorsement along with all enclosures, and Appeal Authority's action) are sent to Commander, (CGPC-adm-3) for filing and to Commanding Officer, HRSIC (adv) for review and possible update to the member's employee review data.

10.B.10. Waiving and Changing Employee Review Marks

10.B.10.a. Waiving Employee Reviews

Occasionally it is either impossible to evaluate an evaluee; e.g., the member was in-patient or on sick leave during entire period, or an employee review period is overlooked administratively. In these and similar situations the Approving Official can submit a request to HRSIC (adv), seeking a waiver of the entire period by letter, specifying the reasons.

10.B.11.b. Changing Employee Review Marks

1. Approving Officials are authorized to change any mark they assigned to members still attached to the unit if the Approving Official receives additional information that applies to the particular employee review period.

a. If the employee review has not been marked final, the Approving Official discusses the marks with the Marking Official as noted in ☞ Article 10.B.4.d.4. If they change any marks, those changes must be entered in CGHRMS. A new counseling sheet will be printed and acknowledge by the member.

b. If the Approving Official already has submitted the employee review to HRSIC, the Approving Official writes, signs, and sends a letter to Commanding Officer, HRSIC (adv) to request changing the marks. The letter should contain the following information.

(1) The member's name, rate, and employee ID,

(2) The period ending date,

(3) The specific competencies being changed,

(4) The original numerical mark, **conduct mark or CO's recommendation for advancement,**

(5) The revised numerical mark, **conduct mark or CO's recommendation for advancement,**

(6) A statement the member has been advised of these changes.

c. Commanding Officer, HRSIC (adv) changes the member's employee review in CGHRMS.

d. The member shall verify through CGHRMS self service that their individual employee review has been properly updated.

2. If judicial proceedings are later set aside, the current Approving Official re-evaluates and adjusts marks on the special disciplinary employee review assigned by any Approving Official based on alleged offenses committed.

3. **Any Approving Official who has reason to believe marks assigned by another commanding officer are erroneous shall write to Commander, (CGPC-epm-1) describing the circumstances. This letter shall include any supporting documentation and a recommended course of action.**

12.A.2.e. Dismissal Pursuant to General Court-Martial Sentence

Officers dismissed from the Service pursuant to a sentence of general court-martial do not receive a certificate of discharge. Their only separation document is a letter signed by the Secretary or an authority to which he or she has lawfully delegated the function to inform the officer concerned of his or her trial, conviction, sentence, departmental action on and approval of the sentence, and fact of dismissal. This is the lowest type of separation from the Service, and in all respects equals a dishonorable discharge.

12.A.2.f. Administrative Separation

In all cases in which an officer is recommended for administrative separation from the Service, the recommending authority shall also recommend the type of discharge that should be granted under this article.

12.A.2.g. Issuing Authority

Commander (CGPC-opm) will determine the type of discharge and direct the servicing Personnel Reporting Unit (PERSRU) to prepare the appropriate discharge certificate in the officer's separation order, either in writing or via message. Under no circumstances will any ship or station ever issue any form of discharge certificate to an individual separated from the Service as a chief warrant or commissioned officer.

12.A.3. Inter-Service Transfers of Regular and Reserve Active Duty Officers

12.A.3.a. General

Per 10 U.S.C. 716, **and notwithstanding any other provision of law, any commissioned officers of a uniformed service may be transferred from their uniformed service to, and appointed in, another uniformed service. The following applies**:

1. The officer must consent to the transfer.
2. An officer transferred from the Coast Guard may not be appointed in another Service at a higher rank or precedence than that held on the date before transfer.
3. Transfers will be made only within authorized strength limitations to officers who have fulfilled **their** obligated service requirements.

12.A.3.b. Procedure

1. Normally, an individual officer initiates a transfer by submitting a request through the chain of command to Commander (CGPC-opm). A justification of the requested transfer as being in the interest of national security and the individual officer must accompany all requests.
2. Commander (CGPC-opm) will indicate concurrence or disagreement and send the request to the Department of Defense.
3. If the Coast Guard and Department of Defense approve the request, the two affected Services will terminate the officer's current commission and reappoint him or her in the other Service without interrupting the continuity of his or her total military service.
4. An officer transferred under this Article is placed on the receiving Armed Force's applicable promotion or lineal list in an appropriate position as determined by the amount of promotion list service he or she earned in his or her parent Service on the day before transfer. Grade and date of rank are determined by applying the amount of promotion list service to the appointment laws in effect for the Service to which the officer is transferring.
5. An officer transferred under this Article is credited with the unused leave which he or she was credited at the time of transfer and the total military service with which he or she was credited on the day before transfer.

12.A.4. Vacant

12.A.5. Resignations

12.A.5.a. General

Regular and reserve officers retain their commission at the pleasure of the President. This Article lists the criteria to voluntarily terminate an officer's status as deemed necessary for current Service requirements and the needs of the officer corps.

12.A.5.b. Submitting Requests to Resign

Officers must submit voluntary requests to resign in writing to Commander (CGPC-opm) through the chain of command. Commander (CGPC-opm) carefully notes the immediate commanding officer's comments, which should contain pertinent facts or reasons that underlie the request. To receive an acknowledgment the request was received, provide your e-mail address in the letter and indicate you would like to receive acknowledgement the request was received.

12.A.5.c. Deadline

An officer may submit an unqualified request to resign (☞ Article 12.A.6.a.) not more than one year in advance but in sufficient time to reach Commander (CGPC-opm) six months before the requested resignation date. Exceptions to these time limits may be granted in hardship cases. Due to shortages that may occur in specialized communities, depending on the timing of resignation requests, approved separation dates may be up to 12 months from the date of the request should the needs of the Service require.

12.A.5.d. Acceptance

A resignation has no effect until competent authority accepts it. Upon receiving and acknowledging a request for resignation, Commander (CGPC-opm) establishes the terminal date and supplies the officer with an information letter and accounting data pending final acceptance by the Secretary of Transportation on behalf of the President.

12.A.5.e. Denying a Request

Except in very unusual circumstances, Commander (CGPC-opm) will not accept an officer's resignation under these conditions:

1. The officer has not completed active obligated service.
2. The officer has not completed one year at his or her INCONUS or two years at his or her OUTCONUS duty station.
3. A state of emergency exists during which Service needs clearly preclude accepting a resignation.
4. Commander (CGPC-opm) issued orders to duty outside the continental limits of the United States before receiving the letter tendering a resignation.

12.A.5.f. Request for Reserve Commission

An officer whose resignation is accepted and who has no obligation under 10 U.S.C. 651 is not required to accept a Coast Guard Reserve appointment. However, officers whose service has been satisfactory are encouraged to do so, since Reserve service will be desirable for the Coast Guard and advantageous to the individual. All officers requesting resignation shall state whether or not they desire a Coast Guard Reserve commission. Requests for Reserve Commissions should be submitted to Commander, (CGPC-rpm). To ensure there is no break in service, requests should be submitted at leat 120 days prior to discharge. Once the officer has been appointed by the Secretary of Transportation and has executed the Acceptance and Oath of Office form (CG-9556) PERSRUs should ensure the member is accessed into the Reserve in accordance with the SDA II User Manual, HRSICINST M5231.2 (series).

12.A.5.g. Temporary Officers

An enlisted member serving as a temporary commissioned officer who resigns and has no obligation under 10 U.S.C. 651 will be discharged. Should a temporary officer who has an obligation under 10 U.S.C. 651 be granted a resignation, he or she will be given the choice of either a Reserve commission followed by release to inactive duty or reversion to permanent status and transfer to the Reserve to complete the required service. Temporary officers who resign their commission are encouraged to accept a commission in the Coast Guard Reserve.

12.A.5.h. Withdrawing a Request

Based on Service needs, Commander (CGPC-opm) may grant the officer concerned approval to withdraw a request to resign; **however, the officer must acknowledge in writing that he or she understands that he or she will be required to complete a minimum of two (2) years active duty from the date of cancellation.**

12.A.5.i. Disapproving a Request

The Commandant may decide to retain officers on active duty beyond their requested resignation date based on Service needs.

12.A.6. Forms of Officers' Resignations

12.A.6.a. Unqualified Resignation

1. The Coast Guard is interested in the reasons why an officer voluntarily separates from the Service and a Coast Guard career. Therefore, it is important for an officer submitting his or her resignation to state precisely the reasons for doing so. If an officer desires to resign to attend school, enter business, or accept a position in civilian life, he or she should say so. If an officer is resigning because he or she thinks his or her chances for promotion in the Service are poor, the pay is inadequate, or the deprivation of home life is excessive, he or she should state these reasons as well.

2. The form in which to submit an unqualified resignation is:

   a. I hereby submit my resignation from the United States Coast Guard and request its acceptance effective [date].

   b. [State reasons for resigning commission.]

   c. I have been informed and understand if my request to resign is accepted, I subsequently shall receive a certificate of honorable discharge from the Coast Guard.

   d. I [do/do not] desire a commission in the U.S. Coast Guard Reserve. I understand to receive retired pay at age 60, I must complete at least 20 years' satisfactory Federal service, the last eight years of which must be qualifying service as a Reserve component member in compliance with 10 U.S.C. 12731.

3. Officers requesting voluntary, unqualified resignation may also be eligible for Temporary Separation described in ☞ Section 12.F. Officers are encouraged to become familiar with the provisions of ☞ Section 12.F prior to submission of a request for voluntary, unqualified resignation.

ensure an appropriate entry is made on a Administrative Remarks, CG-3307 and filed in each member's Personnel Data Record (PDR) as to the date this information was explained to the member.

12.B.4. Pre-Discharge Interview of Enlisted Members

12.B.4.a. General

In general, a member who meets ☞ Article 1.G.5. reenlistment standards is eligible to reenlist, unless the reason for discharge precludes reenlistment, such as physical disqualification, disability, unsuitability, misconduct, or an alien's failure to become a naturalized citizen, or if the commanding officer did not recommend him or her. Commanding officers should not refuse reenlistment to members who have demonstrated a potential for a successful, productive Coast Guard career. Commanding officers may assign members serving in the E-2 or E-1 pay grade at the end of their active duty term, the designation "Eligible for Reenlistment" (Reenlistment Code RE-1) provided these members are in all other respects eligible. Commanding officers should encourage members in pay grade E-3 to reenlist provided they meet ☞ Article 1.G.5. requirements. However, commanding officers should view members as poor risks if they have records of indebtedness or non-support or whose personal problems have resulted in hardship assignments longer than four months and therefore shall screen them carefully before considering them for reenlistment.

