U.S. Department
of Transportation

United States
COAST GUARD

COAST GUARD PERSONNEL MANUAL

COMDTINST M1000.6A
INCLUDES CHANGES 1-36

U.S. Department
of Transportation
United States
Coast Guard

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COMDTINST M1000.6A
8 JAN 1988

COMMANDANT INSTRUCTION M1000.6A

Subj: Personnel Manual

1. PURPOSE: This manual describes policies and procedures for the administration of military personnel of the Coast Guard based upon, and supplemental to, laws and regulations of higher authority.

2. DIRECTIVES AFFECTED. COMDTINST M1000.6 is cancelled.

3. CHANGES. Articles or paragraphs which have been modified by this new manual are indicated by a vertical line in the margin. However, purely editorial changes are not marked. The major changes are summarized as follows:

   a. The assignment of actions and authority to commanders of maintenance and logistics commands and regional recruiting centers has been incorporated into this instruction.

   b. An INDEX has been added.

   c. A listing of all forms required by this manual has been added to chapter 13.

   d. Article 4-C-19b.(2) - This article covering qualifications for assignment to intelligence training has been corrected to show the correct combined score of 167 or higher on Verbal Ability (VE), Arithmetic Reasoning (AR), and Coding Speed (CS) subtests.

   e. EXHIBIT 4-D-3 - The Table of Serial Numbers has been updated to reflect the correct serial numbers.

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2. f. Article 5-C-26c. - Incorporates contents of ALDIST 145/84 and ALDIST 206/87 covering advancement to E-4.

   g. Article 8-E-3a.(1) - Incorporates contents of ALDIST 118/87 which deleted requirement for approval of pretrial confinement in excess of 30 days.

   h. Article 8-G-3c. - The article covering dependent support requirement in cases where no court order exists has been rewritten to bring the Coast Guard's policy in line with the other armed forces.

   i. Article 8-C-7 - Incorporates contents of ALDIST 226/87 which increases the TIG for RPA captains to 3 years.

   j. Articles 12-C-9a.(6) and 12-C-11a.(4)(e) - Incorporates the contents of ALDIST 164/87 which requires that all requests for retirement include the ZIP code of the intended home of selection.

3. ACTION. Area and district commanders, commanders of maintenance and logistics commands, unit commanding officers, and Commander, CG Activities Europe shall comply with the contents of this manual.

4. BINDERS. Binders that will hold this complete manual are available from the General Services Administration (GSA) under FSC Group 75, Part II, Section A, Class 7510, Loose Leaf Binders. Stock number 7510-BP-255-3657 applies.

5. FORMS AND REPORTS. Forms and reports required by this manual are listed in article 13-A.

// signed //

T. T. MATTESON
Chief, Office of Personnel

RECORD OF CHANGES

CHANGE NUMBER	DATE OF CHANGE	DATE ENTERED	BY WHOM ENTERED
1 – 28	INCLUDED	INCLUDED	PERSMAN ADMINISTRATOR
29	14 SEP 98	14 SEP 98	PERSMAN ADMINISTRATOR
30	19 MAR 99	19 APR 99	PERSMAN ADMINISTRATOR
31	29 OCT 99	29 OCT 99	PERSMAN ADMINISTRATOR
32	6 JUL 00	11 JUL 00	PERSMAN ADMINISTRATOR
33	19 SEP 00	19 SEP 00	PERSMAN ADMINISTRATOR
34	3 MAY 01	7 MAY 01	PERSMAN ADMINISTRATOR
35	5 MAR 02	6 MAR 02	PERSMAN ADMINISTRATOR
36	14 MAY 02	14 MAY 02	PERSMAN ADMINISTRATOR
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1.A. Appointing Regular Commissioned Officers

1.A.1. General

1. By and with the Senate's advice and consent, the President may appoint permanent commissioned Regular Coast Guard officers in the grades of ensign and above according to their qualifications, experience, and length of service as Service needs require from these categories:

   a. Coast Guard Academy graduates.

   b. Regular Coast Guard chief warrant officers and enlisted members.

   c. Coast Guard Reserve members who have served at least two years.

   d. Licensed United States Merchant Marine officers who have served two or more years aboard a United States vessel as a licensed officer.

2. No person can serve as a commissioned officer until his or her mental, moral, physical, and professional fitness to perform the duties of a commissioned officer has been established under regulations the Secretary prescribes (14 U.S.C. 211).

1.A.2. Statutory Authority to Appoint U.S. Coast Guard Academy Graduates

By and with the Senate's advice and consent, the President may appoint as Coast Guard ensigns all cadets who have graduated from the Academy (14 U.S.C. 185).

1.A.3. Statutory Authority to Appoint Temporary Officers

1.A.3.a. Presidential Appointment

The President may appoint Coast Guard chief warrant officers, enlisted members, and United States Merchant Marine licensed officers as temporary commissioned Regular Coast Guard officers in a grade up to lieutenant according to their qualifications, experience, and length of service as Service needs require.

1.A.3.b. Effect on Permanent Status

Appointment under this Article does not change these temporary officers' permanent, probationary, or acting status; prejudice their promotion or appointment opportunities; or abridge their rights or benefits. A temporary officer may not lose any rightful pay and allowances due to his or her permanent status when appointed.

1.A.3.c. Vacating an Appointment

A temporary appointment or subsequent promotion appointment of a temporary officer may be vacated at anytime. If an officer's appointment is so vacated, he or she reverts to his or her permanent status (14 U.S.C. 214).

1.A.4. Appointing Officer Candidate School Graduates

1.A.4.a. Qualifications for Appointment as Temporary Officers

Chief warrant officers and enlisted members who meet ☛ Article 1.B.5. requirements are selected as candidates for a temporary Regular commission and then successfully complete Officer Candidate School (OCS) may be appointed temporary Regular commissioned officers. Chief warrant officers may be appointed to the grade of lieutenant (junior grade), and enlisted members may be appointed to the grade of ensign. Upon OCS graduation and original appointment as temporary Regular commissioned officers, such officers incur a three-year active duty commissioned service obligation.

1.A.4.b. Permanent Appointment

1. General. Enlisted members and chief warrant officers commissioned as temporary officers after OCS graduation perform duties and enjoy the privileges of Regular commissioned officers. They serve in a probationary period of about four years to ensure a fair, accurate appraisal of their capabilities over two or more types of duty. Probation expires about the time they are considered for promotion to lieutenant, and selection under the "best qualified" system amply indicates their qualification for permanent status. Therefore, their dual status as enlisted or chief warrant officer OCS graduates and temporary officers terminates when they are promoted to lieutenant. These temporary officers shall then follow the procedure below to apply for permanent status.

2. Procedure.

   a. Temporary Regular lieutenants (junior grade) selected for promotion to the next higher grade shall apply to integrate as permanent officers as ☛ Article 1.A.8. prescribes.

   b. Temporary officers accepting permanent appointment shall be discharged from their permanent (chief warrant officer or enlisted) status as ☛ Article 5.A.12. prescribes.

c. Any temporary officer who declines a permanent appointment shall send the appointment, the appointment letter, and a concise report to Commander, (CGPC-opm-1). The Commandant then makes one of the determinations listed below. To enable the Commandant to do so, it is extremely important to send a full, complete report containing a detailed explanation of the member's reason(s) for declining permanent status.

- The officer's temporary appointment shall be vacated. The officer will revert to his or her permanent (chief warrant officer or enlisted) status and be separated.
- The officer's temporary appointment shall be vacated. The officer will revert to his or her permanent (chief warrant officer or enlisted) status and remain on active duty.
- The officer remains on active duty in his or her temporary commissioned status.

1.A.5. Appointing Licensed U.S. Merchant Marine Officers

To assure continued merchant marine industry representation in the Coast Guard Merchant Marine Safety Program, a limited number of licensed U.S. Merchant Marine officers may be appointed annually to U.S. Coast Guard commissioned grades appropriate to their qualifications and experience. ☛ Recruiting Manual, COMDTINST M1100.2 (series), for general requirements, grade requirements, and application procedures.

1.A.6. Appointing the Coast Guard Band Director

1.A.6.a. Secretary of Transportation Designation

The Secretary designates the U.S. Coast Guard Band Director from among qualified Coast Guard members. Then, by and with the Senate's advice and consent, the President appoints that member to a Regular Coast Guard commissioned grade.

1.A.6.b. Initial Appointment

The Band Director's initial appointment is to the commissioned grade of lieutenant (junior grade) or lieutenant.

1.A.6.c. Promotion to the Next Higher Grade

A member designated and commissioned under this Article is not included on the Active Duty Promotion List. The Commandant prescribes the regulations governing the Band Director's promotion. ☛ Article 5.A.9.

1.A.6.d. General Requirements

Each applicant must:

1. Be a United States citizen.
2. Be of good moral character.
3. Be a Coast Guard member.
4. Meet the physical standards for commissioning listed in the Medical Manual, COMDTINST M6000.1 (series), Section 3-C.
5. Be a versatile musician.
6. Have six years of professional musical experience. Military or civilian musical experience may be combined with college-level musical education to meet this requirement.
7. Possess the leadership and professional qualities expected of a Coast Guard officer.
8. Be able to fulfill time in grade and commission requirements for retirement before mandatory retirement age.

1.A.6.e. Application Procedures

When the Coast Guard solicits for the position of band director, interested persons should submit applications to Commander, (CGPC-opm-1). The following completed forms and documents constitute the application file.

1. Questionnaire for National Security Positions, SF-86.

2. Optional recommendation letters.

3. For enlisted members: commanding officer's endorsement, including the average Proficiency, Leadership, and Conduct marks for the 12-month period ending 30 June 1983, the average factor marks after 30 June 1983, the latest set of factor marks awarded, and other Personnel Record Data (PDR) information of interest to the board.

4. Record of satisfactory service or discharge from other military service (if any).

5. Transcript of scholastic record.

6. Comprehensive resume of personal, professional, and military history and experience, giving specific attention to musical education and experience.

1.A.6.f. Selections

1. On receiving the applications, Commander (CGPC-opm-1) convenes a selection panel to evaluate all qualified applicants. The panel shall consist of a captain as senior member, the incumbent Band Director, if available, and three additional officers (lieutenants or higher). To provide supplementary expertise, another Service's Band Director may replace one of the additional members. Except for the latter, all board members must be Regular Coast Guard officers, with at least one from Commandant (G-**IPA**). Commander (CGPC-opm-1) may name other appropriate panel members.

2. Convening at the Coast Guard Band location, the selection panel acts as follows:

   a. Evaluates each applicant's professional qualifications, personal characteristics, and other pertinent data.

   b. Interviews each applicant to assess personal attributes that must necessarily complement technical qualifications for service as a commissioned Coast Guard officer. For this unique position, the selection panel should focus on the applicant's potential for leadership and management.

   c. Rates each applicant's performance in a 15-minute audition, during which he or she will conduct the Coast Guard Band in a program he or she prepares. Each applicant will have 30 minutes to rehearse.

   d. Evaluates each applicant's performance in rehearsing the band with unfamiliar music as designated by panel members with musical expertise.

   e. Nominates in order of preference those applicants considered qualified in all respects for appointment and fully capable of discharging the duties of the Coast Guard Band Director, noting in the record whether qualified and recommended for lieutenant or lieutenant (junior grade).

1.A.7. Appointing Physician Assistants

1.A.7.a. General

1. To effectively attract and retain qualified physician assistants with education and skills comparable to those in the other Uniformed Services, the Coast Guard must offer our physician assistants military rank, responsibility, advanced professional training, and career opportunities commensurate with other Services.

2. On completing the prescribed medical training, active duty members normally are commissioned as temporary Regular officers in the grade of ensign. These officers incur an active duty obligation of three years of service for each year of training.

3. On commissioning, all active duty physician assistants attend the next available direct commission officer indoctrination course.

1.A.7.b. Integration

1. Officers selected for promotion by an Active Duty Promotion List best-qualified promotion board **may** request integration under ☞ Article 1.A.8. provisions.

2. To maintain a high level of professional qualification, physician assistants must attain professional certification from the National Commission on Certification of Physician Assistants during their first two years of commissioned service. ☞ Articles 12.A.12. and 12.A.15. contain provisions to vacate the appointments of temporary commissioned officers and separate Regular officers who fail to attain or subsequently maintain this certification.

1.A.8. Integrating Reserve and Temporary Regular Officers

1.A.8.a. General

1. When Reserve officers, except Reserve Program Administrators, remain on active duty for an extended period to meet routine Service needs, they lose identification as trained officers held in reserve for an emergency. Similarly, temporary Regular officers, except chief warrant officers appointed as temporary lieutenants, hold a probationary commission for **three** years while retaining permanent status as enlisted members or warrant officers. Once an ADPL best-qualified promotion board selects Reserve and temporary Regular officers, the Service expects them to possess the potential and skills for long-term active service **and they become eligible to integrate as permanent Regular officers.**

   a. Integrating to Permanent Regular officer status allows a member to remain on active duty for up to 30 years commissioned service (as opposed to 30 years active service) unless:

      (1) They are twice non-selected by a future promotion board, or,

      (2) They reach age 62 prior to completing 30 years commissioned service, or,

      (3) They are separated under some other provision of law.

   b. Once a Temporary officer is integrated, they no longer hold a temporary commission and therefore lose the option to revert back to a previously held CWO or enlisted status.