12.B.4.b. Initial Interview

1. Based on the member's record and the guidelines in ☞ Article 12.B.4.a., the commanding officer shall advise each member approximately six months before his or her enlistment expires whether he or she is eligible to reenlist. The commanding officer shall fully inform a member ineligible to reenlist of the reasons, assign him or her the proper code and, except for members ineligible for physical disqualification, process the member under ☞ Article 12.B.5. This approximate time frame for the initial pre-discharge interview is not a performance probationary period for members considered ineligible to reenlist but rather allows enough time to properly process a member for separation, extension, or reenlistment. Under ☞ Article 12.B.5.a., the commanding officer may conduct this interview in less than six months' time before the member's enlistment expires.

2. Members who meet the ☞ Article 1.G.5. reenlistment criteria shall be assigned the Reenlistment Code RE-1, "Eligible for Reenlistment," and allowed to reenlist for a maximum of six years. The commanding officer may reenlist members assigned this code on board without reference to Commander (CGPC-epm-1).

3. Immediately after the required initial interview, a **command representative**, who has indicated **favorable** career intentions, shall interview each member eligible to reenlist to give him or her the opportunity to express his or her own desires about reenlistment intentions. During the interview, the **command representative** must inform each potential reenlistee eligible for a Selective Reenlistment Bonus (SRB) of that eligibility and the SRB program's monetary benefits **(See ☞ Chapter 3.C.).** The **command representative** must discuss these subjects:

   a. The SRB amount for which the potential reenlistee currently is eligible.

   b. SRB flexibility and possible changes that might increase or decrease the bonus amount to which the member is entitled at reenlistment.

   c. Any limiting factor that could negatively affect the SRB payment, such as rating conversion, etc.

   d. The advantages of early reenlistment to obtain the present SRB amount compared to the uncertainty of future SRB payment.

   e. Normal SRB payment method of equal annual installments or, if appropriate, possible payment in one lump sum.

12.B.4.c. Follow-Up Interviews

When a member eligible to reenlist indicates he or she will not do so, the commanding officer or executive officer will hold a follow-up interview with the member to:

1. Fully inform him or her of matters of interest to potential reenlistees, such as advantages of training, promotion, service schools, assignments, and retirement.

2. Advise the member ☞ Article 1.G.3.b. provisions apply if he or she desires to reenlist other than on the day after discharge.

3. Advise a member serving in a foreign country who transferred for separation in lieu of reenlisting at his or her present unit (☞ Article 12.B.46.b.) that:

   a. Reenlistment will not be effected after such transfer unless the member requests and receives such authority from Commander (CGPC-epm-1).

2. If a member, who satisfies the conditions in ☞ Article 12.B.7.d.1., has received PCS orders, and wishes to voluntarily separate in lieu of executing orders, he or she must so advise Commander (CGPC-epm) by message within **15** days of receiving the PCS orders and simultaneously send a request to separate on an effective date within three months of receiving PCS orders. Commander (CGPC-epm) will consider such requests based on the overall Service needs. Commander (CGPC-epm) will not normally accept a request to cancel a voluntary separation so scheduled except to allow for disability processing, or Service need.

3. If a member's commanding officer determines that a request for separation is warranted even though it does not meet the conditions in ☞ Article 12.B.7.d.1., the member should send the request and full supporting information pertaining to it to Commander (CGPC-epm), through the chain of command, for consideration. Such a request will be approved only in those rare instances when in the judgement of Commander (CGPC-epm), departing from subparagraph 1's normal rules, is justified. If the request is disapproved, Commander (CGPC-epm) will indicate when the member may resubmit a separation request. Commander (CGPC-epm) will cancel a request approved under this paragraph only to allow for disability processing, or Service need, subject to the provisions in ☞ Article 12.B.7.d.

4. Submit separation requests to Commander (CGPC-epm) not more than one year or less than six months before the desired separation date. They will be acknowledged by either approval or disapproval. Include the following statements in all requests:

> From: Member
>
> To: Commander, Coast Guard Personnel Command (CGPC-epm)
> **Thru**: Commanding Officer, [Unit]
>
> Subj: VOLUNTARY SEPARATION REQUEST
>
> Ref: (a) Personnel Manual, COMDTINST M1000.6(series), Article 12.B.7.d.
>
> 1. I request separation on the first day of [month, year], or as soon thereafter as feasible.
>
> 2. I intend to separate to [city, state, zip code].
>
> 3. I am/am not presently on the effective headquarters advancement authorization list for advancement to the next higher paygrade.
>
> 4. I further understand that if I request to cancel this separation, Commander, (CGPC-epm) will consider this request to allow for disability processing, or Service need. If such cancellation is approved for Service need, I understand that I will be required to remain on active duty for a minimum of two years from the day of approval of my request, or until I reach my HYT PGP for my present paygrade, if less than two years.
>
> #

5. The request must include the zip code of the intended travel destination for cost estimating purposes only; it is not binding, nor does it affect the member's right to travel to their place of enlistment or home of record up to six months after the separation date. See ☞ Joint Federal Travel Regulations, **U5125**.

6. Area, district, maintenance and logistics, and unit commanding officers will include the following comments in endorsements to all separation requests:
   a. Specific approval or disapproval of the basic request; if disapproval, the full reason for disapproval.
   b. Whether the member meets the requirements listed in ☞ Article 12.B.7.d.

12.B.7.e. Scheduling Voluntary Separations

1. The decision to submit a voluntary separation letter has significant impact because the projected separation triggers transfer and advancement actions that, if reversed, cause hardship to other members. Therefore, Commander (CGPC-epm) normally will not honor a request to cancel or delay an already approved voluntary separation date. **However, a request may be approved if the following conditions exist**:
   a. To allow for disability processing; or
   b. A specific Service need exists; or
   c. A member has a hardship situation similar or equivalent to those listed in ☞ Article 12.D.2. The Service does not consider a change in civilian employment plans a hardship; or
   d. The separation physical examination finds the member "not fit for separation" and the member does not request in writing to cancel the physical disability processing.
2. When a request to cancel a scheduled separation is based on a Service need, the member must remain on active duty for at least two years from the date the request is approved, or up to the HYT PGP for **his/her** present paygrade, if less than two years. ☞ Article 12.G.7.
3. Requests to cancel or delay a scheduled voluntary separation should normally be submitted at least three months before the approved separation date. Requests must be submitted through the member's chain of command and clearly state the reasons for such cancellation **as well as a statement acknowledging that the member understands that he/she will be required to complete a minimum of two (2) years active duty from the date of cancellation of the voluntary separation request**.

12.B.8. Releasing Enlisted Members Early to Pursue Their Education

12.B.8.a General

1. Commanding officers may authorize release up to 30 days early for a member with a unique schooling or career opportunity he or she would lose if released on his or her normal enlistment expiration. The Coast Guard Personnel Command will not waive the 30-day limit on this authority. Members must combine all remaining earned leave and separation, the two totaling a maximum of 90 days.

2. Commanding officers should consider early releases only for those who perform effectively and honorably during their present enlistment. Therefore, the commanding officer will review the member's performance evaluations. Marks awarded through 30 June 1983 must average at least 3.3 in proficiency and 3.9 in conduct. This requirement will not be waived. For marks awarded after 30 June1983, the member must meet the standards for an honorable discharge as described in ☞ Article 12.B.2.f.
3. Commanding officers should expect relief for members granted early release to arrive no earlier than if the members were released at their normal expiration of enlistment.
4. If anticipating early release, advise Commander (CGPC-epm) by message as early as possible of member's name, rate, social security number, and anticipated release date.

12.B.8.b. Procedures

Use the procedures described in ☞ Article 12.B.7.c. for members released early from active duty under this Article.

12.B.8.c. Recouping Reenlistment and/or Career Status Bonus

A member separating under this Article and paid a bonus for his or her current enlistment must refund **the unearned** portion of the bonus in accordance with the ☞ U.S. Coast Guard Pay Manual, COMDTINST, M7220.29 (series) and Personnel and Pay Procedures Manual, HRSICINST M1000.2 (series).

12.B.9. Processing Unsatisfactory Performers

12.B.9.a. Policy

The Coast Guard can afford to retain only those members who better the organization as a whole. Occasionally members do not contribute to supporting the Coast Guard's missions. By their unsatisfactory or disruptive performance, they prevent or obstruct other Service members' responsible actions in meeting their obligations. Individuals whose performance demonstrates they cannot or will not contribute to supporting the Coast Guard's missions **may** be discharged under this Article's procedures. In many cases, promptly applying proper leadership can and will turn an unsatisfactory performer into a contributing Service member. The value of positive task direction and recommendations for improving performance at any time by any member to a subordinate cannot be over-emphasized. However, in some cases all leadership avenues and disciplinary action are no longer effective and the member's association with the Coast Guard must terminate. This Article does not supersede more appropriate administrative action specified elsewhere in this Article or medical administrative procedures. Final discharge authority rests with the applicable district commander, maintenance and logistics commander, Superintendent, Coast Guard Academy, or Commandant (G-WP) for other Headquarters units.

12.B.9.b. Scope

This Article applies to all enlisted active duty members who meet the following criteria:

1. The member must not be undergoing medical treatment or physical disability processing.
2. The member must be assigned to the current unit for at least 180 days.
3. The member must not be undergoing or eligible for more appropriate processing specified elsewhere in ☞ Chapter 12.B.

12.B.9.c. Separation Criteria

To discharge a member as an unsatisfactory performer, commanding officers must clearly show the member has been given the proper direction to improve his or her performance and adequate time to demonstrate he or she could become a productive Service member. In all cases, use the enlisted performance appraisal system in effect to identify the unsatisfactory performer for this Article's purposes. However, the unsatisfactory performance pattern, the appraisal marks described must be supported by thorough documentation, including copies of Administrative Remarks, disciplinary action, and any other attempted corrective or training action. Unsatisfactory performers generally can be identified by one or more of the following traits:

1. Through 30 June 1983, proficiency or leadership marks have averaged a maximum of 3.2 or conduct marks 3.8 for the previous 18 months. However, commanding officers may consider members who have between 12 and 18 months' service for discharge under this Article if it is unrealistic to expect any future performance will raise the deficient mark to an average higher than specified above.
2. After 30 June 1983, the member must meet the standards for an honorable discharge as described in ☞ Article 12.B.2.f.

12.B.9.d. Procedures to Notify Unsatisfactory Performers

1. Commanding officers must notify in writing a member whose performance record (12 months preferred in most cases, but at least six months for extremely poor performers) is such that he or she may be eligible for discharge under this Article and that his or her unsatisfactory performance may result in discharge if that performance trend continues for the next six months. The official notice will be in letter form using the example below.
2. Members discharged for unsatisfactory performance are assigned one of the following applicable reenlistment codes. ☞ Article 12.B.9.c. for either case.
   a. RE-4 (not eligible to reenlist). The member's unsatisfactory performance is due primarily due to personal conduct.
   b. RE-3Y (unsatisfactory performance). The member's overall performance of duty is the reason for discharge, and the commanding officer determines the member may be eligible to reenlist at later date.

12.B.11.j. Awaiting Final Reviewing Authority Action

A commanding officer retains a member being considered by a Reenlistment or Administrative Discharge Board until Commander (CGPC-epm-1) advises the commanding officer of the Final Reviewing Authority's action.

12.B.11.k. Transfer to the Reserve in Lieu of Discharge

Upon expiration of enlistment, an enlisted Regular Coast Guard member who has an obligation under 10 U.S.C. 651 will be transferred to the Coast Guard Reserve under ☞ Article 12.B.41. in lieu of being discharged. Women who enlisted on or after 1 February 1978 incurred an obligation under 10 U.S.C. 651. Aliens have no military obligation under 10 U.S.C. 651 unless they have been lawfully admitted to the United States for permanent residence under the Immigration and Nationality Act.

12.B.11.l. Type of Discharge

A member discharged for enlistment expiration shall be given an honorable or general discharge as appropriate under ☞ Article 12.B.2.f.

12.b.11.m. Surrender of Uniform

The member may have to surrender his or her uniform. ☞ Article 12.B.53.e.

12.B.12. Convenience of the Government

12.B.12.a. Reasons for Discharge

Commander (CGPC) may authorize or direct enlisted members to separate for the convenience of the Government for any of these reasons:

1. General demobilization, reduction in authorized strength, or by an order that applies to all members of a class of personnel specified in the order.

2. Acceptance of a commission or appointment or acceptance into a program leading to an active duty commission or appointment in any Armed Forces branch.

3. National health, safety, or interest.

4. For immediate enlistment or reenlistment in the Regular Coast Guard, provided reenlistment is for a longer term of service than required under the existing obligation.

5. Erroneous enlistment, reenlistment, extension, or induction including among others:

   a. A member enlisted or reenlisted, but erroneously was given a higher grade than that to which entitled. ☞ **Coast Guard** Recruiting Manual, COMDTINST M1100.2 (series).

   b. A member enlisted or reenlisted, but is determined to have more than the maximum number of dependents authorized. ☞ **Coast Guard** Recruiting Manual, COMDTINST M1100.2 (series).

c. A member undergoing recruit training in an original enlistment**, or a prior service member undergoing initial training in an original enlistment in the Coast Guard,** who has fewer than 60 days' active service **in the Coast Guard** has a physical disability not incurred in or aggravated by a period of active military service; i.e., the defect existed before the member entered the **Coast Guard**.

6. To provide members' early separation under various authorized programs and circumstances.

7. A member's inability to perform prescribed duties, repeated absenteeism, or non-availability for worldwide assignment.

8. To provide the discharge of conscientious objectors.

9. Motion sickness.

10. Obesity, provided a medical officer certifies a proximate cause of the obesity is excessive voluntary intake of food or drink, rather than organic or other similar causes apparently beyond the member's control.

11. Unsatisfactory performers. ☞ Article 12.B.9.

12. A condition that, though not a physical disability, interferes with performance of duty; e.g., enuresis **(bedwetting)** or somnambulism **(sleepwalking)**.

13. At the individual member's written request to permit him or her to enter or return to an accredited college or university. ☞ Article 12.B.8.

14. When a member is found to be serving in a constructive enlistment.

15. As a result of the issuance of a writ of habeas corpus wherein it has been determined the member's retention in the Coast Guard is illegal.

16. When the Commandant so directs for good and sufficient reasons.

17. When the Secretary of Transportation directs any member to separate before his or her term of service expires, if the Secretary determines such a separation is in the Coast Guard's best interest.

18. At the member's written request to carry out parental responsibilities for care of newborn children. ☞ Article12.F.

12.B.12.b. Commanding Officers' Authority

Commanding officers are authorized to separate early members who request to reenlist in lieu of extending under these circumstances:

1. To meet the obligated service requirement for transfer or training.

2. To meet the two-year obligated service requirement to advance to E-7, E-8, or E-9. ☞ Articles 1.G.14.a. and 5.C.25.e.

12.B.12.c. Character of Discharge

A member being discharged for the Government's convenience shall be given an honorable or general discharge, as appropriate, under ☞ Article 12.B.2.

12.B.12.d. Member's Right to Attorney

Commanding officers recommending involuntary separation under this Article for a member whose PDR indicates issuance of a general discharge must give the member the opportunity to consult with a lawyer counsel before initiating such action. Include a copy of the closed-out form CG-3306 of 30 June 1983 showing average Proficiency, Leadership, and Conduct marks and a copy of the current CG-3306 showing factor marks in the recommendation for discharge submitted to Commander (CGPC-epm-1).

12.B.12.e. Transfer in Lieu of Discharge

Members eligible for discharge under this Article's paragraph a.1., 3., or 17. may be required to transfer to or enlist in the Coast Guard Reserve in lieu of discharge.

12.B.12.f. Discharge for Other Reasons

If the commanding officer believes separation should not be for the convenience of the Government, but for unsuitability, misconduct, or any other reason, he or she will send a suitable recommendation to Commander (CGPC-epm-1) for consideration. Cases in this category include those in which the member's record shows commission of serious military offenses, a generally unsatisfactory military record, or other good, sufficient cause in the commanding officer's opinion. ☞ Article 12.B.10.

12.B.12.g. Surrendering Uniform

Any member discharged under this Article's paragraph a.8., 10., 11., 15., 16., or 17. is required to surrender his or her uniform. ☞ Article 12.B.53.e.

12.B.13. Vacant

12.B.14. Discharge for Minority (Under Age)

12.B.14.a. Authorization

Commander (CGPC) may authorize or direct the discharge of enlisted members for minority under law or as an administrative act when he or she considers such to be in the Government's best interest.

12.B.14.b. Definition

Under this Article, a person under the age of 18 is considered a minor. A minor must obtain a custodial parent's or legal guardian's written consent before enlisting.

12.B.14.c. Commanding Officer's Action

If it comes to the attention of a commanding officer that a member under the age of 18 may have enlisted in the Coast Guard without the custodial parent's or legal guardian's written consent or a minor's age may have been misrepresented, the commanding officer shall report such information to Commander (CGPC-epm-1) for disposition and include this information in his or her report:

1. Documentary evidence of the minor's true age.

2. A copy of the closed-out form CG-3306 dated 30 June 1983 showing average Proficiency, Leadership, and Conduct marks and a copy of the current form CG-3306 showing factor marks.

3. The parent's or guardian's request for discharge, if received.

5. Enlisted members will be discharged for physical disability not incurred in or aggravated by a period of active military service without processing before a physical evaluation board only if the medical board's report clearly and fully establishes such findings.

6. If a medical board finds a member is disabled for mental disability incurred before enlistment without any service aggravation, the member will be ordered before a physical evaluation board unless the statement required by subparagraph 4. is supported by a medical determination that the member possesses sufficient mental capacity and responsibility to intelligently understand he or she has a right to a full, fair hearing and fully understands the import of the statement that he or she does not demand such a hearing.

12.B.15.c. Discharging Recruits

Commanding Officer, Training Center Cape May is authorized to discharge an enlisted member in an original enlistment **in the Coast Guard** who has fewer than 60 days' active service **in the Coast Guard** for physical disability not incurred in or aggravated by active military service; i.e., a pre-existing physical defect, under ☞ Article 12.B.15.b. conditions.

1. The commanding officer discharges the individual under ☞ Article 12.B.12.a. as an erroneous enlistment. On completing the discharge processing, send the medical board report to Commandant (G-WK).

2. If either the medical board or the commanding officer recommends a waiver, send the medical board report to Commander (CGPC-epm-1) for determination.

12.B.15.d. Discharge Site

A member discharged under this Article will be separated at his or her current duty station unless ☞ Article 12.B.46. applies.

12.B.15.e. Character of Discharge

A member discharged for physical or mental disability shall be given an honorable or general discharge, as appropriate, under ☞ Article 12.B.2.f.

12.B.15.f. Opportunity for Counsel

Commanding officers recommending a member for involuntary separation hereunder whose PDR indicates issuance of a general discharge must afford the member the opportunity to consult with a lawyer before initiating such action. Include a copy of the closed-out form CG-3306 of 30 June 1983 showing average Proficiency, Leadership, and Conduct marks and a copy of the current CG-3306 showing factor marks in the discharge recommendation submitted to Commander (CGPC-epm-1).

12.B.15.g. Confidentiality

No one shall furnish the diagnosis or diagnoses on which a discharge for physical or mental disability is based to anyone except in a letter separate from any other letter, document, etc., furnished to the member on discharge. If a commanding officer believes the underlying reason for discharge, if revealed, will detrimentally affect the member concerned, he or she will not furnish the diagnosis or diagnoses on which a discharge for physical or mental disability is based. If a commanding officer does not furnish the diagnosis on application for it, he or she shall advise the member being discharged to apply to Commandant (G-WK).

12.B.15.h. Claim for Compensation

No member may be discharged or released from active duty in the Armed Forces for disability until he or she executes (or refuses to execute) a claim for compensation, pension, or hospitalization to be filed with the Veterans Administration (VA), or signs (or refuses to sign) a statement that he or she has received an explanation of the right to file such claim. Refusal or failure to do so does not prejudice any right such member may thereafter assert. ☞ 10 U.S.C. 1218(b).

12.B.15.i. Applying for Benefits

Under the Privacy Information Act, the VA may not grant compensation or a pension unless the member completes the application VA-Form 21-526e in full. On separation from the Service, the Service member should complete the application, attach the required records or forms listed in the instructions, and send the completed form to the Veterans Administration Regional Office with jurisdiction over the area where the separated member intends to reside. A member who has any questions about this form should contact the Veterans Administration Regional Office.

12.B.15.j. Surrender of Uniform

The member may be required to surrender his or her uniform. ☞ Article 12.B.53.e.

12.B.16. Unsuitability

12.B.16.a. By Commandant's Direction

Commander (CGPC) shall direct the discharge of enlisted members for unsuitability except as provided in ☞ Article 12.B.16.e. A discharge for unsuitability in lieu of disciplinary action will not be issued unless Commander (CGPC) determines the Service's and the member's interests will best be served by administrative discharge.