2. **The integration policy for Reserve officers and temporary Regular officers is as follows:**

   a. <u>Reserve and temporary Regular officers appointed from OCS and Direct Commission Reserve officers</u>, who have been selected by a best-qualified promotion board, must integrate as permanent Regular officers.

b. <u>Temporary Regular officers who receive their commission either through the CWO to LT program, a Direct Commission Officer (DCO) program, or the Physicians Assistant (PA) program</u>, have the option to integrate upon selection by a best-qualified promotion board. If they do not request to integrate, that option will not be available again unless they are selected by their next best-qualified promotion board.

3. Notwithstanding any procedure outlined below, between the time the officer is selected by a best-qualified promotion board and the administration of the oath of office for permanent Regular appointment, Commander (CGPC-opm) must be advised of any action that would disqualify an applicant for integration.

1.A.8.b. Integration Requirements

To qualify for integration, a Reserve or temporary Regular officer must meet these integration requirements. Normally, no waivers will be granted. The officer must:

1. Comply with the Service's maximum allowable weight standards at the time of the administration of the oath of office for integration.

2. At the time of the administration of the oath of office for integration, not be subject of or party to a pending investigation which could result in adverse action against the officer, nor accused pending proceedings under the Uniform Code of Military Justice, nor the subject of a pending administrative board for possible separation.

3. Have completed two years' continuous active Coast Guard duty (as of 1 March following selection by the best-qualified promotion board) during the current active duty period.

4. Have been selected for promotion by any ADPL board under the best-qualified selection system.

1.A.8.c. Integration Process

1. Once a Reserve or temporary Regular officer has been selected by their first best-qualified active duty promotion list (ADPL) selection board:

a. correspondence requesting appointment authority and Senate confirmation of all officers eligible for permanent status as permanent Regular officers will be initiated by the Personnel Command; and,

b. a general message will be released advising the officers subject to integration that this authority has been requested. The message will stipulate that officers who are required to integrate but elect not to must notify Commander (CGPC-opm) of their intention and these officers should expect release from active commissioned service not earlier than six months from the date Commander (CGPC-opm) receives their request.

2. After receiving appointment authority and Senate confirmation, Commander (CGPC-opm) will conduct an internal records review of materials received about the officers to confirm they have not disqualified themselves since selection for promotion. If record material casting doubt on an officer's qualifications for permanent status is received, Commander (CGPC-opm) will convene a special panel to evaluate the officer for continued service.

3. Once the review is complete, **an appointment letter** will be mailed to eligible officers via their immediate chain of command. **It will direct the command to administer the oath of office.**

4. Before administering the oath of office, commanding officers shall confirm that the officer still meets the requirements of ☞ Article 1.A.8.b.1 & 2.

5. If an officer fails to meet the requirements above, or the command determines that the officer does not possess the qualities of a permanent regular officer, or the officer has elected not to integrate, the command will return the oath of office with an explanation. Further action will be guided by the provisions of ☞ Article 1.A.9 or 12.A.15 as applicable.

1.A.8.d. Appointment Process

☞ Article 5.A.12. outlines how to appoint Reserve and temporary Regular officers selected for integration as permanent Regular commissioned officers.

1.A.8.e. Security Investigation

If the officer has satisfactorily completed a National Agency Check during his or her current tour of active duty, one is not required for integration.

1.A.9. Processing Officers Who Do Not Integrate

Reason	Reserve Officers	Temporary Regular Officers
Officers Required to Integrate Who Decline Appointment as Permanent Regular Officers	**The Service releases Reserve officers from active duty effective the date their extended active duty agreement or other obligated service expires, as needs of the Service allow. This includes officers who receive their appointment from OCS, and direct commission Reserve officers.**	**With the exception of officers who received their appointment from OCS, they remain on active duty in their Temporary officer status unless separated or integrated at a later date. Officers who received an appointment from OCS are released from active duty six months after they receive notification to integrate.**

Reason	Reserve Officers	Temporary Regular Officers
Failure of Selection for Promotion on a Best-Qualified Basis the First Time	They may apply for extension in accordance with ☞ Article 1.B.2.d., **which will make them eligible to be seen a second time by the best-qualified promotion board**.	**They are eligible to be seen a second time by a best-qualified promotion board.**
Subject of or a Party to a Pending Investigation, Accused Pending UCMJ Proceedings, or the Subject of a Pending Administrative Board for Possible Separation	If they request, the Service may grant these officers an administrative extension for up to one year while awaiting the outcome of the pending proceeding, unless previous contractual or obligated service so provides. After the pending action is final, unless otherwise separated, these officers may **(EAD officers)/will (all others) (see ☞ Article 1.A.8.a.) request to integrate if selected by their next best-qualified promotion board**. In determining whether proceedings of pending actions are final, the Service uses the controlling directives governing the proceeding (for example, the Manual for Courts-Martial (MCM) (series) for UCMJ proceedings, the **Coast Guard** Investigations Manual, COMDTINST M5527.1 (series), for administrative investigations).	**They** retain their temporary commissioned status while awaiting the outcome of the pending proceeding. After the pending action is final, unless otherwise separated, they may **integrate if selected by their next best-qualified promotion board**. In determining whether proceedings of pending actions are final, the Service uses the controlling directives governing the proceeding (for example, the Manual for Courts-Martial (MCM) (series) for UCMJ proceedings, the **Coast Guard** Investigations Manual, COMDTINST M5527.1 (series), for administrative investigations).
Failure to Meet Weight Standards	They **may** request an administrative extension until the end of the weight loss probationary period unless previous contractual or other obligated service so provides. If they do not meet the weight standards at the end of the administrative extension, the Service releases them to inactive duty on the Inactive Status List (ISL) without further board or panel action	**They** retain their temporary commissioned status until the end of their weight loss probationary period. If they do not meet the weight standards then, the Service immediately vacates their commission and processes them for separation under procedures used for their permanent status.

1.A.10. Recalling Retired Regular Officers

1.A.10.a. General

If Service needs require, the Commandant may recall a retired Regular officer to active duty for a specified time in accordance with ☞ Articles 1.A.10.b. and c.

1.A.10.b. In War or National Emergency

In time of war or national emergency, the Commandant may order any Regular officer on the retired list to active duty (14 USC 331).

1.A.10.c. Recall with Officer's Consent

1. The Service may assign any retired Regular officer, with his or her consent, to duties he or she is able to perform (14 U.S.C. 332(a)).

2. The number of retired lieutenant commanders, commanders, or captains on active duty shall not exceed two percent of the authorized number of officers on active duty in each grade. This limit does not apply to retired officers in these grades recalled to serve as members of courts, boards, panels, surveys, or special projects for periods as long as one year (14 U.S.C. 332(b)).

3. The following application procedures will be followed:

   a. Officers desiring recall to active duty from retirement should apply by submitting a letter to Commander (CGPC-opm-1) via their current commanding officer or directorate if on active duty, or directly to Commander (CGPC-opm-1) if already retired. The request will constitute consent to recall.

   b. The application should specify:

   (1) **The duration of the recall agreement desired,**

   (2) **The desired date recall should commence,**

   (3) **Whether they are available for worldwide assignment. If not, indicate the specific assignment criteria desired (whether a specific unit, geographic area or job position number).**

   (4) **Other useful information or a resume describing such things as qualifications and experience which may meet a Service need.**

   (5) **Contact information including mailing address, e-mail address and daytime telephone number.**

   c. If an officer is on active duty when they apply, the commanding officer's endorsement should provide a specific recommendation concerning how this officer's recall will meet a Service need and why the recall is in the best interest of the Service.

d. Retired officers recalled to active duty will not be eligible for selection for promotion to the next higher grade. ☞ Article 5.A.8.a.1.

e. An approved physical examination is required per the ☞ Medical Manual, COMDTINST M6000.1 (series), Article 3.A.7.g prior to executing orders for recall to active duty.

f. The decision to be recalled to active duty is a serious one as it affects assignment actions which, if reversed, could cause hardship to other officers. Officers accepting recall to active duty incur obligated service for the period of the agreement and should expect to fulfill that service. Hardships arising after a recall agreement has begun and which cause an officer to request early release from their agreement will be evaluated on their individual merit.

1.A.11. Appointing or Re-appointing Regular Officers from the Temporary Disability Retirement List

1.A.11.a. General

Permanent Regular commissioned officers and chief warrant officers on the Temporary Disability Retired List (TDRL) subsequently found fit for duty shall be ordered to active duty as retired officers. As soon as possible, they shall be re-appointed as commissioned officers or chief warrant officers, as appropriate, with an adjusted date of rank under ☞ Article 1.A.11.b (10 U.S.C. 1211).

1.A.11.b. Appointment

1. Commissioned officers placed on the TDRL in the grade **of** lieutenant (junior grade) or above not previously selected to the next higher grade and later found fit for duty shall be re-appointed to the same grade they last held on active duty. These officers are assigned a new date of rank on the Active Duty Promotion List (ADPL) which reflects a loss of one month's seniority in their original date of rank for each month served on the TDRL.

2. Commissioned officers placed on the TDRL in the grade of ensign not previously selected for lieutenant (junior grade) and subsequently found fit for duty shall be reappointed as ensigns. They will be assigned a new ADPL date of rank reflecting one month's loss of seniority in their original date of rank for each month served on the TDRL. A panel of officers shall consider promoting to lieutenant (junior grade) ensigns whose contemporaries have been considered on a fully-qualified basis for promotion. If that panel selects those ensigns for lieutenant (junior grade), their date of rank is the date they transfer from the TDRL; however, that date cannot be earlier than that **date of rank** which would have occurred had they remained on continuous active duty.

3. Chief warrant officers placed on the TDRL not previously selected to the next higher grade and subsequently found fit for duty shall be reappointed to that same grade. They shall be assigned a new date of rank which reflects one month's loss of seniority in their original date of rank for each month they serve on the TDRL.

4. Commissioned officers and chief warrant officers on a list of selectees for promotion to the next higher grade when placed on the TDRL and whose promotion date has passed when they return to active duty shall be assigned a date of rank as of the date they return. If they return to active duty before their promotion date, they shall be re-appointed to that grade with the date of rank they last held on active duty and promoted on schedule.

5. **Regular** commissioned officers and chief warrant officers **placed on the TDRL in a grade higher than the grade last held on active duty** shall be re-appointed to the **permanent** grade they last held on active duty **or, in the discretion of the Commandant, to the next higher permanent grade. (10 U.S.C. 1211)**

6. **Regular temporary commissioned officers placed on the TDRL in a higher temporary grade shall be re-appointed to the permanent grade they last held on active duty or, in the discretion of the Commandant, to the next higher permanent grade. Re-appointment to the higher temporary grade last held on active duty will be based on needs of the Service, as authorized by the President. (14 U.S.C. 214)**

1.A.12. Security Investigations for Officers' Original Appointment

1.A.12.a. Academy Cadets

U.S. Coast Guard Academy cadets shall have a National Agency Check (NAC) completed by April 30 during the Second Class year.

1.A.12.b. Merchant Marine Officers

Licensed U.S. Merchant Marine officers shall initiate an NAC before commissioning.

1.A.12.c. Officer Candidate School Graduates

OCS graduates may be commissioned before a satisfactory NAC is complete. If the NAC is incomplete when the candidate graduates from OCS, he or she must sign the following Statement of Understanding before commissioning.

> I understand a National Agency Check will be conducted to determine my qualification for commissioning as a United States Coast Guard officer. I understand my commission may be revoked and I may be separated in accordance with 10 U.S.C. 1162 or 14 U.S.C. 281 if it is determined I am not eligible for a secret security clearance.

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1.B. Reserve Officers on Extended Active Duty

1.B.1. Initial Active Duty and Recall to Active Duty

1.B.1.a. Officer Candidate School Graduates

Officer Candidate School (OCS) graduates appointed ensigns in the Coast Guard Reserve serve an initial active duty period of three years.

1.B.1.b. Direct Commission Officers

Reserve officers who receive direct commissions for an active duty program serve an initial active duty period as agreed on in the active duty agreement.

1.B.1.c. Recalling Reserve Officers to Extended Active Duty

With their consent and as its needs require, the Service occasionally recalls to extended active duty inactive duty Reserve officers who meet these qualifications:

1. They possess unique skills and abilities or professional qualifications in areas where there is a definite Service need;

2. They are in grades up to lieutenant; and

3. They have fewer than 11 years' total active service, or if they have no previous active service, fewer than 11 years' commissioned service as a Reserve officer.

If the Service approves a recall request, Commander (CGPC-opm-1) issues orders recalling the Reserve officer to extended active duty for at least one to a maximum of five years. Commander (CGPC-opm) determines the length of the recall based on the Service's and the officer's needs. When practical, the active duty will last long enough to involve the officer in only one Active Duty Promotion List (ADPL) selection board.

1.B.2. Retention on Extended Active Duty

1.B.2.a. General

Reserve officers presently serving on initial active duty periods or fulfilling active duty agreements may request new active duty agreements or extensions of their contracts. ☛ Article 1.B.2.e.

1.B.2.b. Authority

To provide terms of active duty (other than for training) for Reserves with their consent, 10 U.S.C. 679 authorizes the Secretary to enter into a written, renewable agreement with any Reserve member to serve on active duty (other than for training) for at least one and at most five years. The Secretary has delegated this authority to the Commandant under 49 CFR 1.45. In addition, the officer and Coast Guard jointly may agree to extend an active duty agreement written for less than five years for periods of up to 12 months.

1.B.2.c. Delegating Authority

The Commandant must approve agreements. This authority to agree in writing on active duty periods with Reserve members under the conditions in this Article is hereby redelegated to district commanders, commanders of maintenance and logistics commands, chiefs of staff, chiefs of personnel divisions, assistant commandants for directorates, and commanding officers, who may not redelegate this authority. Commander, (CGPC-opm-1) will furnish agreement forms for each Reserve officer selected for recall to or retention on active duty. ☛ Article 1.B.2.h.