12.B.16.b. Causes for Discharge for Unsuitability

The purpose of discharges for unsuitability is to free the Service of members considered unsuitable for further service because of:

1. Inaptitude. Applies to members best described as unfit due to lack of general adaptability, want or readiness of skill, clumsiness, or inability to learn.

2. Personality Disorders. As determined by medical authority, personality behavior disorders and disorders of intelligence listed in the ☞ Medical Manual, COMDTINST M6000.1 (series), Chapter 5.

3. Apathy, Defective Attitudes, and Inability to Expend Effort Constructively. A significant observable defect, apparently beyond the member's control, not readily describable elsewhere.

4. Unsanitary Habits.

5. Alcohol Abuse. See ☞ Article 20.B.2. for guidelines on alcohol abuse cases.

6. Financial Irresponsibility.

12.B.16.c. Probation

Commanding officers will not initiate administrative discharge action for inaptitude, apathy, defective attitudes, unsanitary habits, or financial irresponsibility until they have afforded a member a reasonable probationary period to overcome these deficiencies. When commands contemplate discharging a member for these reasons, they shall counsel the member that a formal probationary period of at least six months has begun and make an appropriate Administrative Remarks, CG-3307, entry in the member's PDR that administrative discharge processing will be initiated unless the member shows significant improvement in overcoming the deficiency during the probationary period. The member must acknowledge this entry in writing. Commanding officers are authorized to recommend discharge at any time during probation if the member is not attempting to overcome the deficiency. Submit copies of all CG-3307 entries as an enclosure to the discharge recommendation submitted to Commander (CGPC-epm-1).

12.B.16.d. Member's Rights

In each case processed in accordance with this Article, commanding officers shall:

1. Advise the member in writing, using the letter and endorsement described in ☞ Article 12.B.9., to inform the member of the reason(s) he or she is being considered for discharge. Specifically state one or more of the reasons listed in ☞ Article 12.B.16.b.

2. Afford the member the opportunity to make a written statement on his or her own behalf. If the member does not desire to make a statement, commanding officers shall state such fact in writing over the member's signature and that shall constitute his or her statement. If the member refuses to execute any statement whatsoever, the commanding officer will so state.

3. Afford the member an opportunity to consult with a lawyer as defined in Article 27 (b) (1), UCMJ, if the member's character of service warrants a general discharge. If the member is entitled to and requests counsel and one is not available, a commanding officer must delay discharge proceedings until one is available.

12.B.16.e. Discharging Members

District commanders, maintenance and logistic commanders, and commanding officers of training centers are authorized to discharge enlisted members having fewer than four months' active service in an original enlistment **in the Coast Guard** for unsuitability.

1. If such an enlisted member is deemed unfit for further retention solely for inaptitude as set forth in ☞ Article 12.B.16.b., a medical board is not required.

2. A member discharged under authority of this paragraph is normally issued an honorable discharge if he or she has sincerely attempted to maintain proper military behavior and perform his or her duties proficiently and industriously. Issuing a general discharge is warranted if there is evidence of misbehavior, bad faith, or failure to make a proportionate effort having due regard for his or her rate and capabilities. Commanding officers shall summarize the basis on which awarding a general discharge on an Administrative Remarks, CG-3307, in the member's PDR. The entry should reflect a record of disciplinary infractions in training, culpable failure to conform to minimum standards for recruit, **prior service**, or Reserve training, or poor attitude.

appeal is considered appropriate, Commander, (CGPC) may direct discharging the member with the appropriate type of discharge certificate subject to ☞ Article 12.B.18.d.

2. Procuring a fraudulent enlistment, induction, or period of active service through any deliberate material misrepresentation, omission, or concealment which, if known at the time, might have resulted in rejection. The enlistment of a minor with false representation of his or her age or without proper consent will not in itself be considered a fraudulent enlistment. Commanding Officer, Training Center Cape May, is delegated final discharge authority under this Article in these specific cases for members assigned to recruit training **or prior service training program**:

   a. Deliberately concealed criminal records or **other information necessary to effect** enlistment.

   b. Any current or past medical conditions or problems discovered during recruit training, **or prior service training program,** which would have prevented enlistment in the Coast Guard, had they been known.

3. Absenteeism. Unauthorized absence(s) of a prolonged, repeated or excessive nature, when it can be shown the member has:

   a. Been in a state of continuous unauthorized absence for one year or more; ☞ Article 12.B.32.b., or

   b. Three or more separate, unauthorized absences within a six-month period, or

   c. Six or more separate, unauthorized absences within a six-month period and the total amount of unauthorized absence is six or more days.

4. Drugs.

   a. Involvement with Drugs. Any member involved in a drug incident or the illegal, wrongful, or improper sale, transfer, manufacture, or introduction onto a military installation of any drug, as defined in ☞ Article 20.A.2.k., will be processed for separation from the Coast Guard with no higher than a general discharge. Commanding Officer, Training Center Cape May is delegated final discharge authority for members assigned to recruit training **or prior service training program** under this Article in specific cases of drug use before enlistment (as evidenced by a positive urinalysis shortly after **entering** training). New inductees shall sign an **Administrative Remarks**; CG-3307 entry acknowledging the presence of drugs in their bodies is grounds for a general discharge for misconduct.

b. Obstructing drug urinalysis testing by tampering with urine samples or documentation, including someone else's. Tampering includes, among other actions, submitting another person's sample in place of the member selected for testing, submitting samples containing substances other than urine, and altering the bar code labels, Urine Sample Custody Document, or unit sample ledger. Members discharged under this provision shall be issued no higher than a general discharge.

5. Discreditable involvement with civil or military authorities.

6. Sexual perversion including among other actions:

   a. Lewd and lascivious acts.
   b. Sodomy.
   c. Indecent exposure.
   d. Indecent acts with or upon a child.
   e. Other indecent acts or offenses.
   f. Involvement in a prohibited romantic relationship. ☞ Chapter 8.H. for policy guidance.

9. Abuse of a family member (spouse or child).

10. An established pattern of shirking.

11. An established pattern showing dishonorable failure to pay just debts.

12. An established pattern showing dishonorable failure to contribute adequate support to dependents.

13. An established pattern showing failure to comply with a civil court's valid orders, decrees, or judgments on supporting dependents.

12. One act of sexual harassment by assault or sexual coercion, or for conduct demonstrating an established pattern of sexual harassment by crude or offensive behavior, sexist behavior, and/or unwanted sexual attention. ☞ Article 8.I. and Coast Guard Equal Opportunity Program Manual, COMDTINST M5350.4 (series) for definitions and guidelines on sexual harassment.

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12.E. Homosexual Conduct

12.E.1. Introduction

The policies contained within this chapter are based upon 10 U.S.C. 654 and encompass the concepts commonly referred to as "Don't Ask, Don't Tell." The phrase "Don't Pursue, Don't Harass," has been subsequently added to better describe its intent. A brief description of these concepts follows:

1. **Don't Ask. Commanders, commanding officers and officers-in-charge or appointed inquiry officials shall not ask, and members shall not be required to reveal, their sexual orientation. Additionally, all members of the Coast Guard are expected to adhere to this requirement.**

2. **Don't Tell. Members shall not be required to reveal their sexual orientation. However, if a member states that he or she is a homosexual or bisexual, or makes some other statement that indicates a propensity or intent to engage in homosexual acts, he or she may be subject to discharge.**

3. **Don't Pursue. Inquiries regarding sexual orientation may not be initiated unless credible information is discovered. Even then, only certain individuals are authorized to initiate inquiries and must stay within expressed guidelines. (See ☞ Article 12.E.7. regarding Command inquiries.)**

4. **Don't Harass. The Coast Guard does not tolerate harassment or mistreatment of anyone, whether they are service members, civilian employees, Auxiliarists or members of the public, for alleged or perceived sexual orientation, or any other reason. Harassment can take different forms, ranging from "innocent" comments and jokes causing a hostile climate, to direct verbal or physical abuse. Further guidance regarding harassment can be found in the ☞ Coast Guard Equal Opportunity Program Manual, COMDTINST M5350.4 (series).**

12.E.1.a. Policy

1. Sexual orientation is considered a personal, private matter and is not a bar to Service entry or continued service unless manifested by homosexual conduct. Homosexual conduct, as defined in ☞ Article **12.E.1.b**., is grounds for separation from the Coast Guard.

2. **At no time will a member, or prospective member, be asked or required to reveal whether he or she is heterosexual, homosexual, or bisexual. Nor will he or she be asked or required to reveal whether he or she has engaged in homosexual conduct, unless independent evidence is received indicating he or she engaged in such conduct or he or she volunteers a statement that he or she is a homosexual, bisexual, or words to that effect.**

3. The general policy on homosexual conduct applies to all active and Reserve officers and enlisted members, **and all accession points**.

4. The policy covers five functional areas: accession, separation, criminal investigations, personnel security investigations, and military training.

12.E.1.b. Definitions

1. Bisexual. A person who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual and heterosexual acts.

2. Homosexual. A person, regardless of sex, who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual acts.

3. Homosexual Act.

   a. Any bodily contact, actively undertaken or passively permitted, between members of the same sex for the purpose of satisfying sexual desires, and

   b. Any bodily contact **that** a reasonable person would understand to demonstrate a propensity or intent to engage in an act described in subparagraph (a) above.

4. Homosexual Conduct. A homosexual act, a statement by the member that demonstrates a propensity or intent to engage in homosexual acts, or a homosexual marriage or attempted marriage.

5. Propensity. The likelihood a person engages in or will engage in homosexual acts, beyond a mere abstract preference or desire to engage in homosexual acts.

6. Separation Authority. An official authorized by the Commandant to take final action on a specified type of separation. The authority for most separations resulting from homosexual conduct is Commander (CGPC-opm), (CGPC-epm), or **(CGPC-rpm).**

7. Sexual Orientation. An abstract sexual preference for persons of a particular sex, distinct from a propensity or intent to engage in sexual acts.

8. Statement a Member Is a Homosexual or Bisexual or Words to That Effect. Language or behavior **that** a reasonable person would believe intends to convey **that** a person engages in, attempts to engage in, or has a propensity or intent to engage in homosexual acts. This may include statements such as, “I am a homosexual,” “I am gay,” “I am a lesbian,” and the like.

12.E.2. Accession Policy

1. Homosexual conduct is grounds for barring entry into the Coast Guard as follows:

   a. An applicant shall be rejected for entry into the Coast Guard if evidence is received indicating he or she engaged in, attempted to engage in, or solicited another to engage in homosexual acts, unless there is a further determination that:

      (1) Such acts depart from the applicant's usual customary behavior;

      (2) Under all circumstances they are unlikely to recur;

      (3) They were not accomplished by using force, coercion, or intimidation; and

      (4) The applicant does not have a propensity or intent to engage in homosexual acts.

   b. An applicant shall be rejected for entry into the Coast Guard if he or she states he or she is a homosexual or bisexual, or words to that effect, unless there is a further determination he or she is not a person who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual acts. Such a determination will be made in the course of the normal accession process.

   c. An applicant shall be rejected for entry into the Coast Guard if, in the course of the accession process, evidence is received demonstrating an applicant has married or attempted to marry a person known to be of the same **gender** (evidenced by the external anatomy of the persons involved).

2. Before enlistment, commissioning, or induction, all applicants and inductees will be advised homosexual conduct is grounds for separation from the Coast Guard. Failure to receive such information shall not constitute a defense in any administrative or disciplinary proceeding.

3. Nothing in this accession policy requires rejection for entry into the Coast Guard when it is determined that:

   a. An applicant or inductee stated, engaged in acts, or married or attempted to marry a person of the same sex to avoid military service; and

   b. Rejection of the applicant or inductee would not be in the best interest of the Coast Guard.

12.E.3. Separation Policy

The suitability of persons to serve in the Coast Guard will be judged on the basis of their conduct and ability to meet required standards of duty performance and discipline. A member's sexual orientation is considered a personal, private matter and is not a bar to continued service unless manifested by homosexual conduct as described in this article. There are three bases for separation:

1. Homosexual Acts. A Service member shall be separated if he or she has engaged in, attempted to engage in, or solicited another to engage in a homosexual act or acts, unless there are approved further findings of all these:

   a. Such acts depart from the member's usual, customary behavior;

   b. Such acts under all circumstances are unlikely to recur;

   c. Such acts were not accomplished by using force, coercion, or intimidation;

   d. Under the particular circumstances of the case, the member's continued presence in the Coast Guard is consistent with the Coast Guard's interests in proper discipline, good order, and morale; and

   e. The member does not have a propensity or intent to engage in homosexual acts.

2. Statements. A service member shall be separated if he or she states he or she is a homosexual or bisexual, or words to that effect, unless there is a further approved finding the member has demonstrated that he or she is not a person who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual acts.

   a. A member's statement that demonstrates a propensity or intent to engage in homosexual acts is grounds for separation not because it reflects the member's sexual orientation, but because it indicates a likelihood the member engages in or will engage in homosexual acts.

   b. A member's statement he or she is a homosexual or bisexual, or words to that effect, creates a rebuttable presumption the member engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual acts.

      (1) The member shall be advised of this presumption and given the opportunity to rebut it by presenting evidence demonstrating he or she does not engage in, attempt to engage in, have a propensity to engage in, or intend to engage in homosexual acts.

      (2) In determining whether a member has successfully rebutted the presumption that he or she engages in, attempts to engage in, or has a propensity or intent to engage in homosexual acts, some or all of the following may be considered; this list is not exhaustive; any other relevant evidence may also be considered:

(a) Whether the member has engaged in homosexual acts;

(b) His or her credibility;

(c) Testimony from others about the member's past conduct, character, and credibility;

(d) The nature and circumstances of the member's statement; and

(e) Any other evidence on whether the member is likely to engage in homosexual acts.

3. Marriage. A service member shall be separated if he or she has married or attempted to marry a person known to be of the same biological sex (evidenced by the external anatomy of the persons involved).

12.E.4. Characterization of Service

Characterization of service will be determined in accordance with ☞ Articles 12.A.2. (for officers) and 12.B.2. (for enlisted members) subject to this guidance:

1. For both officers and enlisted members, a discharge shall be characterized as "Honorable" or "General (Under Honorable Conditions)" if the sole basis for separation is homosexual conduct unless aggravating circumstances are included in the findings.

2. For both officers and enlisted members, separation may be characterized as “Under Other Than Honorable Conditions” only if there is also a finding that during the current term of service the member attempted, solicited, or committed a homosexual act under any of these aggravating circumstances:

   a. By using force, coercion, or intimidation;

   b. With a person under 16 years of age;

   c. With a subordinate in circumstances that violate customary military superior-subordinate relationships;

   d. Openly in public view;

   e. For compensation;

   f. Aboard a military vessel or aircraft; or

   g. In another location subject to military control under aggravating circumstances noted in the finding that adversely affect discipline, good order, or morale comparable to the impact of such activity aboard a vessel or aircraft.

12.E.5. Procedures

12.E.5.a. Commissioned and Warrant Officers

Separation processing shall be conducted in accordance with ☞ **Chapter** 12.A., subject to the guidance found in this **article**. Notification and acknowledgment will be consistent with **procedures outlined in** ☞ Article 12.A.15.

1. **Commissioned** Officers (Article 12.A.15.)

   a. Per ☞ Article 12.A.15.h., **a Board of Inquiry may be convened to afford an officer a fair, impartial hearing.** The Board makes findings and recommendations based on a preponderance of evidence. In the case of alleged homosexual conduct, the officer bears the burden of proving throughout the proceedings, by a preponderance of the evidence, that retention is warranted under the limited circumstances described in ☞ **Article 12.E.3**.

   b. Additionally, nothing in these regulations requires that an officer be processed for separation when a determination is made that:

      (1) The officer engaged in acts, made statements, or married or attempted to marry a person known to be of the same biological sex to avoid military service; and

      (2) Separating the officer would not be in the best interest of the Coast Guard.

   c. In cases of alleged homosexual conduct, both the Determination Board and Board of Inquiry shall make specific findings of the reasons warranting retention or not and, if appropriate, stating the character of discharge (in accordance with ☞ Article 12.A.2.f.) to be issued.

   d. A commissioned officer may be considered for separation for all the reasons in ☞ Chapter 12 and those set forth in subparagraph c. above; however, separate findings under each applicable section are required for the reasons for separation.

2. Warrant Officers (Article 12.A.21). When Evaluation Boards convene and Board of Inquiry procedures are followed as described in ☞ Article 12.A.15., the conditions described above for commissioned officers apply, as appropriate, to warrant officers.

12.E.5.b. Enlisted Members

Separation processing shall be conducted in accordance with ☞ **Chapter** 12.B., subject to the guidance found in this **article**. ☞ Figures 12.E.1. and 12.E.2. provide sample notification and acknowledgment letters to initiate the administrative discharge process for enlisted members.

1. Enlisted Members with fewer than 180 days service. (Article 12.B.20) Processing under ☞ Article 12.B.20. will be followed if the member has fewer than 180 days' service on notification of discharge. The member must be informed in writing the reason(s) for separation under the homosexual conduct policy and of his or her rights.

2. Enlisted Members with 180 days' or more service. (Article 12.B.31.) Administrative Discharge Board (ADB) procedures are found in ☞ Article 12.B.31., and shall be used for enlisted members with 180 days' or more service on notification of discharge, subject to the following:

   a. The member may waive the ADB.

      (1) If the member waives the ADB for cases involving homosexual acts and/or homosexual marriage or attempted marriage, the member still has the right to submit a statement on his or her behalf.

      (2) **In** cases involving **homosexual admissions,** if the member waives the ADB, he or she still has the right to submit a statement on his or her behalf **as well as** an opportunity to rebut the presumption in that **admission** by demonstrating that he or she does not engage in, attempt to engage in, have a propensity to engage in, or intend to engage in homosexual acts.

   b. ☞ Article **12.E.7**. contains the fact-finding procedures for inquiries into homosexual conduct. Separation processing shall be initiated if there is probable cause to believe separation is warranted under ☞ **Article 12.E.3**.

   c. If the ADB finds the evidence supports one or more of the circumstances authorizing separation under ☞ **Article 12.E.3.**, the ADB shall recommend separation unless it finds that retention is warranted under the limited circumstances described in ☞ **Article 12.E.3.1.**

   d. If the ADB does not find sufficient evidence that one or more of the circumstances authorizing separation under ☞ **Article 12.E.3.** has occurred, the ADB shall recommend retention unless the case involves another basis for separation of which the member has been duly notified.

   e. The member bears the burden of proving by a preponderance of the evidence that retention is warranted under the limited circumstances described in ☞ **Article 12.E.3.**, except in cases where the member's conduct resulted solely from a desire to avoid or terminate military service.

   f. Findings on whether retention is warranted under the limited circumstances of ☞ **Article 12.E.3.** are required if the member clearly and specifically raises such limited circumstances.

Figure 12.E.5.1. SAMPLE NOTIFICATION MEMORANDUM FOR ENLISTED MEMBERS

Signature

From: Commanding Officer, [Unit]

To: [Member name]:

Subj: NOTICE OF INITIATION OF ADMINISTRATIVE DISCHARGE PROCESS

Ref: (a) Personnel Manual, COMDTINST Ml000.6A, Article 12.E.5.
(b) Personnel Manual, COMDTINST Ml000.6A, Article 12.B.31.
(c) Administrative Investigations Manual, COMDTINST M5380.1 (series)

1. You are hereby notified per reference (a), I am initiating procedures for you to be administratively discharged from the United States Coast Guard [Reserve] for homosexual conduct [and other grounds if applicable].

Specific reasons for the action are as follows:

[Sample paragraphs 2 and 3 are formats to use for each type of homosexual conduct defined in reference (a): homosexual statement, homosexual act, or homosexual marriage or attempted marriage. More than one basis for discharge can exist: multiple grounds for discharge can exist, including those unrelated to homosexual conduct. Separately cite and address each basis for separation in this notification letter.]

For cases involving statements:

2a. I have received credible information you have made a statement indicating you are [homosexual/bisexual—whichever is appropriate], or words to that effect. Specifically, you stated on [date] that [describe statement]. Under reference (a), this statement creates a rebuttable presumption you engage in, have a propensity to engage in, or intend to engage in homosexual acts and presents probable cause to believe separation is warranted under reference (a).

3a. Under reference (a), you are entitled to rebut the presumption noted above at an administrative discharge board by presenting evidence demonstrating you are not a person who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual acts. Under references (b) and (c), you have the right to appear in person and present your case before an administrative discharge board of at least three officers. References (b) and (c) outline additional procedures for administrative boards. You have the right to be represented by appointed counsel, or private counsel at no expense to the Government, at such hearing. You may waive this right by submitting a signed statement only after consulting with legally qualified counsel and having a witness countersign that waiver. If you decide to waive a hearing before an administrative discharge board, you still have the right to submit a statement on your behalf and an opportunity to rebut the presumption noted above in the statement by demonstrating you do not engage in, attempt to engage in, have a propensity to engage in, or intend to engage in homosexual acts.