1.B.2.d. Reserve Officer Retention Standards

1. Commander, (CGPC) may extend current active duty agreements or grant new ones so an officer has sufficient time to complete the requirements and apply to integrate into the Regular Coast Guard or satisfy Service needs.

2. In special cases if Service needs require, the Commandant may allow Reserve officers to continue under successive active duty agreements until they complete up to 11 years' total commissioned service.

3. Commander, (CGPC) will not extend a contract for fewer than 12 months except in unusual circumstances or if the Service urgently needs the officer's services. If reassigned to another unit, the officer normally must enter a new active duty agreement to cover a full-length tour at the new unit. Commander, (CGPC-opm-1) may grant interim extensions while official action is pending on either requests to integrate into the Regular Coast Guard or new active duty agreements.

4. Reserve officers who have once failed selection for promotion may request an extension on active duty. If granted, this extension terminates by the end of the promotion year when a second board will consider the officer for promotion.

5. Reserve officers with fewer than 18 years' active duty service who twice fail selection for promotion to a given grade are ineligible for further promotion or retention on active duty. The Service discharges or releases them from active

duty at the end of the promotion year in which the second failure occurs or when they complete their current Active Duty Agreement, whichever is earlier. The Service considers these separations involuntary. Reserve officers with 18 or more years' active duty service may remain on active duty until they complete 20 years of service if Commander, (CGPC-opm) approves a retention request.

6. All extensions and agreements are subject to termination for changes in Service requirements and other factors affecting the retention of Reserve officers on active duty (10 U.S.C. **12312**).

1.B.2.e. Submitting Applications to Remain on Active Duty

1. Reserve officers serving initial active duty periods or fulfilling active duty agreements may apply to remain on active duty to Commander, (CGPC-opm-1) through the chain of command. They must submit requests in time for the appropriate extension board to consider them. The Schedule of Officer Personnel Boards and Panels, COMDTINST 1401.5 (series) announces board convening dates and application deadlines.

2. Reserve officers shall state in their application both their desired duration of the requested active duty agreement and the minimum duration they will accept.

3. The commanding officer's endorsement shall comment on the applicant's suitability for continued service under the terms of an active duty agreement and also list the applicant's special qualifications or abilities.

4. To receive an acknowledgement of the received application, submit with the request a completed, self-addressed Acknowledgment/Referral Card, CG-4217.

1.B.2.f. Selection

1. Boards normally meet in January and July to recommend Reserve officers for new active duty agreements or extensions of their current agreements. Special boards also may convene occasionally to meet Service needs. The boards **normally** recommend officers they consider best-qualified for retention on active duty. **As Service needs dictate, boards may be convened on a fully-qualified basis instead, or not at all. If no board is convened, CGPC-opm will consider all extensions and requests for new agreements. When a board is convened to consider officers on a fully-qualified basis, the board shall apply the procedures delineated in ☛ Article 14.A.5, with the following exception: In developing the fully qualified standards, the records of officers who hold the same grade as the applicant shall be used. The board's focus should be on reviewing the records for retention of the officers in the current grade, not for promotion purposes.**

2. The board considers each officer for retention based on the officer's performance record, special qualifications, educational accomplishments, potential for future development as a Regular officer, command endorsement, and Service needs.

3. The Service releases to inactive duty on their scheduled release date those officers whose agreements expire or whose requests for retention have not been approved.

1.B.2.g. Active Duty Agreements

1. Officers selected for retention must return active duty agreements to Commander, (CGPC-opm-1) within five working days after receipt.

2. Officers who do not desire to execute the agreement shall endorse the agreement to that effect and return it to Commander, (CGPC-opm-1) within five working days of receipt. **The officer will be RELAD no later than when their agreement expires.**

1.B.2.h. Instructions for Signing Agreements

1. The Reserve officer desiring retention or recall to active duty is the "contractor" and signs all copies of the agreement in the space provided in the presence of one or more witnesses.

2. When practical, two officers or petty officers will witness the contractor's signature and sign all copies of the agreement in the space provided.

3. The officers delegated in ☛ Article 1.B.2.c. to accept the agreement for the **Coast Guard** sign all copies in the space provided for the authorized agent's signature.

4. If the Reserve officer entering the active duty agreement is the only active duty Coast Guard officer present in the area, he or she may sign as the contractor. **The two witnesses' signatures must be accompanied by an address and current telephone number. The Reserve officer contractor** sends the agreement to the district commander (dcs) or maintenance and logistics commander (p), as appropriate, for signature and acceptance of the agreement for the **Coast Guard**.

1.B.2.i. Pay Entitlements on Involuntary Release from Active Duty

Reserve officers involuntarily released from active duty may be entitled to separation pay under 10 U.S.C. 1174 and/or **a termination** payment for the remaining part of an active duty contract under 10 U.S.C. **12312**. The ☛ U.S. Coast Guard Pay Manual, COMDTINST M7220.29 (series), explains conditions and procedures on separation pay or pay on release without the member's consent before an active duty agreement expires.

1.B.3. Appointing Reserve Program Administrators

1.B.3.a. General

1. Under authority of 10 U.S.C. **10211** and **12501**, the Service assigns certain Coast Guard Reserve officers—Reserve Program Administrators (RPAs)—to extended active duty to organize, administer, recruit, instruct, or train Coast Guard Reserve components.

2. RPAs are commissioned Coast Guard Reserve lieutenants (junior grade) or above assigned in such numbers, grades, and duty assignments in the Reserve program at Coast Guard Headquarters and other places as the Commandant occasionally may determine as necessary to fulfill the Coast Guard Reserve mission.

3. An appropriate mix of RPAs and ADPL officers is assigned to Reserve-funded billets as Service needs require, given that the number of RPAs authorized on active duty shall not exceed 75 percent of the Reserve-funded billets per ☛ Article 5.A.6.a. Some RPAs may serve in assignments outside Reserve administration to fulfill the intent of ☛ Article 1.B.3.b.

1.B.3.b. Assignment

RPAs serve on extended active duty in a special occupational field. However, they are required to have a wide knowledge of the Coast Guard to carry out their duties properly. Therefore, so they may be well qualified, the Service generally assigns them to duties administering the Reserve two-thirds of the time and general Coast Guard duties the other third. Nothing here is intended to restrict an RPA's duty assignment. When not assigned to a Reserve administration billet, they may be assigned to any appropriate grade level billet, including postgraduate training.

1.B.3.c. Service Requirements

To qualify for designation as a provisional RPA, an active duty ADPL officer or Inactive Duty Promotion List (IDPL) Reserve officer in the grade of lieutenant or lieutenant (junior grade) must have at least two years' commissioned service in the Coast Guard or Coast Guard Reserve when the RPA designation board convenes. Lieutenants must have three or fewer years in grade when the board convenes.

1.B.3.d. RPA Designation Board

Boards to recommend officers for designation as RPAs and provisional RPAs convene as described in ☛ Chapter 14.A., normally annually in January or February. Commander, (CGPC-opm-1) solicits applications and announces the convening and application deadlines by message. For an acknowledgement the board received an application, submit with the request a completed, self-addressed Acknowledgment/ Referral Card, CG-4217.

1.B.3.e. Applying for RPA or Provisional RPA Designation

1. Form and Content Letter. For designation as provisional RPA, apply by letter to Commander, (CGPC-opm-1) through the chain of command. Exhibit 1.B.1. shows the application format, which should include a brief resume of the officer's

previous service, educational background, and, if on inactive duty, the number of days within which he or she will be able to report for duty after notification of selection.

2. Endorsements. In their forwarding endorsement, officers in the chain of command shall state definitely whether the applicant has the potential to serve as an RPA, unless they have no personal knowledge of the applicant's performance of duties, which they shall so state. The applicant shall not solicit or submit as enclosures letters from officers not in the chain of command.

3. Deadline. Submit all applications in accordance with the Schedule of Officer Personnel Boards and Panels, COMDTINST 1401.5 (series).

1.B.3.f. Number Designated

The Board normally designates a total of four or fewer new provisional RPAs in any fiscal year.

1.B.3.g. Designation as Provisional RPA

1. All officers initially are designated provisional RPAs.

2. ADPL regular officers must resign their Coast Guard commission and accept a commission in the Coast Guard Reserve; they then transfer to the RPA promotion list and immediately begin serving as provisional RPAs on extended active duty.

3. The Services recalls inactive duty Reserve officers to extended active duty within 60 days of notification of selection.

4. After selectees complete two years' extended active duty as provisional RPAs, the next RPA appointment board considers them for designation as permanent RPAs.

5. Each officer designated as a provisional RPA shall initiate a National Agency Check immediately their selection.

1.B.3.h. Withdrawing Designation

At his or her discretion, the Commandant may withdraw the offered designation if the selectee is unable to report for duty within 60 days from the notification date.

1.B.3.i. Removing RPA Designation

Once an officer has been assigned an RPA or provisional RPA designation, the

Commandant may remove it for any of these reasons and release an officer so serving to inactive duty:

1. A board of officers convened for that purpose so recommends and the Commandant approves.

2. The first board to consider the provisional RPA officer does not select him or her for designation as RPA.

3. On the RPA's approved request.

4. On failure of selection for promotion on a fully qualified basis.

5. On termination of extended active duty.

1.B.3.j. Promoting Provisional RPAs

Provisional RPAs shall be selected for promotion and promoted in accordance with the regulations governing RPAs in ☛ Chapters 5.A. and 14.A.

1.B.4. Reserve Program Administrator's Voluntary Transfer to ADPL

1.B.4.a. General

1. At his or her request and based on Service needs, an RPA serving as commander, lieutenant commander, or lieutenant for a minimum of three years as an RPA may have his or her RPA designation removed and transfer to the ADPL. The RPA must submit this request to CGPC-opm-1 by 1 March of the promotion year before the officer's running mate is projected to enter an ADPL promotion zone.

2. Reserve officers who transfer to the ADPL execute an active duty agreement for up to five years to enable them to be considered for selection to the next higher grade.

1.B.4.b. Integration

If an ADPL board selects a former RPA for commander or captain, that officer shall integrate. Those selected to lieutenant commander shall meet all ☛ Article 1.A.10. requirements to be eligible for integration.

1.B.4.c. Retirement or Release from Active Duty

If a former RPA has not integrated into the Regular Coast Guard and twice fails of

selection for promotion to the next higher grade, he or she retires or the Service releases him or her from active duty in accordance with these guidelines:

1. Officers who twice fail of selection to the grade of captain or commander and who:

   a. Have completed 20 years of active service on 30 June of the promotion year in which the second failure of selection occurs, retire, or

   b. If not eligible to retire on 30 June of the promotion year in which the second failure of selection occurs, remain on active duty and retire on the last day of the month in which they complete 20 years of active service.

2. Officers who twice fail of selection to lieutenant commander and who:

   a. Have completed 18 years of active service on 30 June of the promotion year in which the second failure of selection occurs, remain on active duty and retire on the last day of the month in which they complete 20 years' active service unless Commander, (CGPC) authorizes their release (10 U.S.C. 1163(d)), or

   b. Have completed fewer than 18 years' active service on 30 June of the promotion year in which the second failure of selection occurs, are released to inactive duty on 30 June or when their active duty agreement expires, whichever is earlier.

1.B.5. Officer Candidate School

1.B.5.a. General

1. Officer Candidate School (OCS) is a major source of newly commissioned Coast Guard officers. The Service selects candidates based on a competitive system. On satisfactorily completing 17 weeks of training, graduates are appointed as commissioned Coast Guard ensigns or lieutenants (junior grade) under ☛ Article 1.A.3. provisions or commissioned Coast Guard Reserve ensigns under this Article's provisions. Classes convene according to a schedule published by a general message.

2. At least twice annually Commander, (CGPC-CGRC) convenes boards to select Reserve and temporary commission applicants to OCS. A general message announces application deadlines, cutoff dates for eligibility requirements, and any other information of concern to applicants.

1.B.5.b. Eligibility Requirements

1. Age. Applicants must be between 21 and 26 before the actual class convening date published for each selection period except:

   a. Applicants may exceed this maximum age limit by the number of months, up to 60, served on active duty in any Armed Forces branch. Do not use time spent on active duty for training when determining this constructive age.

   b. Regular Coast Guard chief warrant officers are eligible until they reach their 40th birthday.

2. Military Status.

   a. Commander, (CGPC-CGRC) accepts applications from college seniors currently enrolled in any ROTC program. However, the student must present a statement signed by an authorized official of the losing Service that it releases the student from any contractual obligation for military duty incurred through membership in that Service.

   b. Any Armed Forces (other than Coast Guard) Reserve member may apply if he or she submits these documents:

      (1) A conditional release from the Reserve component which states that Service will discharge him or her on enlistment in the Coast Guard Reserve preparatory to assignment to OCS.

      (2) A signed statement he or she understands these conditions and will inform Commander, (CGPC-CGRC) immediately of any change in his or her military status, including receiving orders to report for active duty.

   c. Any person currently on active duty in an Armed Force other than the Coast Guard must include in the application file a statement from his or her Service that it will discharge him or her if selected to attend OCS. This statement is not necessary if his or her enlistment expires before the convening date of the first class for which selections are made.

   d. Applicants for temporary regular commissions must be on active duty in the Coast Guard.

   e. An applicant who has six or more years of previous active duty creditable service for retirement, other than in the Coast Guard or Coast Guard Reserve, is not eligible.

3. Physical. Applicants must meet the requirements listed in the Medical Manual,

COMDTINST M6000.1 (series), Chapter 3.