For cases involving homosexual acts:

2b. I have received credible information you have engaged in homosexual acts. Specifically, on [dates] you [describe homosexual acts]. Your homosexual acts present probable cause to believe

separation is warranted under reference (a).

3b. Under reference (a), you are entitled to present evidence to contest the matters noted above about your alleged homosexual act(s). You also are entitled to present evidence your retention in the Coast Guard is warranted because: (1) your acts(s) were a departure from your usual customary behavior; (2) your act(s) under all the circumstances are unlikely to recur; (3) your act(s) were not accomplished by using force, coercion, or intimidation; (4) under the particular circumstances of your case, your presence in the Coast Guard is consistent with the Coast Guard's interest in proper discipline, good order, and morale; and (5) you do not have a propensity or intent to engage in homosexual acts. Under reference (a), you have the right to appear in person and present your case before an administrative discharge board of at least three officers. References (b) and (c) outline procedures for administrative boards. You have the right to be represented by appointed counsel or private counsel at no expense to the Government at such a hearing. You may waive these rights by submitting a signed statement only after consulting with legally qualified counsel and having a witness countersign such a waiver. If you decide to waive a hearing before an administrative discharge board, you still have the right to submit a statement on your behalf.

For cases involving homosexual marriages or attempted marriages:

2c. I have received credible information you have [married/attempted to marry] a person of your same biological sex. Specifically, on [date] you [describe marriage or attempted marriage and to whom]. This [marriage/attempted marriage] presents probable cause to believe separation is warranted under reference (a).

3c. Under reference (a), you are entitled to present evidence to contest the matters noted above about your alleged homosexual [marriage/attempted marriage]. Under reference (a) you have the right to appear in person and present your case before an administrative discharge board of at least three officers. References (b) and (c) outline procedures for administrative boards. You have the right to be represented by appointed counsel or private counsel at no expense to the Government at such a hearing. You may waive these rights by submitting a signed statement only after consulting with legally qualified counsel and having a witness countersign such a waiver. If you decide to waive a hearing before an administrative discharge board, you still have the right to submit a statement on your behalf.

4. I will send my recommendation on any proposed administrative discharge to [proper Separation Authority, in most cases the Commander, **Coast Guard** Personnel Command] for final disposition. The final decision on any type of discharge you may receive rests with [proper Separation Authority].

5. You have until [date: 10 working days from the date of this letter] to consult with a qualified military counsel or a civilian attorney at no expense to the Government and acknowledge receipt of this letter. To do so, indicate your desires on the attached endorsement after either consulting with counsel or waiving such consultation and then return the attached endorsement to me by [same date as above]. If you decide to submit a statement on your own behalf, you also must submit your statement to me by [same date as above] with the attached endorsement. Qualified military counsel is available from [unit provides address and telephone number].

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Figure 12.E.5.2. SAMPLE ACKNOWLEDGMENT MEMORANDUM FOR ENLISTED MEMBERS

Member's Signature

From: [Member]

To: Commanding Officer, [Unit]

Subj: NOTICE OF INITIATION OF ADMINISTRATIVE DISCHARGE PROCESS

Ref: (a) [letter notifying member of discharge action]

1. I have read reference (a) and hereby acknowledge you are initiating administrative discharge proceedings against me for homosexual conduct [and other grounds if applicable]. I also understand unless I waive such rights in writing:

a. My case will be heard before an administrative discharge board of at least three officers;

b. I may appear in person before such an administrative discharge board [unless in civil confinement or otherwise unavailable];

c. I may be represented by counsel; and

d. I may submit a statement on my own behalf.

2. I understand [the Separation Authority, in most cases the Commander, Coast Guard Personnel Command] will take final disposition on type of discharge issued, if any.

3. I [do/do not: use only words which apply] waive my right to a hearing before an administrative discharge board. I [am/am not: use only words which apply] submitting a statement on my own behalf.

4a. In coming to my decision, I consulted with [rank, name of qualified military counsel or name of civilian counsel] on [date].

or

4b. I understand my right to consult with qualified military counsel, or civilian counsel at no expense to the Government, on this matter. I hereby waive my right to counsel.

5. I further understand if discharge under other than honorable conditions is issued to me such discharge may deprive me of many or all my rights as a veteran under both Federal and State legislation; and I may expect to encounter substantial prejudice in civilian life in situations in which the type of service rendered in any Armed Forces branch or the type of discharge received from it may have a bearing.

6. I voluntarily sign this statement of my own free will. I have retained a copy of this statement.

#

_____

(Signature and grade of legally qualified counsel; required only if the member elects to waive the administrative discharge board)

12.E.6. Separation Authority

The Separation Authority shall dispose of the Administrative Discharge Board (ADB) case according to these provisions:

1. If the ADB recommends retention, the Separation Authority shall take one of these actions:

   a. Approve the finding and direct retention; or

   b. Disapprove the finding and direct separation on the basis that one or more of the circumstances authorizing separation under ☞ **Article 12.E.3**. has occurred.

2. If the ADB recommends separation, the Separation Authority shall take one of these actions:

   a. Approve the finding and direct separation; or

   b. Disapprove the finding on the basis of the following considerations:

      (1) There is insufficient evidence to support the finding; or

      (2) Retention is warranted under the limited circumstances described in ☞ **Article 12.E.3.1**.

3. If the member has waived the ADB proceedings, the Separation Authority shall dispose of the case in accordance with these provisions:

   a. If the Separation Authority determines sufficient evidence does not exist to support separation under ☞ **Article 12.E.3.**, the Separation Authority directs retention unless there is another basis for separation of which the member has been duly notified.

   b. If the Separation Authority determines one or more of the circumstances authorizing separation under ☞ **Article 12.E.3.** has occurred, the member separates unless retention is warranted under the limited circumstances described in ☞ **Article 12.E.3.1.**

4. Nothing in these procedures requires processing a member for separation when a determination is made that:

   a. The member engaged in acts, made statements, or married or attempted to marry a person known to be of the same biological sex to avoid or terminate military service; and

   b. Separating the member would not be in the best interest of the Coast Guard.

5. Under these procedures the Coast Guard retains these rights:

   a. It may retain a member for a limited period of time in the interests of national security as authorized by the Secretary.

   b. It may separate a member in appropriate circumstances for any other reason set forth in ☞ Chapter 12.

   c. It may court-martial a member in appropriate cases.

   d. It may require the member to surrender his or her uniform.

12.E.7. Command Inquiries

1. Commanding officers may initiate fact-finding inquiries into alleged homosexual conduct only after receiving credible information a basis for discharge exists.

   a. Credible information is that which, considering its source and the surrounding circumstances, supports a reasonable belief there is a basis for discharge. It requires a determination based on facts which can be articulated, not just a belief or suspicion.

   b. A commanding officer personally or a person he or she appoints may conduct a fact-finding inquiry.

2. Credible information about homosexual conduct does not exist if the only information known concerns an associational activity; e.g., going to a gay bar, possessing or reading homosexual publications, associating with known homosexuals, or marching in a gay rights rally in civilian clothes. Such activity, in and of itself, does not provide evidence of homosexual conduct. Credible information does exist, however, if a reliable person states he or she:

   a. observed a service member engaging in homosexual acts **or heard a service member state that** he or she is a homosexual or bisexual or is married to a person of the same sex;

   b. heard, observed, or discovered a service member made an oral or written statement a reasonable person would believe intends to convey the fact the service member engages in, attempts to engage in, or has a propensity or intent to engage in homosexual acts; or

   c. has observed behavior that amounts to a non-verbal statement by a service member he or she is a homosexual or bisexual; i.e., behavior a reasonable person would believe is intended to convey the statement the Service member engages in, attempts to engage in, or has a propensity or intent to engage in homosexual acts.

3. Service members will not be asked about or required to reveal whether they are heterosexual, homosexual, or bisexual. However, on receiving credible information of homosexual conduct, commanders or appointed inquiry officials may ask members if they engaged in such conduct. These officers first should advise the Service member of the policy on homosexual conduct and of his or her rights under Article 31, UCMJ, if applicable. Should the Service member choose not to discuss the matter further, the commander should consider other available information.

4. Commanders should gather all credible information that directly relates to the grounds for possible separation and limit inquiries to the factual circumstances directly related to the specific allegations. Informal fact-finding inquiries and administrative separation procedures are the preferred method of addressing homosexual conduct. However, Service members may be subject to disciplinary action or trial by courts-martial in appropriate circumstances.

5. This provision allows a commander to question a Service member about any information he or she provided in the course of the fact-finding inquiry or any related proceeding. It does not give the member any basis to challenge the validity of any proceeding or the use of any evidence, including his or her statement, in any proceeding.

12.E.8. Criminal Investigations

1. Criminal investigations **will not be** conducted solely to determine whether a Service member is heterosexual, homosexual, or bisexual. **However, in cases which involve a Service member's admissions or other violations of this policy in regards to homosexual or bisexual activity, the commander may request that the Coast Guard Investigative Service (CGIS) initiate an investigation to determine the validity of allegations of homosexual or bisexual misconduct for use in any subsequent administrative or criminal proceedings.**

2. **Sexual orientation does not bar investigations into alleged adult consensual sexual misconduct (e.g., fraternization or adultery) or violations of law, regardless of whether they involve the question of sexual orientation.**

3. **In the course of an investigation, only credible information regarding sexual orientation may be investigated, only as far as it pertains to the original investigation.**

4. These provisions do not provide a basis to challenge the validity of any administrative or criminal proceeding or exclude the use of any evidence in such proceeding.

12.E.9. Personnel Security Investigations

Sexual orientation has no bearing on security clearances and members will not be asked to divulge such information. If, in the course of a background investigation, such information is discovered and there is a possibility that it may pose a security risk (e.g., possibility of blackmail), personnel security adjudicators and the USCG Personnel Security Officer will follow the national adjudication standards and other guidance provided in the ☞ Coast Guard Military Personnel Security Program, COMDTINST 5520.12 (series).

12.E.10. Military Training

In conjunction with briefings under Article 137, UCMJ, which are required on entry and periodically thereafter, Service members will **receive training concerning** the Coast Guard's policy on sexual conduct, including homosexual conduct. This is a command responsibility, not a procedural entitlement. The member's failure to receive or understand such explanation does not create a bar to separation or characterization.

12.G. Enlisted High Year Tenure

12.G.1. Discussion

The High Year Tenure policy establishes limits on the amount of time an active duty enlisted member can remain at each pay grade. It is designed to increase personnel flow, compel members to advance in their rating, and allow more consistent training and advancement opportunities for the enlisted workforce. With more balanced, consistent opportunities, the Coast Guard can retain the most highly motivated members who in turn gain in experience and ensure the Coast Guard retains its leadership and professional continuity.

12.G.2. Definitions

1. Active Military Service. All active duty and active duty for training in the United States Army, Navy, Air Force, Marine Corps, and Coast Guard or any component of these services.
2. Active Coast Guard Service. All active duty and active duty for training served as a member of the United States Coast Guard.
3. Professional Growth Point (PGP). The maximum time in service for each pay grade.

12.G.3. Professional Growth Points

GRADE	PROFESSIONAL GROWTH POINT
E-1	Completion of enlistment contract. Cannot reenlist or extend.
E-2	Four years' active military service. Cannot reenlist or extend beyond four years' active military service.
E-3 E-4	Seven years' active Coast Guard service or 10 years' active military service, whichever gives the member a greater total of active military service. May reenlist or extend up to but not beyond seven years, one month's active Coast Guard service or 10 years, one month's active military service.
E-5	Twenty years' active military service. May reenlist or extend up to but not beyond 20 years, one month's active military service.
E-6	Twenty-two years' active military service. May reenlist or extend up to but not beyond 22 years, one month's active military service.
E-7	Twenty-six years' active military service. May reenlist or extend up to but not beyond 26 years, one month's active military service.
E-8	Twenty-eight years' active military service. May reenlist or extend up to but not beyond 28 years, one month's active military service. For rates not having authorized E-9 billets, a member advanced or above the cutoff on the E-8 advancement eligibility list may reenlist or extend up to but not beyond 30 years, one month's active military service.
E-9	Thirty years' active military service. May reenlist or extend up to but not beyond **the last day of the month that the member completes** 30 years active military service. Members in pay grade E-9 who are completing or have been ordered to a standard tour in the MCPO-CG and Commandant-designated "Gold Badge" **CMC** billets may reenlist or extend beyond 30 years' active military service for a period not to exceed completion of a standard tour as the **CMC**.

12.G.4. Changing the Professional Growth Point

1. Advancement.

   a. If a member is above the cutoff on an advancement eligibility list, his or her PGP increases on the advancement eligibility list's date to the pay grade to which the member will advance, provided the member remains eligible for advancement throughout the entire Servicewide Examination (SWE) cycle. If a member is below the cutoff but advances from that advancement eligibility list before reaching his or her current PGP, the PGP increases to the pay grade to which advanced on the date of the Coast Guard Personnel Command's Advancement Authorization message.

   b. If the member's advancement was held in abeyance, the command must be cognizant of the member's PGP. If a member's advancement is held in abeyance, he or she is eligible to advance until that list expires. However, if the member's PGP occurs before the list expires, the PGP takes precedence. The member cannot go beyond the PGP even though the list has not expired.

2. Reduction. If a member is reduced in rate, the reduction in pay grade may place the member beyond the reduced paygrade's HYT PGP because the member will have more active military service than the reduced paygrade permits. In this case, the below applies:

   a. Members reduced by one paygrade.

      (1) Members in paygrade E-5 who are reduced to paygrade E-4 will be allowed to keep their E-5 HYT PGP.

      (2) Members in paygrade E-6 and above, who are reduced one paygrade will be allowed to keep their E-6 HYT PGP.

      (3) If a member is advanced to a higher paygrade, then the HYT PGP increases to the paygrade to which advanced.

   b. Members reduced two or more paygrades. Members reduced by two or more paygrades (i.e. E-6 to E-4 will be processed as follows:

      (1) Members in paygrade E-6 or below, who are reduced two or more paygrades (i.e. E-6 to E-4) will be allowed to remain on active duty for a period of up to 36 months from the date of reduction or to the HYT PGP of the grade held upon completion of the 36 month period, whichever is greater.

      (2) Members in paygrade E-7 and above, who are reduced two or more paygrades (i.e., E-7 to E-5), will be separated using the HYT PGP of the paygrade to which reduced.

      (3) If a member is advanced to a higher paygrade, then the HYT PGP increases to the paygrade to which advanced.

3. Waiver. Submit a request for waiver not later than six months before the member reaches his or her PGP. If approved, the PGP will be changed as Commander, (CGPC-epm-1) directs effective the date of approval. ☞ Article 12.G.9.

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14.B. Correction of Military Records

14.B.1. General Information

14.B.1.a. Personnel Records

The Coast Guard maintains many types of personnel records, such as the Enlistment Contract, CG-3301; Court Memorandum, CG-3304; and Administrative Remarks, CG-3307. Although those who prepare these records strive to ensure that each is accurate, occasional mistakes do occur. Additionally, in some instances, an entry may have been made accurately, but the member disputes the facts or circumstances upon which it is based. This section provides general information about the administrative methods available for seeking correction of Coast Guard personnel records.

14.B.1.b. Adverse Personnel Actions

Certain adverse personnel actions have specific provisions for review or appeal. For example, court-martial convictions are subject to review under the Uniform Code of Military Justice (UCMJ) and the Manual for Courts-Martial (MCM). Appeals of nonjudicial punishment imposed under Article 15, UCMJ are governed by Part V, MCM, and Chapter 1, Coast Guard Military Justice Manual (MJM), COMDTINST M5810.1 (series). Appeals of Enlisted Performance Evaluations are governed by Chapter 10.B. of this Manual. In each instance where a specific review or appeal provision already exists, the member should first pursue that remedy. Not doing so can lead to a denial of relief for "failure to exhaust" an available, effective remedy.

14.B.1.c. Intent

It is not the intent of this section to describe all of the processes which are available for seeking relief from actions of a member's superiors. Only those which normally can be used to obtain correction of personnel records are included.

14.B.2. Appeals Through the Chain of Command

14.B.2.a. Lowest Level of Appeal

Most errors in personnel records are minor ones, such as charging a member with too many days of leave, mistakenly canceling an allotment, etc. Normally, such errors can be corrected by requesting, either orally or in writing, the member's Personnel Reporting Unit (PERSRU) to initiate the needed change. If a member believes a personnel record entry is unfair, an appeal through the member's chain of command usually is the simplest and fastest means for seeking correction or deletion of the entry. The level in the chain of command to which the appeal should be directed is dependent upon all of the circumstances. As an example, for a member who receives an Administrative Remarks, CG-3307 from his or her division chief documenting purported substandard watchstanding, an appeal through the division chief and the executive officer to the commanding officer should suffice. (This appeal may be in the form of a so-called "Request Mast" pursuant to ☞ Article 9-2-3, Coast Guard Regulations, COMDTINST M5000.3 (series).)

14.B.2.b. Purpose

An appeal through the chain of command is recommended because it permits a Coast Guard member to have the allegedly improper entry reviewed by someone senior to the person making the entry, who can order the record corrected when appropriate. This traditional process enhances both military discipline and *esprit de corps*, while simultaneously protecting the member from arbitrary or unfounded adverse personnel record entries.

14.B.2.c. Selective Reenlistment Bonus

1. Any enlisted member or former enlisted member who believes that they were denied, in whole or in part, the payment of an SRB due to an administrative error or oversight, including the failure to counsel the member properly, may submit an application for correction of their record and payment of the erroneously withheld SRB. Applications shall be submitted using DD Form 149. The completed application **must** be submitted directly **to the Board for Correction of Military Records (BCMR)**. The applicant should clearly identify what circumstances caused them to believe that an SRB was withheld erroneously.

2. Upon receipt of a completed application **the BCMR** will review the application and make a determination whether an SRB was withheld erroneously, and, if it was, whether the applicant may now be paid that bonus.

14.B.3. Personnel Records Review Board

14.B.3.a. Policy

The Coast Guard has established the Personnel Records Review Board (PRRB) to provide a more formalized method for members to seek correction of entries in their personnel records. **The Assistant Commandant for Human Resources is responsible for the PRRB and details members to serve on the PRRB. The Personnel Records Review Board (PRRB) recommends appropriate action on applications for correction or relief from error in the records of Coast Guard personnel. This section applies to all personnel involved in this process. Nothing in this policy precludes the correction of records without PRRB review by competent personnel acting within their authority.**

14.B.3.b. Scope of Review

The PRRB is empowered to review all applications for correction of error contained in Coast Guard personnel records, except with respect to the following types of records that are already the subject of separate internal review processes:

1. **Court-Martial Proceedings (see articles 60, 64, 65, 66, 67, 69, and 74, UCMJ).**

2. **Upgrading Discharges (see 33 CFR, part 51).**

3. **Medical Separations and Retirements (see ☞ Physical Disability Evaluation System, COMDTINST 1850.2 (series)).**

4. **Nonjudicial Punishment (see ☞ Military Justice Manual, COMDTINST M5810.1 (series), Article 1-E-11).**

5. **Enlisted Marks (see ☞ Article 10.B.10.).**

6. **Coast Guard Military Personnel Security Program (see ☞ COMDTINST M5520.12 (series)).**

7. **Discrimination Complaints (see ☞ Coast Guard Equal Opportunity Program Manual, COMDTINST M5350.4 (series)).**

8. **Administrative Discharge Board Proceedings (see ☞ Articles 12.A.8, 9, 11, 15, and 21 and 12.B.31 and 32.).**

Requests under the Privacy Act, 5 U.S.C. Section 552A, to correct personnel records, including those records listed above, may be referred at the discretion of the Director of Personnel Management to the PRRB for its review and recommendations.