4. Citizenship. The applicant must be a United States citizen with no questionable foreign connections.

5. Officer Screening Tests. OCS screening tools and their minimum required scores for any one are listed below. Applicants to all selection boards must include in their application package a qualifying score on the SAT, ACT or ASVAB. No waivers will be considered. Any test's most recent score is valid for this program with no limitation on what year the test was taken.

Test	Minimum Qualifying Score	Required Proof
Scholastic Aptitude Test (SAT)	combined 1000 on verbal and math or 1100 on the SAT I	copy of the score report
American College Test (ACT)	21	copy of the score report
Armed Services Vocational Aptitude Battery (ASVAB) General Technical (GT) Aptitude Area, which combines Arithmetic Reasoning (AR) Test and Verbal Ability (VE) standard score, obtained by adding the Word Knowledge (WK) and Paragraph Comprehension (PC) Test scores	110	MEPS-714 for civilian applicants CG-3303 (verified by PMIS) for active duty

6. Interview. A board of commissioned officers interviews each applicant in accordance with ☛ Article 1.B.8. Applicants not selected for OCS may reapply and be interviewed again.

7. Educational Qualifications.

   a. Reserve Commission Applicants. Applicants must be in their senior year at or hold a baccalaureate or higher degree from an accredited college or university. Persons preparing for the ministry are not eligible to apply.

   b. Temporary Regular Commission Applicants. Applicants must:

      (1) Hold a baccalaureate or higher degree from an accredited college or university prior to beginning the application process, or

      (2) Attain 25th-percentile scores (a general message will publish actual scores required) on all parts of the DANTES General Examinations of the College Level Examination Program, or

(3) Complete one year of study (30 semester hours or 45 quarter hours) at an accredited, degree-granting college or university, and

(4) Satisfactorily complete one college-level mathematics course, or

(5) Pass the DANTES General Mathematics Examination of the College Level Examination Program (CLEP).

c. Accredited College. Here an accredited college is one accredited by an accrediting body recognized by the Council on Post-Secondary Accreditation. Commander, (CGPC-CGRC) will consider waiving the accreditation requirement if the applicant presents written certification from the appropriate officials of three accredited colleges or universities stating their schools will accept his or her credits for transfer purposes as if the applicant had earned them at an accredited school or recognize his or her baccalaureate degree for purposes of graduate study.

d. Service schools and correspondence courses are a possible source of college credits. Credits earned this way are acceptable for purposes of program qualification when awarded by accredited colleges or universities.

8. Coast Guard Personnel on Active Duty.

a. Members E-4 and below are ineligible for temporary regular commissions. If otherwise eligible, they may apply for Reserve commissions.

b. Enlisted members E-5 and above who meet the time in service requirement specified in subparagraph 9 below may be appointed temporary officers only in the grade of ensign. However, if they do not meet the time in service requirements, they may be appointed as Reserve officers if they meet the criteria for a Reserve commission.

c. Regular chief warrant officers with 21 or more months as a chief warrant officer on the published class convening date are eligible to apply for temporary commissions as lieutenants (junior grade). All chief warrant officers with fewer than 21 months on that date will be commissioned as ensigns. Officer candidates who apply as enlisted members are appointed to warrant grade before OCS graduation receive temporary commissions as ensigns.

9. Time in Service. Temporary commission applicants must have at least four years of active duty in any Armed Forces branch by the published class convening date. They must have served at least two years of their active duty in the Coast Guard. They may not use active duty for training to fulfill this requirement.

10. Dependents. Applicants not on active duty in the Coast Guard may have a maximum of three dependents.

11. Flight Training. Applicants are not pre-selected for flight training, but may apply at OCS. They take the Aviation Selection Test and a flight physical examination during the OCS application process to determine their qualifications for flight training, but the board does not consider such information in the OCS selection process. Applicants considering flight training should be aware they must meet the requirements published in the Training and Education Manual, COMDTINST M1500.10 (series), including the age requirements. Applicants are not assigned to an earlier OCS class solely to enable them to meet flight training age requirements.

1.B.5.c. Applications

All applicants should contact their local recruiting office, or if already in the Coast Guard, their unit's Educational Services Officer (ESO). All enlisted and chief warrant officer applicants apply through their unit to Commander, (CGPC-CGRC).

1.B.5.d. Educational Services Officer Action

The unit ESO assists the applicant with:

1. Arranging medical examinations and the Board of Interview.

2. Sending applications and required documents to CGPC-CGRC. If travel for a physical examination is excessive, the Government may bear the cost under provisions of the Joint Federal Travel Regulations, Vol. 1, Paragraph U7025. In many cases, the ESO may schedule the interview during the same trip as the medical examination.

1.B.5.e. Coast Guard Recruiting Center Action

Commander, (CGPC-CGRC) takes these actions:

1. Provides the requesting unit ESO with the Record of Military Processing—Armed Forces of the United States, DD Form 1966, instructions for submitting documents required.

2. Assists the unit in completing the requirements to submit OCS applications.

1.B.5.f. Required Documents

1. All Applicants. These documents must be submitted for all applicants:

a. Report of Medical Examination, SF-88, and Report of Medical History, SF-93, prepared in triplicate, with all copies signed.

b. The complete set of the Aviation Selection Test Battery Answer Sheets; return entire packet (AQT, MCT, SAT, BI) answer sheets) to Commander (**CGRC**), including unused portions.

c. Officer Programs Applicant Assessment Form, CG-5527 (one combined form from all board members).

d. Report of Board of Interview. ☞ Article 1.B.8.

e. A brief narrative explaining the applicant's reasons for applying for OCS and goals as a Coast Guard officer, if selected. As part of this narrative, the applicant may specify which class he or she prefers to attend. The Coast Guard attempts to honor that preference if the applicant is selected, but cannot give guarantees.

f. Finger Print Card, FD-258 (two originals), may be submitted after selection as primary or alternate candidate.

g. Questionnaire for National Security Positions, SF-86. Leave "Date Requested" blank.

h. Personnel Security Action Request, CG-5588 (one original). May be submitted after selection as primary or alternate candidate.

i. Official transcripts of all college courses completed or other scholastic record, one copy, submitted to Commander (**CGRC**) or recruiter directly from the college.

2. Temporary Commission Application. In addition to the documents listed above, temporary commission applicants must submit these documents:

a. Evidence of completing the educational qualifications listed in ☞ Article 1.B.5.b. above.

b. Officer Candidate School Agreement, CG-3211A or CG-3211B, as applicable, one copy.

c. A letter evaluation from the applicant's commanding officer. Without the commanding officer's endorsement, no applicant package will be forwarded for further review. The letter evaluation shall include:

(1) The commanding officer's evaluation of the applicant's potential value to the Coast Guard as a commissioned officer.

(2) His or her evaluation of the applicant compared with other OCS graduates whom he or she personally has known.

(3) Any outstanding professional or other qualifications the applicant may possess.

(4) The commanding officer's statement of knowledge about the applicant's ability and willingness to meet his or her financial obligations.

(5) The applicant's average marks during the current enlistment according to ☞ Article 12.B.48., and his or her most recent marks for Performance, Leadership, Military, and Professional Qualities Factor.

d. Questionnaire for National Security Positions, SF-86 (five copies with original signature). Submit one copy with the application and the remaining copies after selection as a primary or alternate candidate.

e. One copy of the current enlistment contract plus any extensions to it.

f. One copy of the member's Marks, CG-3306.

g. Statement of Financial Obligation/Spouse Consent, CG-4891.

3. Reserve Commission Applicants. In addition to the documents listed above, Reserve commission applicants who are Coast Guard or Coast Guard Reserve members must submit these documents:

   a. Proof of baccalaureate or higher degree from an accredited college or university, before the date published in the general message.

   b. Items listed in subparagraph 2. above.

4. Civilians and Other Armed Forces or Their Reserves' Members. In addition to the documents listed in subparagraph 3 above, civilian applicants and members of an Armed Force or its Reserve component other than the Coast Guard submit these documents, which will not be returned:

   a. Record of Military Processing—Armed Forces of the United States, DD 1966, original and one copy, completed in accordance with the ☞ Coast Guard Recruiting Manual, COMDTINST M1100.2 (series).

b. Photocopies of Armed Forces of the United States Report of Transfer or Discharge, DD-214, or other separation papers, if applicable (one copy). If the applicant indicates he or she previously applied for officer candidate training in another Service, he or she should state the current status of that application. If previous dismissal from such training is indicated, the applicant must give the reasons for dismissal.

c. Birth certificate (one certified or photocopy).

d. Evidence of change of name, when necessary (one copy).

e. Evidence of citizenship, when necessary (one copy).

f. A list of anticipated dates and places of residence until class convening date.

g. Questionnaire for National Security Positions, SF-86, (five copies with original signature). Submit one copy with the application package and the remaining copies on selection as a primary or alternate candidate.

h. The Statement of Financial Obligations/Spouse Consent, CG-4891.

i. Conditional release from another Armed Forces component, when necessary (one copy). ☛ Article 1.B.5.b.

j. Officer Candidate School Agreement, CG-3211 or CG-3211A, as applicable (one copy).

k. Former officers or Reserve officers must submit copies of all fitness reports.

l. A list of five references, to whom the recruiter will send CG-4445, Request for Personal Reference.

m. Proof of baccalaureate or higher degree from an accredited college or university, before the date published in the general message.

n. Police Record Checks, DD-369. Notify CGPC-CGRC of any derogatory information omitted from DD-1966 or SF-86.

5. Local recruiting offices may forward OCS applications to CGPC-CGRC before receiving these documents:

a. Evidence of a baccalaureate degree.

b. Discharge or separation papers.

6. Incomplete applications must contain a list of the supporting documents not included, and a statement that they will be forwarded as soon as obtained. CGPC-CGRC will not authorize enlistments until applications are complete.

7. Disposing of Application Files. CGPC-CGRC retains non-selected applicants' application files. Applicants who want to reapply must request their file be returned to them for updating and resubmission.

1.B.5.g. Notifying Civilian Candidates

1. Notification of Selection. All applicants will be notified as soon as possible after selections have been completed.

2. Effecting Enlistment.

   a. Local recruiting offices shall effect the enlistment of selectees in their area only when Commander, (GCPC-CGRC) specifically directs. Notification of selection does not constitute authority to enlist.

   b. Selectees will be processed for enlistment in the Coast Guard Reserve as outlined in the Recruiting Manual, COMDTINST M1100.2 (series).

   c. All selectees should reacquaint themselves with the chapter, "General Information-Before You Come," in the booklet *Coast Guard OCS: A Preview for Officer Candidates*.

   d. Local recruiters will question all selectees before enlistment to determine if any change in medical status has occurred since the date of their physical examination. Immediately notify Commander, (CGPC-CGRC) of any change.

1.B.5.h. Notifying Coast Guard and Coast Guard Reserve Selectees

A general message will notify members on active duty of their selection. Commander, (CGPC-CGRC) notifies Reservists not on extended active duty. Commander, (CGPC-epm) issues orders to OCS to enlisted personnel on active duty and Commander, (CGPC-opm) to chief warrant officers. Commandant (G-WTR) recalls Reservists not on extended active duty and orders them to OCS.

1.B.5.i. Reconsidering an Applicant

Anyone who has applied for this program but was not selected may be reconsidered during the succeeding selections if he or she remains qualified and resubmits an application (☛ Article 1.B.5.c.).

1.B.5.j. Rates for OCS Selectees

1. Those entering OCS who are not currently Coast Guard or Reserve members receive these designations.

Former Status	OCS Enlisted Rate
No prior military service, active or inactive	Seaman apprentice (officer candidate)
A former enlisted person of any other Service	Seaman apprentice (officer candidate)
Former Coast Guard or Coast Guard Reserve personnel	Rate held at time of last discharge

2. Coast Guard and Coast Guard Reserve enlisted personnel E-5 and above have the designator officer candidate under instruction (OCUI) added to their pay grade for the duration of the training course as follows:

Former Enlisted Rate	OCS Designator
E-9	OCUCM
E-8	OCUCS
E-7	OCUIC
E-6	OCUI1
E-5	OCUI2

3. All officer candidates who report to OCS serving in a pay grade up to E-4 temporarily advance to OCUI2 (pay grade E-5) and hold this rate while they are officer candidates undergoing instruction. If they do not successfully complete the course, they revert to the their former pay grade when they reported to OCS.

4. Former officers selected for OCS are enlisted as seaman apprentice (officer candidate) and receive original O-1 commissions in the Coast Guard Reserve after graduating from OCS, with previous service time creditable for pay and retirement purposes but not for promotion.

5. Coast Guard chief warrant officers on active duty remain chief warrant officers while attending OCS. On graduation, they receive temporary regular commissions as either ensigns or lieutenants (junior grade); see ☛ Article 1.A.4.

1.B.5.k. Unsuccessful Candidates

1. The Service assigns candidates who do not successfully complete OCS as follows:

   a. Active duty Coast Guard members to general duty to complete their enlistment or other obligated service.

b. Members of an inactive Reserve component to inactive duty; they incur no additional active duty obligation because they attended OCS.

c. The Service normally discharges applicants with no service affiliation before enlisting for OCS from the Service.

2. The Service normally discharges a candidate who fails to meet the physical requirements for commissioning.

1.B.6. Recalling Retired Reserve Officers

The information in ☛ Article 1.A.11. on recalling retired Regular officers also applies to retired Reserve officers (10 U.S.C. 672 (a) and 672 (d)).

1.B.7. Security Investigations for Original Appointment of Reserve Officers

Selectees must initiate a National Agency Check and sign the following Statement of Understanding before commissioning.