14.B.3.c. Mission Of The Board

1. **The PRRB acts initially on applications for correction of error in personnel records within its purview before such applications are submitted to the Board for Correction of Military Records of the Coast Guard (see 10 U.S.C. Section 1552; 33 CFR part 52; Article 14.B.7.).**

2. **The PRRB recommends to the Director of Personnel Management, or the Director of Reserve and Training, action to be taken on applications for correction of error. The foremost duty of the PRRB is to protect both the interests of the Coast Guard and the applicant by ensuring accurate and reliable personnel records. All contested records will be accorded a presumption that they are administratively correct and prepared in accordance with applicable laws and regulations unless the PRRB is persuaded that the presumption has been overcome after considering all the reliable evidence in the record before them. The PRRB may determine what information, other than that provided by the applicant, is needed to properly consider each application. In reviewing applications and making its recommendations, the PRRB is guided by its best professional judgment and experience. The PRRB may recommend corrections other than those specifically requested by the applicant.**

3. **The PRRB will not accept applications from persons who are retired or separated from the Coast Guard.**

3. **The PRRB will not accept any third party applications except in extreme conditions such as death or incompetency.**

14.B.3.d. Composition and Procedures Of The Board

1. **Under the cognizance of the Director of Personnel Management the PRRB will consist of at least three ad hoc members. The Deputy Director of Personnel Management or a designee will act as president of the board. A representative of the Chief Counsel (G-L) will also be a member in all cases. The third member will be from the Coast Guard Personnel Command, Officer Personnel Management Division (CGPC-opm) if the record of an officer on active duty is involved, the Coast Guard Personnel Command, Enlisted Personnel Management Division (CGPC-epm) if the record of an enlisted member on active duty is involved, or Coast Guard Personnel Command (CGPC-rpm) if an inactive Reserve record is involved. When an inactive reserve member's record is involved, at least one member of the board will be from the reserve component. There will be a fourth member from the Coast Guard Personnel Command, Evaluations Branch (CGPC-opm-3) or Reserve Personnel Management Division, OES Manager (CGPC-rpm-3) if error is alleged in an officer evaluation report (OER). Normally a majority of the members shall be senior to the applicant, but in cases where this is not practicable, the report of the approving authority shall so indicate. The recommendations of the board are to be based on a majority vote; minority views may be submitted. No person may be a member in a case in which he or she has been personally involved.**

2. **PRRB proceedings are administrative, nonadversarial, and informal. The PRRB is not required to meet as a body to act on an application, is not bound by the formal rules of evidence used in courts-martial or other court proceedings, and may consider any evidence having probative value concerning the application before the board. Neither applicants nor their representatives may appear before the PRRB. However, the PRRB may obtain additional information from the applicant, persons in the chain of command, or any other relevant source in order to ensure a proper and correct result. In keeping with sound judgment, the president of the PRRB may determine the method to be used in reviewing and evaluating applications to ensure expeditious yet proper handling of each case.**

14.B.3.e. Policies and Standards

1. **Personnel records are presumed to be administratively correct and prepared in an objective manner in accordance with applicable laws and regulations.**

2. **The burden of proof is upon the applicant. Accordingly, to justify correction of a record, the applicant must produce clear and convincing evidence that overcomes the presumption of regularity with respect to the contested record and establishes that action is warranted to correct a material error.**
3. **Correction of a procedural irregularity or error does not necessarily entitle an applicant to relief beyond having a corrected record. To be entitled to additional relief, applicants must clearly demonstrate a substantial**

connection or causal relationship between the error that was corrected and the benefit or additional relief requested.

4. **Assuming each case will be factually unique, the PRRB is not bound by past decisions, but should strive to treat similar cases consistently.**

5. **Applications must be supported by relevant and reliable evidence. Such evidence should include the sworn statements of relevant witnesses, including the applicant, detailing the information they have and their basis for it. Relevant documents and contact information for each witness should also be included. Applications consisting only of applicant's opinions and allegations, without independent supporting evidence, will not be sufficient to overcome the presumption of regularity.**

14.B.3.f. Time Restrictions

PRRB applications must be received at Coast Guard Headquarters within 1 year of the date on which the contested information was entered or should have been entered into the official record. Applications which exceed these time restrictions will not be considered by the PRRB and may be submitted directly to the Board for Correction of Military Records of the Coast Guard (CGBCMR) in accordance with 33 CFR part 52.

14.B.3.g. Submission Of An Application

Applications shall be submitted using DD Form 149. Completion of the form is self-explanatory. If the space provided on the form is insufficient, the item number and information should be placed on a separate piece of paper attached to the form and that item of the DD Form 149 should be marked "See Attachment." In addition to the instructions contained in DD Form 149:

1. **In item 8 or on attached sheet, identify specifically the alleged erroneous document or omission in the record. State in detail the correction desired and other relief sought, if any.**

2. **In item 9 or on attached sheets, explain fully and clearly why the record should be corrected.**

3. **In item 10 or on attached sheets, list the documents or sworn statements from individuals that are attached to support the alleged error. Attached documents or sworn statements should be originals or certified true copies.**

4. **The application may be submitted directly to Commandant (G-WP) without going through the chain of command. However, applicant should consider soliciting command input, which often supports the applicant's allegation of error. Command input should be included as an enclosure when applicable.**

5. **Forward the completed application with all enclosures (original and five copies of entire package) directly to:**

Commandant (G-WP)
Attn: Personnel Records Review Board
U. S. Coast Guard
2100 2nd Street, SW
Washington, DC 20593-0001

Applicants desiring acknowledgement of application receipt must include along with their application an Acknowledgement/Referral Card (CG-4217) with the postcard self-addressed and the "FROM" and "REFERENCE YOUR COMMUNICATION" blocks completed.

6. **Applications may be considered complete when received. Incomplete applications or those that lack support may be rejected. Therefore, do not submit an application without all necessary support documents.**

7. **After submitting the application, applicants shall notify the PRRB of any change in mailing address.**

8. **Applicants desiring to have a record corrected prior to the date of a selection or promotion board should clearly state that desire on their application and should ensure that the application is submitted well in advance of the scheduled convening date of the particular board. The PRRB will make every reasonable effort to act prior to the board's convening date.**

14.B.3.h. Initial Disposition

The Coast Guard Personnel Command or program manager responsible for the contested record will screen the application and take appropriate action within its authority.

14.B.3.i. Disposition By The Board

1. **The PRRB will review and independently evaluate each case properly referred to it. The president of the PRRB may seek assistance or information pertinent to cases before the PRRB from other Coast Guard personnel.**

2. **Where the PRRB cannot take action on the application the president may either return the application to the applicant or forward it to the BCMR.**

3. **Findings, conclusions, and recommendations of the PRRB in each case will be set out in a case summary.**

14.B.3.j. Final Disposition

1. **In most cases, the Director of Personnel Management will take final action on recommendations of the PRRB involving active duty members and the Director of Reserve and Training will take final action on records concerning**

reservists on inactive duty, active duty special work – RC, and active duty special work – AC.

2. **The final action authority will approve, disapprove, or modify the recommendation of the PRRB. Actions that disapprove or modify the recommendations of the PRRB will include reason(s) for doing so.**

3. **The Executive Secretary will distribute the report of the board and final action as follows:**

   a. **Executive Secretary – PRRB master file.**

   b. **Board for Correction of Military Records (DOT C-60).**

   c. **Commandant (G-LMJ) – Office of Military Justice.**

   d. **Coast Guard Personnel Command (CGPC – adm-3) – Records Branch.**

   e. **Coast Guard Personnel Command (CGPC-opm-1) – Boards, Promotions, and Separations Branch (Cases involving active duty officers).**

   f. **Coast Guard Personnel Command (CGPC-opm-3) – Officer Evaluations Branch (Cases involving OERs of active duty officers).**

   g. **Coast Guard Personnel Command (CGPC-epm-1) – Advancements and Separations Branch (Cases involving active duty enlisted).**

   h. **Coast Guard Personnel Command (CGPC-rpm) Reserve Personnel Management Division (Cases involving inactive duty reservists).**

4. **Applications denied or partially denied may be forwarded to the BCMR or returned to the applicant.**

5. **The PRRB will reconsider applications only upon the presentation of additional material evidence that was not reasonably available when the original application was submitted.**

14.B.4. Privacy Act

The Privacy Act (5 U.S.C. 552a) provides another method for seeking correction of personnel records. However, its scope normally is limited to routine administrative corrections, not those involving discretionary or judgmental decisions. The ☞ Coast Guard Freedom of Information **and Privacy Acts** Manual, COMDTINST M5260.**3** (series), describes the procedure for seeking records correction under the Privacy Act.

14.B.5. UCMJ Article 138

Congress established UCMJ Article 138 as a means for a military member to seek redress of alleged "wrongs" committed by the member's commanding officer. A "wrong" can include an allegedly improper personnel record entry. As implemented by the Coast Guard in the Military Justice Manual (MJM), a member's "Commanding Officer" includes "[a]ny Coast Guard commanding officer empowered to impose non-judicial punishment upon the complainant, which includes any superior commanding officer in the chain of command." The MJM describes the procedures for seeking redress from one's commanding officer under Article 138, UCMJ, and if redress is denied, for filing a "complaint" with the officer exercising general court-martial jurisdiction over the member's commanding officer.

14.B.6. Coast Guard Discharge Review Board

14.B.6.a. Title 10, United States Code

10 U.S.C. 1553 provides the Secretary with the authority to establish a board to review discharges or dismissals from the Service. Part 51 of Title 33, Code of Federal Regulations (CFR), established the Coast Guard Discharge Review Board (DRB) and sets forth the procedure for seeking review after a member has been separated from the Coast Guard.

14.B.6.b. 33 Code of Federal Regulations

33 CFR 51.3 provides "[a] former member may apply to the DRB for a change in the character of, and/or the reason for, the discharge. The Coast Guard DRB review is generally applicable only to administrative discharges, however, the DRB may review the discharge of a former member by sentence of a court-martial for the purpose of clemency."

14.B.6.c. Definition of Discharge

33 CFR 51.4(c) provides that the definition of a "discharge" is "[a]ny formal separation of a member from the Coast Guard which is not termed 'honorable,' including dismissals and 'dropping from the rolls.' This term also includes the assignment of a separation program designator, separation authority, the stated reason for discharge, and the characterization of service."

14.B.6.d. Limitations

An application for review of a discharge must be received by the DRB within 15 years of the date the former member was separated from the Coast Guard. ☞ Article 12.B.53.h. contains additional information about applying to the DRB.

14.B.7. Board for Correction of Military Records

14.B.7.a. General

10 U.S.C. 1552 provides the Secretary with the authority to establish a board to "correct any military record...when...necessary to correct an error or remove an

injustice." 33 CFR 52 establishes the Department of Transportation Board for Correction of Military Records (BCMR) and sets forth the procedure for applying to the BCMR for correction of a military record of the Coast Guard. The normal filing limit for applications to the BCMR is three years from the date of discovery of the alleged error or injustice.

14.B.7.b. Purpose

The Board reviews the application for relief together with pertinent military records to determine whether an error has been made in the Coast Guard records, or whether, under normal standards of military law, administration and practice, the applicant has suffered a wrong as the result of an error of omission or commission in the records or through some manifest injustice in the treatment accorded him or her.

14.B.7.c. Application

Requests for corrections of records must be made on a Application for Correction of Military Record, DD Form 149. Forms and explanatory matter may be obtained from the Chairman, Office of General Counsel, Board for Correction of Military Records (C-60), Department of Transportation, Washington, DC 20590-0001.