> I understand a National Agency Check will be conducted to determine my qualification for commissioning as a United States Coast Guard officer. I understand my commission may be revoked and I may be separated in accordance with 10 U.S.C. 1162 or 14 U.S.C. 281 if it is determined I am not eligible for a secret security clearance.

1.B.8. Interviewing Procedures for Officer Recruiting Programs

1.B.8.a. General

OCS and the various direct commission programs are important sources of Coast Guard officers. Various selection boards evaluate applicants' qualifications to determine those best qualified for a particular program. To do so properly, they must have adequate information, an important source of which is the interview, often the only significant personal contact with the applicant reported by a Coast Guard official. As such, the interview provides important subjective input on the applicant's poise, leadership potential, ability to communicate, motivation for service in the Coast Guard, etc. On the basis of this subjective report and other, more objective measures, the Coast Guard selects candidates. The accuracy of the selection process directly reflects the quality and uniformity of interviews. Consequently, effective interviewing procedures and careful attention to completing the Officer Programs Applicant Assessment, Form, CG-5527, are extremely important to both the Coast

Guard and the applicant. ☛ Article 1.B.9. contains Guidelines for Interviewing for Officer Programs.

1.B.8.b. Requirements

1. Composition of Interview Boards.

   a. Commanding officers shall convene interview boards at places within their jurisdiction. Boards shall consist of three officers, except when necessary to interview an applicant at a location geographically remote from a larger Coast Guard facility. In such cases, a two-member board is authorized.

   b. The board's senior member shall be a lieutenant commander or above. Other members should have the rank of ensign or higher with more than one year of Coast Guard service. Interview board members for chief warrant officer applicants shall be lieutenant commanders or higher. All members must be equal or senior to the grade for which they are considering the applicant.

   c. Interview boards should be composed with applicant and program in mind. Thus, when interviewing for OCS, the board should contain, if practical, an OCS graduate; for a direct commission program, a specialist in the same field; for a Reserve commission, at least one Reserve officer. A board interviewing female or minority applicants should contain, if particle, a female or respective minority member. A board considering licensed officers in the Merchant Marine or Maritime Academy graduates should include, if practical, one officer with merchant marine safety experience.

   d. When practical, two board members should be Regular Coast Guard officers. When a two-member board is authorized one must be a Regular officer.

   e. Since an unbiased, independent contribution is essential, officers in direct personal or professional contact with the applicant may not be members of that individual's interview board. Coast Guard members' immediate supervisors and commanding officers may not to be board members because they provide input through the commanding officer's endorsement.

2. Interview Board Report. The interview board completes an Officer Programs Applicant Assessment, CG-5527, for each applicant. Board members should prepare this form jointly, with all board members reaching a consensus. Do not show applicants the completed forms from the interview. Submit these sheets with the cover sheet, signed by the senior board member, to the recruiter or educational officer and provide this information.

   a. The name of the program,

b. The applicant's name,

c. The names and duty stations of the interview board members, and

d. Date or dates when members interviewed the applicant.

3. Applicant Recommendation. The interview board must state the applicant's suitability for commissioning in the program(s) in question in the first sentence of the "Overall Impression of Candidate" box of the Applicant Assessment form in this wording: "(applicant name) is recommended for (program name)," or "(applicant name) is NOT recommended for (program name)," for example: "Mary Jones is recommended for Officer Candidate School;" or "Ralph Jones is NOT recommended for the Direct Commission Aviation program." In addition, include applicable comments in the "Overall Impression of the Candidate" box.

4. Other Evaluation. The local recruiter or other persons who process an applicant often are a valuable source of information. When they have sufficient personal contact with an applicant to provide an accurate evaluation, they should complete an Officer Programs Applicant Assessment form and attach it to the board report, marking it clearly with the words, "NOT A MEMBER OF THE INTERVIEW BOARD." This supplements the usual interview board requirement; the recruiter should use it only when fully satisfied the appraisal is complete and accurate.

1.B.9. Officer Programs Interviewing Guidelines

1.B.9.a. The Objective

The interview's primary purpose is to evaluate the applicant as a prospective Coast Guard officer. In many cases, the Report of Interview is the most valuable portion of an application and a determining factor in selections for officer programs. The primary object interviewers must keep in mind is their written evaluation usually is the only evidence of the applicant's personal attributes and thus plays a very important part in the selection process. Therefore, it is essential during the interview for interviewers to obtain adequate information and accurately transpose it on the Officer Programs Applicant Assessment form. It also is necessary to attain some degree of uniformity in the Report of Interview since officers of very different backgrounds and experience and varying interviewing proficiency conduct the interviews. An interview board could consist of a captain with Marine Inspection Office (MIO) experience, an Academy lieutenant, and a recent OCS graduate. Their common bond, of course, is all are Coast Guard officers. Consider separately any specialty, such as aviation, although if the board can determine information about that specialty, it certainly is valuable.

1.B.9.b. The Interview

1. Environment. The formality of the three officer board may cause the applicant some uneasiness or stress. His or her response to that situation is a valuable part of the interview. However, interviewers will be able to get a more accurate view of the applicant's true personality if a "threatening" environment does not exist. Create an environment which will permit the applicant to relax, so he or she will communicate freely.
2. Conversation Flow. Avoid the question and answer approach. Applicants tend to give what they think is the expected answer to a question. Try to conduct the interview as a free-flowing conversation. The member with the most interviewing expertise or experience should direct the interview with a minimum of comments and questions, as appropriate, from the others.
3. Chronology. Follow a predetermined interview plan. A chronological sequence like the one below is recommended, but modify it as necessary to conform to program requirements and the individual applicant. Included in each section are examples of questions that tend to draw the desired response from the applicant. Do not use the list of questions as a script.
   a. Introduction. Explain the primary purpose of the interview is to develop some knowledge of the applicant's interest and ideas. Briefly explain the intended sequence, so the applicant understands the major portion of the interview will obtain those facts, ideas, qualifications, and experiences not available in the other application materials submitted. Explain you intend to reserve time at the end to answer any questions.
   b. Personal Life and Home Environment. Review this aspect of the applicant's life, discussing parental guidance and childhood, to provide insight into present and future situations.
      - What are your recreational and leisure-time interests?
      - Do you now belong to any social, civic, or professional clubs and associations?
      - Do you hold office in any of these?
      - If you had more time, in what activities would you like to participate?
      - In general, how would you describe yourself?
      - What do you believe are your outstanding qualities?
      - What do you believe are some of your shortcomings?
      - In which areas would you like to develop yourself?
      - What traits or qualities do you most admire in your immediate supervisor?
      - What has contributed to your career success up to now?

- What disappointments, setbacks, or failures have you had in your life?
- What kinds of situations or circumstances make you feel tense or nervous?
- What were some of the major problems or decisions you have had to make up to now?
- If you had to do it all over again, what changes would you make in your life and career?

c. High School. Attempt to determine what the applicant did, and why, during these formative years.

- In what types of extra-curricular activities did you participate?
- How did you spend your summers while in high school?
- Did you hold any class or club offices?

d. College or Other Advanced Study. Try to find out the reasons the applicant chose a certain major, how he or she spent extra time, reasons for good or bad grades, and how college experience has contributed to his or her overall life experience.

- Why did you choose the particular college you attended?
- What determined your choice of major?
- How would you describe your academic achievement?
- How did you decide to become [insert career: an accountant, a sales representative, etc.?
- In what types of extra-curricular activities did you participate?
- How did you spend your summers while in college?
- Did you hold any class or club offices?
- Have you had any additional training or education since graduating from college?
- How do you think college contributed to your development?

e. Employment. The other portions of the application provide only minimal information about work experience. The interview is the only opportunity to find out why the applicant took a certain job, reasons he or she quit, and attitudes toward the job, employer, and company.

- Can you describe your present responsibilities and duties?
- What were some things you particularly enjoyed when you worked for [insert employer name]?
- What did you enjoy less?
- Looking back at the time spent with [insert employer name], what do you

think you have gained from your association?

- What were your reasons for leaving [insert employer name]?
- How would you describe your [present/past] superior?
- What were some of the problems you encountered on your job and how did you solve them?
- In what way has your present job prepared you for greater responsibilities?
- As you see it, what would be some advantages to you if you joined the Coast Guard?
- What disadvantages might there be?

f. Military Experience. This portion may be the most difficult for some applicants, particularly those who are presently in the Coast Guard or who have extensive prior service because this type of person knows the "system" and it is difficult to distinguish one from another. Interview reports of in-Service applicants tend to summarize applicants' assignments and experience, be favorable, and lack information valuable in evaluating the individual. What is desired is a look at why they entered and left their Service, why they were able to make rate in such a short time or why it took them so long, why they feel they received their evaluation marks, attitudes about the Service, supervisors, and subordinates, ideas on drug and alcohol problems, racial attitudes, etc., and how past military experience can serve them in the future.

- Can you describe your present responsibilities and duties?
- In the past, for what things have your supervisors complimented you?
- What did you and your superior disagree about?
- How has your present job prepared you for greater responsibilities?

g. Present Situation and Future Ambitions and Goals. What in the applicant's present situation needs changing and how can he or she accomplish it in this program? Does the applicant have a plan to achieve a certain goal? If so, what are the reasons for his or her objectives, and are they realistic? Do not downgrade an applicant only because he or she is unsure of his or her future goals. Many can contribute a great deal to the Service during one tour of duty. On the other hand, one who claims to desire a Coast Guard career may say so because he or she thinks it is a desired response. Interviewers should not ask, "Do you want to make a career of the Coast Guard?"

- In what way does a job with the Coast Guard meet your career goals and objectives?
- If you joined the Coast Guard, where do you think you could make your best contribution?

- What are your long-term goals and objectives?
- In considering joining the Coast Guard, what are some of the factors you took into account?
- What aspects of a job are important to you?
- What would you want in your next job you are not getting now?
- Are there any additional aspects of your qualifications we have not covered which would be relevant to the position we are discussing?

4. Pointers. Ask if the applicant has questions or if anything else needs to be added. This is particularly important for civilian applicants to avoid any later misconceptions. Emphasize the Coast Guard's military posture. While maintaining a favorable image, answer questions honestly and avoid any possibility the applicant might believe selection is assured, assignment will be to a desired area or type of work, etc. Remember applicants sometimes hear only what they want to hear and sometimes are unintentionally misled. Don't get trapped into being interviewed by the applicant; make him or her do the talking.

   - Don't ask antagonizing questions.
   - Don't ask questions with one-word or -phrase answers.
   - Don't ask questions that have "right" answers.
   - Don't jump to conclusions on the basis of initial impressions or inadequate information.
   - Don't accept a partial response to a question.
   - Don't go off on a tangent. Stay with your intended interview plan.
   - Don't concentrate on shortcomings.

5. Conclusion. After the interview, the board members are to complete an Officer Programs Applicant Assessment form in accordance with the guidance on it; ☛ Article 1.B.8.

RESERVE PROGRAM ADMINISTRATOR CANDIDATE'S PERSONAL RESUME FORMAT

Date _____

From: _____ _____
(Grade) (Name: First, MI, Last) (SSN)
STREET ADDRESS: _____
CITY/STATE: _____ ZIP: _____ PHONE: (h) _____
(w) _____

To: Commander, Coast Guard Personnel Command (CGPC-opm-1)

Subj: PERSONAL RESUME FOR RESERVE PROGRAM ADMINISTRATOR

1. Commission and Mobilization Information:

Source of Commission	Comm Grade/Date	Current DOR	Ann Date	PBD	DOB

Experience Indicator	Additional Indicators	Mobilization Billet

2. Military Experience:

a. Active Duty (include schools but no SADT, TEMAC or ADT):

Unit	From	To	Assignment

b. Inactive Duty (Drills—Pay or Non-Pay for last 6 years);

Unit	From	To	Assignment				Drills Scheduled/ Drills Attended*
			CO	XO	TO	Other	

* For last three anniversary years

c. ADT, TEMAC, or SADT (Pay or Non-Pay for last 6 years including ADT schools):

Year	Assignment/Location	From	To	ADT			SADT	TEMAC
				OJT	School	Other		

3. Correspondence Courses for last 6 years:

Course Title	Completed	Course Title	Completed

Course completed for: *Experience Indicator, **DC Requirement, ***Other

4. Military Awards:

a. Medals, ribbons, and letters of commendation:

Name of Award	Year Received	Name of Award	Year Received

b. Other Military Recognition:

Name of Award	Year Received	Name of Award	Year Received

5. Civilian Education:

Institution	Year Completed	Major	Degree

6. Civilian Experience/Accomplishments:

Occupation	Employer	Job Title/Duties

_____

Signature

In accordance with the Privacy Act of 1974 the authority for collecting this information is: 10 U.S.C. 275 and 14 U.S.C. 631, 632, and 701. The principal purpose for which this information is intended is to amplify data for promotion and retention boards' consideration. Disclosing this information is voluntary and will not disqualify an individual from consideration if not provided.

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1.C. U. S. Coast Guard Reserve Ready Reserve Direct Commission Officer Program

1.C.1. General

1.C.1.a. Purpose

The Ready Reserve Direct Commission (RRDC) Officer Program is one source for filling junior officer (ensign through lieutenant) billets. Commander, Coast Guard Personnel Command convenes the RRDC Board annually, as needed, to consider applications. Board dates are published in the Inactive Duty Reserve Board Schedule, COMDTINST 1401.4 (series) and board results are announced by general message.

1.C.1.b. Eligible Personnel

1. These personnel are eligible to apply:

    a. Prior or current military service personnel; however, those with 13 or more years of previous service creditable for retirement in another Armed Force of its Reserve component are not eligible.

    b. Civilians with no prior service.

2. These personnel are not eligible to apply:

    a. Personnel with 13 or more years of previous service creditable for retirement in another Armed Force or its Reserve component.

    b. Ministers of divinity, theology students, and persons who hold degrees or are in graduate school or training in medicine, dentistry, nursing, veterinary medicine, osteopathy, or optometry are not eligible unless they:

        (1) Previously served in the Armed Forces or a Reserve component and completed their military service obligations; and

        (2) Attain their educational status after fulfilling their military service obligation; and

        (3) On acceptance in the Coast Guard Reserve, agree in writing if mobilized they will waive their right of exemption due to their professional status.

1.C.1.c. Dual Compensation

Persons drawing a service-connected pension, disability allowance, disability compensation, or retired pay from the United States Government who are selected under this program may be required to waive part or all of their pension to comply with provisions of 10 U.S.C. 684 and 38 U.S.C. 3102.

1.C.1.d. Period of Obligated Service

All applicants must execute a Statement of Understanding ☛ Exhibit 1.C.1. which includes the agreement that, if selected, the applicant will:

1. Affiliate and participate satisfactorily with a Coast Guard Selected Reserve unit for at least three years if a billet is available; and

2. Remain with the Ready Reserve for at least four years from the appointment date.

1.C.1.e. Reserve Officer Candidate Indoctrination

All enlisted and non-prior-service candidates selected for a direct commission through this program are required to attend the three-week Reserve Officer Candidate Indoctrination (ROCI) course before commissioning. All RRDC selectees are required to complete non-resident training material prior to reporting to ROCI. Advance training materials will be mailed immediately to selectees once the CGPC board results are approved.

1.C.1.f. Applications

Application packages are available from commanding officers of Integrated Support Commands (pf) and recruiting offices. Coast Guard and Coast Guard Reserve members apply through their unit's Educational Services Officer (ESO). All other applicants apply through the nearest recruiting office.

1.C.1.g. Eligibility Criteria

All applicants shall meet all these basic qualifications:

1. Be a citizen of the United States with good character;

2. Have reached their 21st but not their 33rd birthday by 1 July following the Board that will consider the applicant for selection;

3. Be able to meet the physical standards for a direct commission prescribed in the Medical Manual, COMDTINST M6000.1 (series), Chapter 3;

4. Have either a baccalaureate or higher degree; or

   a. Be at least an E-5 or an E-4 above the cut on the E-5 advancement eligibility list, and

   b. Have successfully completed two years (60 semester or the equivalent quarter hours) at an accredited, degree-granting college or university. An applicant may substitute CLEP examinations (with the ACE recommended score for exams taken before May 1986 and a score of at least 421 for exams taken after May 1986) for up to 30 semester units.

5. All applicants are responsible for making necessary arrangements to take the appropriate officer screening test. Former or current officers of the Regular or Reserve Armed Forces of the United States who have served at least one year in commissioned status are not required to take the test. Test results remain valid indefinitely. All applicants must attain the minimum qualifying score as follows:

   a. SAT: combined 1000 on verbal and math

   b. ACT: composite of 21

   c. ASVAB: GT score of 110 (copy of MEPS-714 form is required for civilians)

6. Be eligible for a secret clearance. All applicants must have a favorable National Agency Check (NAC) within the last ten years. Selectees must acknowledge that if it determined they are not eligible for a security clearance, their commission is subject to revocation, and they may be discharged. ☛ Exhibit 1.C.1.

1.C.1.h. Waiver Requests

Waivers will be considered only after Integrated Support Commands (ISC) have exhausted all alternatives and are unable to find fully qualified applicants. Forms are provided in the RRDC application package. Waiver request letters must:

1. Be initiated and sent directly from ISCs and district commanders; and

2. Describe the situation that compels a need for the waiver, the reason why the billet cannot remain open and how the applicant uniquely fulfills the need.

1.C.1.i. Physical Examination

Each applicant shall have a commissioning physical examination performed in accordance with the ☛ Coast Guard Medical Manual (COMDTINST M6000.1), Section 3-E. Coast Guard Regular and Reserve applicants shall obtain physical exams using locally established procedures. All other applicants shall obtain a physical exam at the Military Entrance Processing Station (MEPS) as arranged

through the local recruiter. A copy of the physical exam report, approved no earlier than one year preceding the RRDC board convening date, must be included with the application package.

1.C.1.j. Swimming Qualification

Selectees must pass the basic swim test as outlined in the ROCI curriculum before receiving their commission

1.C.2. Application Procedures

1.C.2.a. General

Commandant (G-WTR) establishes RRDC quota allocations. Non-Coast Guard Reserve applicants should contact a recruiting office to apply. Coast Guard Selected Reservists should contact their unit Educational Services Officer (ESO) to obtain application packages. Units and recruiting offices will forward all completed application packages to the relevant ISC and district in time to meet the scheduled interview dates. In all cases, responsibility for timely submission rests with the applicant, who should allow for delays in scheduling the interview board and completing the application process.

1.C.2.b. Documents Required

Only those documents listed below will be included in the RRDC application package.

1. Signed Statement of Understanding.
2. Applicant's Narrative Communication to the RRDC Board endorsed by the commanding officer for Coast Guard and Coast Guard Reserve members.
3. Civilian resume (maximum of two pages).
4. College transcript(s) and proof of degree.
5. Approved Report of Medical Examination, SF-88 and Report of Medical History, SF-93 (with approving authority signature).
6. Request for waiver (if required).
7. ISC and district commander request for waiver (if applicable).
8. Copies of SAT, ACT, or ASVAB test completion and scores. A copy of the MEPS-714 form is required for all ASVAB GT scores for civilians.
9. Applicant Assessment Form, CG-5527.
10. Civilian Application Checklist.
11. Place of residence and telephone number.

12. Character references, CG-4445 (at least three).
13. Letters of recommendation (maximum of five), awards, certificates and miscellaneous items.
14. Questionnaire for National Security Positions, SF-86, or a copy of the adjudication message if investigation for security clearance is current (completed within the last ten years).
15. Record of Military Processing, DD-1966.
16. Statement of Financial Obligation/Spouse's Consent, CG-4891.
17. Report of Separation From Active Duty, DD-214 (if applicable).
18. Police Record Checks, DD-369.
19. Approved Conditional Release, DD-368 (if applicable).
20. Copy of Social Security card.
21. Copy of marriage certificates and/or divorce decrees (applicant and spouse).
22. Certified copy of child(ren)'s birth certificate.
23. Certified copy of birth and/or Naturalization Certificate(s).

1.C.2.c. Unit and Recruiting Office Responsibilities

Unit ESOs shall assist applicants already serving in the Coast Guard or Coast Guard Reserve. Recruiting offices are available to advise ESOs on application procedures and may help schedule interview boards. Units and recruiting offices shall:

1. Advertise for and solicit applications.
2. Recruiting offices process non-Coast Guard applicants.
3. Unit ESOs process packages from Coast Guard and Coast Guard Reserve applicants.
4. Send packages to the appropriate ISC and district commander before the deadline.

1.C.2.d. Integrated Support Command and District Commander Responsibilities

Convene applicant interview panels in time to meet the CGPC-rpm submission deadline. All applicants who meet or exceed the commissioning standards of this program and reside in areas designated by the ISC and district commander for RRDC consideration will be nominated. Applicants not recommended for consideration by the ISC panel shall be notified immediately; their applications are not sent to CGPC. Completed application packages for all recommended candidates are to arrive at

CGPC-rpm not later than 45 days before the scheduled RRDC selection board convening date. A forwarding letter must include this information:

1. Names of all fully qualified nominees within ISC's and district commander's RRDC application areas;

2. The recommended grade for each; and

3. Applicant's preferred date of attendance at ROCI when more than one class is scheduled.

4. Before RRDC selectees depart for ROCI, ISC and district commanders must ensure they all sign a statement of understanding:

   a. Commission is contingent on completing the entire three-week course of instruction, and

   b. Failure to complete all training requirements, including the swimming test, will result in disenrollment with no commissioning.

1.C.3. Selection for Appointment

1.C.3.a. Commission Board Actions

In selecting candidates, the RRDC Board:

1. Considers only complete application packages.

2. Rank orders most suitable applicants within each ISC's and district commander's AOR.

3. Recommends applicants who meet both the program's commissioning standards and the ISC's and district commanders' needs, subject to final approval by Commander, (CGPC-rpm).

4. For applicants with officer experience, bases grade recommendations on the needs of the Reserve and the applicant's level of education, technical training, professional experience, and military experience which exceeds the prescribed minimum.

1.C.3.b. Commander, Coast Guard Personnel Command Action

Coast Guard Personnel Command will make final selections based upon vacancies established by Commandant (G-WTR-1) and the rank order lists provided by the selection board.

1.C.3.c. Experience Indicators

Experience indicators are assigned as described in the Reserve Policy Manual, COMDTINST M1001.28 (series).

1.C.3.d. Assignment Notification

ISCs and district commanders will notify selectees, assign ROCI convening date, and unit assignment as coordinated through Commandant (G-WTR-1). Orders to ROCI will be coordinated with local PERSRU.

1. Drilling reservists will continue to drill at their current unit until reporting to ROCI.

2. Civilian and non-Coast Guard prior service selectees do not report to their assigned unit until they complete ROCI.

STATEMENT OF UNDERSTANDING
for Applicants to the Coast Guard
Ready Reserve Direct Commission Officer Program

1. I understand I will be required to appear for an interview as directed by Commanding Officer, Integrated Support Command (pf).

2. If commissioned through the Ready Reserve Direct Commission Officer Program, I agree to:

   a. Remain a member of the Selected Reserve for at least three (3) years from my date of commissioning, if a billet is offered to me;

   b. Remain a member of the Ready Reserve for at least four (4) years from my date of commissioning and fulfill my statutory obligation as a member of the Individual Ready Reserve, if necessary; and,

   c. Complete the minimum number of drills and days of annual active duty for training required for my training category.

3. I understand if I am becoming a member of an Armed Force for the first time, I am incurring an eight-year military service obligation.

4. I understand a National Agency Check will be conducted to determine my qualification for commissioning as a United States Coast Guard officer. If it is determined I am not eligible for a secret security clearance, my commission is subject to revocation and I may be discharged in accordance with 10 U.S.C. 1162.

5. I understand I must satisfactorily meet all these conditions which are basic considerations for my continuation in the Coast Guard Reserve, promotions, retention in a paid drill status, retention in any active status, and retention of my commission in the Coast Guard Reserve.

6. I understand if I now am receiving or ever receive a pension, disability allowance, disability compensation, or retired pay from my military service in the United States Government, I may be required to waive all or part of such compensation in favor of Reserve military pay and allowances for the period of active duty (including training) or inactive duty.

7. I understand if the billet for which I am selected is beyond the standards reasonable commuting distance, travel reimbursement and per diem will not be authorized.

_____ _____
Applicant's Signature Date

_____ _____
Witnessing Officer's Signature Date

ELIGIBILITY CHECKLIST
Ready Reserve Direct Commission Officer Program

NAME: _____ RATE: _____

UNIT NAME: _____ DISTRICT/OPFAC: _____

Recruiter/Unit Commanding Officer:

1. Is applicant a U.S. Citizen? Yes____ No____

2. Will applicant have reached his or her 21st birthday but not his or her 33rd birthday by 1 July following the next Ready Reserve Direct Commission Board? Yes____ No____

3. If applicant is not a CG/CGR member E-5 or above, does applicant hold a baccalaureate or higher degree from an accredited college or university? If applicant is CG/CGR E-5 or above, has applicant completed at least 60 semester hours or equivalent number of quarter hours which are acceptable for a baccalaureate degree at an accredited, degree-granting college or university? Yes____ No____

4. If using CLEP examinations to qualify, enter the number of CLEP credits (up to 30). _____

5. If the applicant has prior military service, was his or her separation code such that applicant is eligible for reenlistment? Yes____ No____

6. If the applicant enlisted as a provisional petty officer as defined in section 15-H-8 of COMDTINST M1001.27 (series), has the applicant attained permanent petty officer status? Yes____ No____

7. Will applicant be requesting a waiver? Yes____ No____
   Of which requirement? _____

8. Has applicant completed the required qualification test (SAT, ACT, or ASVAB)? Yes____ No____

Integrated Support Command:

9. Did the applicant receive a qualifying score? Yes____ No____
   Score _____ Date _____ Which Test? _____

10. Check applicant's security clearance level. C___ S___ TS___
    Check the type of investigation. NAC___ BI___ SBI___
    Enter the date completed. _____
    Does the applicant need an update or upgrade? Yes____ No____

11. Enter the date of applicant's physical. _____
    Is applicant physically qualified for commissioning? Yes____ No____

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1.D Appointment as Warrant Officer

1.D.1. General

1.D.1.a. Definition

Chief Warrant Officers (CWOs) are commissioned officers of the Coast Guard who serve in grades established by law and have authority commensurate with this status. CWOs are mature individuals with appropriate education and specialty experience who have shown through demonstrated initiative and past performance they have the potential to assume positions of greater responsibility requiring broader conceptual, management and leadership skills. While administrative and technical specialty expertise is required in many assignments, CWOs must be capable of performing in a wide variety of assignments that require strong leadership skills. Enlisted and officer experience provide these officers a unique perspective in meeting the Coast Guard's roles and missions.

1.D.1.b. Billet Structure

Warrant officer billets are issued in the normal budgetary process and are independent of commissioned officer billets. All warrant officer billets are at the W-4 level.

1.D.2. Eligibility for Appointment to Warrant Grade

1.D.2.a. Minimum Eligibility Requirements

Each applicant for appointment to warrant grade is responsible for completing the eligibility requirements by 1 January of the year in which the Chief Warrant Officer (CWO) Appointment Board (the Board) convenes. ☛ The Schedule of ADPL Officer Personnel Boards and Panels, COMDTINST 1401.5 (series) announces the Board's convening date. See ☛ Exhibit 1.D.

1. Must be a citizen of the United States.

2. Applicants are no longer required to have a National Agency Check (NAC) completed within five years of the 1 January deadline. However, applicants should review the requirements of the ☛ Coast Guard Military Personnel Security Program, COMDTINST M5520.12(series) and be prepared in the event an updated background investigation is needed for the initial CWO assignment.

3. **Must be a member of the Coast Guard or Coast Guard Reserve with at least 8 year's total active service in the Armed Forces of the United States, with the last 4 having been in the Coast Guard. Credit for active duty time will be computed to 30 June following the 1 January deadline. Members returning to active duty under the CNC or Temporary Separation Policy will be credited for TIS earned prior to separation (☛ Article 12.F.). Rules for computing active duty time in service (TIS) are contained in ☛ Article 1.D.4.**

4. Must be serving in pay grade E-6 or above. Those currently serving as temporary officers are not eligible to apply for appointment to warrant grade. Former temporary officers who were authorized to revert to their permanent enlisted status under ☛ Article 12.A.12. provisions must request a waiver to apply for appointment to warrant grade. Waiver requests must be submitted via the chain of command to arrive at Commander (CGPC-opm-1) by 1 September preceding the Board. Temporary officers who reverted IAW ☛ Article 12.A.13.e.4. do not need a waiver. Additionally, personnel who have previously served as a warrant officer who were authorized to revert to their former enlisted status under the provisions of ☛ Article 5.B.6 or 12.A.21 are not considered to have the qualities necessary for reappointment to warrant grade and are not eligible to apply.

5. Enlisted members serving in pay grade E-6 must have displayed their technical ability by placing in the top 50 percent on the eligibility list for advancement to E-7 as a result of the Servicewide Examination (SWE) administered in May prior to the 1 January deadline. The following examples apply.

   a. If the E-7 advancement eligibility list has 100 members, those at positions 1 through 50 are eligible to compete for appointment to warrant grade.

   b. If the E-7 advancement eligibility list has 101 members on, those at positions 1 through 51 are eligible to compete for appointment to warrant grade.

   c. Members removed from published advancement eligibility lists, e.g., retirements, shall not be used as justification to improve the percentile calculation.

6. Members serving in pay grade E-7, E-8, or E-9 are considered to have already displayed technical ability in their specialty.

7. Members who are scheduled for separation under the High Year Tenure Program are not eligible to apply since their mandatory separation date will have occurred prior to the effective date of the Final Eligibility List.

8. Members whose request for retirement have been approved are not eligible to apply. Members whose request for retirement is approved after being recommended shall be removed from the Preboard or Final Eligibility List as applicable. Commanding officers shall notify Commander (CGPC-opm-1) by message so the names of such applicants can be removed from the applicable list.

9. No court-martial or civil conviction, or nonjudicial punishment and have no unsatisfactory mark in conduct for the three years immediately prior to the 1 January deadline and for the entire period from 1 January to appointment.

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. Commanding Officer's Recommendation. 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:

a. demonstrations of character inconsistent with Coast Guard core values;

b. substance and/or alcohol abuse;

c. misconduct (civil and military);

d. domestic violence;

e. financial irresponsibility; and

f. sexual harassment or discrimination.

1.D.3.c. CGPC Determination

If it is determined that certain individuals do not possess the officer-like qualities necessary to serve successfully as a chief warrant officer after being recommended by their commanding officer, Commander (CGPC-c) may remove their names from competition.

1.D.3.d. Letter to PERSRU

The commanding officer shall submit a letter to the Personnel Reporting Unit (PERSRU) listing those recommended for appointment to warrant grade.

1.D.4. Normal Path of Appointment

1.D.4.a. General

The table shows the normal appointment path to warrant specialties:

Rating	Warrant Specialty
Aviation Maintenance Technician (AMT) Avionics Technician (AVT)	Aviation Engineering (AVI)
Musician (MU)	Bandmaster (BNDM)
Boatswain's Mate (BM) Marine Science Technician (MST) Quartermaster (QM) Radarman (RD)	Boatswain (BOSN)
Telecommunications Specialist (TC)	Communications (COMM)
Electronics Technician (ET) Telephone Technician (TT)	Electronics (ELC)
Storekeeper (SK) Food Service Specialist (FS)	Finance and Supply (F&S)
Damage Controlman (DC) Aviation Survival Technician (AST)	Material Maintenance (MAT)
Health Services Technician (HS)	Medical Administration (MED)
Electrician's Mate (EM) Machinery Technician (MK)	Naval Engineering (ENG)

Yeoman(YN)	Personnel Administration (PERS)
Investigator (IV) (Reserve Rating) **Marine Science Technician (MST) (Reserve Rating)** Port Security **Specialist** (PS) (Reserve Rating)	Port Safety and Security (PSS)
Photojournalist (PA)	Public Information (INF)
Fire Control Technician (FT) Gunner's Mate (GM)	Weapons (WEPS)

1.D.4.b. Exceptions to the Normal Path of Appointment

Members who desire consideration for appointment to a warrant specialty not in their normal path of appointment are required to complete all Coast Guard Institute nonresident training courses up through E-6 for a rating that is in the desired path. Additionally, such members must demonstrate competence by participating in an E-7 SWE consistent with such nonresident training courses required above. Scoring in the top 50 percent of all E-7 candidates on the appropriate SWE's professional knowledge sections for the desired path is considered adequate demonstration.

1. Each applicant for a warrant specialty not in the normal path of appointment is also required to meet the eligibility requirements in ☞ Article 5.C.6 for advancement to E-7 in the enlisted rating consistent with ☞ Article 1.D.2. requirements.

2. Interested applicants shall submit a written request to Commander (CGPC-opm-1) via official channels for authority to participate in the applicable E-7 SWE to be administered during May of the year preceding the 1 January deadline. Such requests shall be submitted in time to arrive at Commander (CGPC-opm-1) no later than 1 February of the year the E-7 SWE is desired.

3. Instructions contained in this article do not constitute authority to change an enlisted rating. Participation in E-7 SWEs as specified in this article is solely to qualify for appointment to warrant grade.

4. Unsuccessful applicants must recompete annually in the appropriate E-7 SWE examination.

5. Members authorized to apply for a warrant specialty outside their normal appointment path can not compete for their normal specialty.

1.D.5 Credit for Time in Pay Grade (TIG) and Active Duty Time in Service (TIS)

1.D.5.a. Time in Grade

Credit active duty TIG as served in pay grades E-6, E-7, E-8, and E-9.

1.D.5.b. Computation Rules

Use the following rules to compute TIG.

1. **Calculate** time in grade in years and months **to 1 July of the year of the Board.** Thirty days equal one full month. After totaling all creditable periods of TIG, drop a remainder of fewer than 30 days.

2. Credit TIG as served in pay grades E-6, E-7, E-8 and E-9 in the Coast Guard or Navy. All Navy service must be supported with a DD-214.

3. Reserve members on active duty who voluntarily accepted a reduction in rate to enlist or reenlist in the Regular Coast Guard will not receive TIG held in the higher pay grade regardless of whether the member subsequently advanced to the formerly held higher pay grade after enlisting or reenlisting in the Regular Coast Guard.

4. Previous Coast Guard or Navy TIG in the present or higher grade is creditable only if served under continuous active service conditions (within three months of separation).

5. Credit time served as a prior temporary officer. Enlisted members who were reverted from a temporary officer status will be credited with TIG in their permanent enlisted grade of E-6 and above.

6. Do not credit time on the TDRL when computing TIG.

7. Do not credit time served in a rate from which a member was reduced as a result of nonjudicial punishment, court-martial, or incompetence.

8. Time served in a previous rate is creditable for those personnel who accepted a reduction in rate for the purpose of a change in rating.

1.D.5.c. Computing TIS

Use the following rules to compute TIS.

1. After totaling all creditable periods of TIS, a remainder of fewer than 30 days shall be dropped.

2. Active duty in any of the Armed Forces is creditable. A correct Active Duty Base Date is the basis for this computation.

3. Do not credit time served on the TDRL as active service.

4. **The terminal eligibility date is 1 July of the year of the Board.**

1.D.6 Preboard Results

1.D.6.a. Personnel Data Extract (PDE)

The Coast Guard Human Resources Service and Information Center [HRSIC(adv)] will distribute a Personnel Data Extract (PDE) to each member whose commanding officer (CO) recommended him or her to compete in the warrant appointment process and for whom the PERSRU submitted the appropriate personnel action (PMIS Action Code 325). The PDE is a critical document which notifies all recommended applicants of their preboard scores and the factors used to compute these scores. The PDE confirms that an applicant has been included in the process and is either eligible or not eligible to compete for warrant grade. Non-receipt of a PDE may mean that an applicant has not been included in the process and may result in no preboard score computation for the affected applicant. Applicants who do not receive a PDE bear the responsibility to notify their commanding officer and PERSRU immediately so corrective action can be expedited. Likewise, applicants who receive a PDE which indicates they are not eligible for appointment to warrant grade due to insufficient TIS, TIG, sea duty, evaluation marks, etc., bear the responsibility to notify their commanding officer and PERSRU immediately. Those who do not take immediate action are at serious risk for favorable consideration of a future request for waiver. This exercise of personal responsibility, or lack thereof, further demonstrates the individual's officer-like qualities.

1.D.6.b. Preboard Score

The preboard score consists of an experience factor and an evaluation factor. The experience factor accounts for 40% of the preboard score and is calculated by crediting one point for each full month of active service as E-6 and two points for each full month as E-7, E-8, and E-9. Maximum credit for time as E-6 is 100 points. Total maximum credit for time as E-6 through E-9 is 175 points. The evaluation factor accounts for 60% of the preboard score and is computed by HRSIC(adv) based on the applicant's performance marks during the four-year period immediately prior to the 1 January deadline. Only E-6 marks will be used for those E-6 applicants with fewer than four years' TIG.

1.D.6.c. Preboard Eligibility List

Based on the estimated number of warrant officer appointments required for the following year, Commander (CGPC-opm) will determine the number of candidates to be considered for appointment and establish minimum preboard scores for primary and alternate candidates in each specialty. Commander (CGPC-opm-1) will publish, by ALCGPERSCOM message, usually in April, a Preboard Eligibility List containing the names of those applicants who qualify. The Preboard Eligibility List will not indicate whether applicants are primary or alternate candidates. Individual applicants must refer to their preboard score on their **profile letter** to determine their status. The preboard score is used only to determine primary and alternate candidates and is not furnished to the Board. All primary candidates will be considered by the Board. If primary candidates are removed from consideration prior to the convening of the

Board or are found not fully qualified by the Board, they will be replaced by alternate candidates, in order of highest preboard score. Such alternate candidates are then considered primary candidates. (Refer to ☞ Article 1.D.8.)

1.D.7. Preparation and Distribution of Recommendation Files and Resume

1.D.7.a. Submission of Officer Evaluation Reports (OERs)

Commanding officers shall submit an Officer Evaluation Report (OER), CG-5310 with 3A variant of page 3, for all members of their command whose names appear on the Preboard Eligibility List. The OERs shall be submitted directly to Commander (CGPC-opm-1) and shall be prepared using the instructions in ☞ Article 1.D.7.b. Do not use OER preparation instructions contained in section 10.A. Each primary and alternate candidate shall submit a resume prepared in accordance with instructions in subparagraph c. below. The submission deadline date for the OER and resume will be announced in the ALCGPERSCOM message publishing the Preboard Eligibility List.

1.D.7.b. Preparation of the OER

Preparation and Distribution of Officer Evaluation Report (OER), Level I (CG-**5310**).

1. The candidate's current commanding officer must sign as Supervisor and Reporting Officer. OERs completed by former commands, however recent, will not be accepted. The member's "current commanding officer" is determined by considering where the member is permanently attached when the Preboard Eligibility List is published. If the applicant is in an advanced education program, the program manager is the appropriate signatory. Commanding officers are encouraged to contact prior commands for OER input on recently assigned personnel. Commanding officers who desire to provide input on candidates whom they recommended for appointment to warrant grade for the current cycle, but who are no longer assigned to their command, are encouraged to contact the current commanding officer and may forward an Administrative Remarks (CG-3307) documenting the candidate's potential to serve successfully as a CWO. The CG-3307 shall be submitted directly to Commander (CGPC-adm-3) for inclusion in the candidate's Headquarters PDR.

2. Prepare an original and one copy of CG-**5310** with 3A variant of page 3 for each candidate as follows:

   a. Complete section 1, blocks a. (name), b. (SSN), **d**. (current enlisted grade, eg. BMC, **this needs to be hand typed**), e. (date of rank), f. (unit and telephone number), g. (ATU-OPFAC), i. (date reported), j. (period of report, not to exceed one year ending 1 May of the Board year), m. (date submitted).

b. Complete section 2 with a description of the member's current duties.

c. Complete comment sections 3, 4, 5, and 8 addressing each performance characteristic giving specific examples/accomplishments. Completing comment section 7 is optional.

d. Complete section 10 specifically addressing the candidate's potential to perform satisfactorily as a chief warrant officer in the specialty for which applying. Refer to ☞ Article 1.D.13., which defines the scale of responsibilities in each specialty.

e. Do not complete section 9.

f. **Both** Block 6 (Supervisor Authentication) and Block 11 (Reporting Officer Authentication**) shall be signed by the commanding officer**. Unit commanding officers (parent command for units with officers in charge), office chiefs from HQ, division chiefs from areas, maintenance and logistics commands, districts and **the Coast Guard Academy** sign as **both** Supervisors and Reporting Officers for the OERs submitted on candidates assigned to their immediate staffs.

g. Do not complete section 12.

h. Do not assign numerical marks for performance dimensions. Forms with assigned marks will be returned for resubmission. No attachments to the OER are allowed. Attachments such as awards should be submitted directly to CGPC-adm-3 for inclusion in the HQ PDR.

3. Distribution of CG-5310. The original of CG-5310 will become part of the candidate's recommendation file which is forwarded directly to Commander, (CGPC-opm-1). The copy will be retained in the unit file for one year.

4. Correction of CG-5310. Changes to the form will not be permitted after submission except when an administrative error in preparation has been made (i.e., typing). Requests for changes due to administrative errors will be made by letter to Commander (CGPC-opm-1) explaining the error, the desired correction, and the reason. If the request for correction falls within 15 days of the convening date for the Board, the request should be made by message.

1.D.7.c. Preparation of Candidate Resume

All primary and alternate candidates whose names appear on the Preboard Eligibility List shall submit a resume in Coast Guard letter form via the chain of command. **The “to” line shall read, “President, CWO Appointment Board.”** No enclosures to the resume (other than the OER) are permitted. The resume shall be submitted to "President, CWO Appointment Board", c/o Commander, (CGPC-opm-1). The resume must be submitted in the following format.

1. Limited to a maximum of two pages, single-sided, single-spaced, 12 point text.

2. Contain a historical summary of **units, listing the primary and collateral duties assumed at each. List units in reverse chronological order (i.e., the most recent unit listed first)**.

3. Contain a summary of major professional accomplishments **including medals, awards and academic achievements**.

4. Contain a summary of reasons for desiring appointment to warrant grade.

5. Commanding officers shall forward the resume without comment (signature endorsement only) and shall attach the completed OER as enclosure (1). No other enclosures are permitted.

1.D.8. The Board Process

1.D.8.a. Convening of Board

At such times as the needs of the Service require, Commander, CGPC shall convene a Board to recommend eligible candidates for appointment to warrant grade.

1.D.8.b. Composition of the Board

The Board shall consist of at least five officers on the active duty promotion list who are serving in or above the grade of chief warrant officer (W-2).

1.D.8.c. Oath of Board Members

Members of the Board shall swear or affirm that they will, without prejudice or partiality, and having in view both the special fitness of officers and the efficiency of the Coast Guard, perform the duties imposed upon them.

1.D.8.d. Information to be Furnished to the Board

Commander, CGPC shall furnish the appointment Board with:

1. A listing, by specialty, of all primary candidates for appointment to warrant grade.

2. The OER and resume of all eligible primary candidates. (Refer to ☞ Article 1.D.7.)

3. The Headquarters PDR of all primary candidates.

1.D.8.e. Method of Selection

1. The Board must first determine, by specialty, if all primary candidates are fully qualified to become chief warrant officers based on the information furnished in subparagraph d. above and the professional judgment of the Board members.

After making this determination, the Board must then rank order the primary candidates on a best-qualified basis.

2. The Board shall not recommend candidates for appointment whose personal conduct and associations are such that reasonable grounds exist for rejection on the basis of loyalty. Although a candidate may have been considered as meeting the minimum requirements, the Board may find trends or patterns of conduct, indebtedness, performance, or behavior which it considers disqualifying and therefore may find the candidate not fully qualified for appointment.

3. The Board will submit a report of those recommended for appointment in each specialty to the Secretary of Transportation (the Secretary) for appointment authority.

1.D.8.f. Submission of Reports

1. The Board Report shall contain:

   a. A cover sheet.

   b. A listing of membership.

   c. A listing of the convening, meeting, and adjourning dates.

   d. A listing of the names of candidates recommended for appointment in each specialty.

   e. A definite recommendation for all candidates considered, either that they are, or are not, qualified for appointment. The recommendation shall not include any restrictions or qualifications.

   f. If the Board does not recommend a candidate for appointment, the reasons therefore shall be indicated in the Board Report.

   g. A certification that, in the opinion of at least a majority of the members if the Board has five members, or in the opinion of at least two-thirds of the members if the Board has more than five members, the candidates recommended are the best qualified for appointment to warrant grade.

   h. The signature of each member.

   i. The original precept, appended.

2. The Board shall submit its report to the Commandant for approval, modification, or disapproval. If the Board has acted contrary to law or regulation, the Commandant shall return the report for proceedings, revisions, and resubmission.

3. The deliberations of the Board shall not be disclosed to any person not a member of the Board.

1.D.9 The Postboard Process and Final Eligibility List

1.D.9.a. Publication of Results

After the Commandant has approved the report and the Secretary has granted appointment authority, the candidates concerned shall be promptly notified of the Board results through publication of the Final Eligibility List by ALCGPERSCOM message. Individual notification will not be made. All primary candidates found not fully qualified by the Board will receive a letter from Commander (CGPC-opm-1) stating the reason(s) for the finding.

1.D.9.b. Method of Appointment

The Final Eligibility List establishes the precedence of candidates in each specialty. Commander (CGPC-opm) shall establish cutoff points for each specialty based on the maximum number expected to be appointed during the next year to meet Service needs. Those above the appointment cutoff whose performance continues to be satisfactory shall be appointed as vacancies occur.

1.D.9.c. Eligibility for Further Enlisted Advancement

Candidates whose names appear at or above the cutoff for appointment to warrant grade or whose names appear below the cutoff but who are subsequently offered appointment to warrant grade are not eligible for advancement to E-7, E-8, or E-9. Recommendation of these members for advancement to E-7, E-8, or E-9 will be invalidated and their names will be removed automatically from established enlisted advancement eligibility lists 60 days after publication of the Final Eligibility List for appointment to warrant grade unless such members have notified Commander (CGPC-opm) and (CGPC-epm) of their intention to decline appointment to chief warrant officer.

1.D.9.d. Separation Prior to Appointment

The names of candidates who retire or are discharged from active duty prior to appointment will be removed from the Final Eligibility List. Candidates who subsequently reenlist in the Regular Coast Guard in grade E-6 or above within 3 months after date of discharge and remain qualified in all other respects, shall be considered in a continuous service status and their names shall be restored to the Final Eligibility List without loss of position. That position shall be at the top of the list if the candidate became eligible for appointment while not on active duty. (Refer to ☛ Article 1.D.2.a.)

1.D.9.e. Effective Date of the Final Eligibility List

The Final Eligibility List will normally be effective for from 1 June through 31 May following the Board. However, if Service needs dictate, appointments from a specific warrant specialty list may be made prior to 1 June if all candidates from the previous list of the same specialty have been offered appointments. Candidates

above the appointment cutoff remaining on an eligibility list at the time a new list is established will be carried over to the top of the new list. Candidates below the appointment cutoff will not be carried over to a new list and should plan to recompete in the next cycle.

1.D.10. Removal from Eligibility Lists (Preboard or Final)

1.D.10.a. Procedure for Removal from the Preboard or Final Eligibility List

1. A candidate may be removed from either the Preboard or Final Eligibility List if information is discovered which casts doubt on the candidate's moral or professional qualifications for appointment to warrant grade. The name of any candidate who has received a court-martial or civil conviction, non-judicial punishment, or unsatisfactory mark in conduct at any time after the candidate has been recommended for appointment may be removed from the Preboard or Final Eligibility Lists. The action may be initiated by the commanding officer or Commander (CGPC-c). The candidate's name will be removed without conducting a special board. The recommendation from a commanding officer or superior in the chain of command shall be by letter to Commander (CGPC-opm) and shall contain the following information:

    a. Candidate's name.

    b. Length of service.

    c. Period of time candidate was observed.

    d. Reason for recommendation.

    e. Specific facts or circumstances relative to performance.

    f. Medical reports or opinions, if applicable.

    g. Nature of counseling and other steps taken to correct deficiencies.

    h. Candidate's response to counseling.

2. The candidate shall have an opportunity to review the recommendation and shall be permitted to make such comments as desired by endorsement. If Commander (CGPC-c) initiates the action, the candidate shall be advised in writing of the contemplated actions and the reasons therefore and given the opportunity to communicate to the special board in writing via the chain of command.

3. The recommendation shall be reviewed at the Coast Guard Personnel Command by a special board of senior officers. The special board shall consist of at least three officers in the grade of commander or above. The membership shall include a representative from the Headquarters or CGPC division having cognizance of the candidate's specialty. After a thorough review of the candidate's record, the special board shall recommend to the Commandant either

that the candidate be reinstated on the Final Eligibility List or that the candidate not be reinstated on the Final Eligibility List.

4. The recommendations of the special board shall be forwarded to the Commandant for approval, modification, or disapproval.

5. The candidate will be advised of the results of the special board action.

   a. If the Commandant approves the special board's recommendation to return the candidate's name to the list and that candidate would already have been appointed, the candidate will be tendered the next available appointment.

   b. If the Commandant approves the special board's recommendation to return the candidate's name to the list and the candidate would not yet have been appointed, the candidate's name will be returned to the original position on the list.

   c. If the Commandant approves the special board's recommendation to remove the candidate's name from the list, the candidate may recompete the following year if eligible.

1.D.10.b. Removal as Result of Personnel Security Investigation

A candidate's name will be removed from an eligibility list if a personnel security investigation casts doubt on the candidate's moral or professional qualifications. (Refer to the ☛ Military Personnel Security Program, **COMDTINST M5520.12** (series) for processing of investigations).

1.D.10.c. Declining Appointment or Removal at Own Request

1. Candidates who elect removal from the Preboard Eligibility List will be allowed to compete in the next warrant officer appointment process cycle if eligible.

2. Upon publication of the Final Eligibility List, candidates will be given two weeks from the date time group of the ALCGPERSCOM message to request removal from the list with a two-year loss of eligibility. A candidate who declines an appointment to warrant grade, or elects removal from the Final Eligibility List after the two-week period has elapsed shall be required to wait five years from the anniversary date of that election before being eligible to recompete. At the time the candidate makes either of the above elections, Commander (CGPC-opm) and (CGPC-epm) shall be notified by expeditious means, and the following Administrative Remarks (CG-3307) entry documenting the election, shall be made in the candidate's Headquarters PDR:

   DATE: "I have read and understand Article 1.D.10.**c**., Coast Guard Personnel Manual. I voluntarily elect to be removed from the eligibility lists for appointment to warrant grade. I understand that I will not be eligible to apply for appointment to warrant grade for (two or five whichever is

applicable) years from the anniversary date of this election. I understand that I will be eligible to reapply as a candidate for appointment to warrant grade on or about (date)."

3. **Members declining appointments off an eligibility list through an offer of orders by an assignment officer incur a 5 year penalty. The Administrative Remarks (CG-3307) entry made in the candidate's Headquarters PDR documenting this election shall be initiated by the member's commanding officer. The text of the entry shall be the same as paragraph 2 above.**

4. The exception to the five-year rule will be for candidates who decline appointment to CWO due to a documented personal hardship. Commander

   will make the determination regarding whether the candidate should be exempt from the five-year rule for personal hardship. If an exemption is approved, the candidate will not be allowed to participate until after the hardship is resolved. The following Administrative Remarks (CG-3307) shall be entered into the candidates PDR.

   DATE: "I have read and understand Article 1.D.10.**c**., Coast Guard Personnel Manual. I voluntarily elect to be removed from the eligibility lists for appointment to warrant grade. I understand that I will not be eligible to apply for appointment to warrant grade until my personal hardship has been resolved."

5. The original CG-3307 shall be forwarded immediately to Commander (CGPC-adm-3). If the five-year period has not expired or the personal hardship has not been resolved at such time as the candidate reenlists, the CG-3307 shall be retained in the PDR upon reenlistment.

6. A member declining appointment will be allowed to re-compete if their new eligibility date (i.e., 2 or 5 year anniversary) ends prior to the day the upcoming board convenes.

1.D.11. Procedure for Appointment to Warrant Grade

1.D.11.a. Appointments

Appointments as chief warrant officers (W-2) will be made by the Secretary from among enlisted personnel of the Regular Coast Guard and Coast Guard Reserve who have been placed on an eligibility list as a result of approved action of a Coast Guard appointment board or upon successful completion of a Coast Guard approved Physician's Assistant Program. Letters of appointment and appointment certificates will be transmitted via the chain of command for delivery to the member.

1.D.11.b. Oath of Office

1. An oath of office is required and will be recorded on an Acceptance and Oath of Office (CG-9556) which is attached as an enclosure to the appointment letter. The oath of office shall not be executed prior to the date of rank specified in the appointment letter. The CG-9556 will be executed for the appointee's grade (W-2). (Refer to exhibit 1.D.2.) After the oath of office forms are completed, they shall be forwarded to Commander, (CGPC-opm-1) along with a copy of the physical as required by ☞ Article 1.D.11e.

2. The Oath of Office can be administered by any commissioned officer of the Armed Forces, a United States Commissioner, a Judge of a Court of Record, a Clerk or deputy Clerk of a Court of Record, a Notary Public, or a Justice of the Peace.

1.D.11.c. Pay and Allowances

The pay and allowances of officers appointed under this article will accrue from the date of execution of the oath of office but not prior to the date of rank.

1.D.11.d. Withholding of Appointment

It is the responsibility of each officer in the chain of command to withhold an appointment letter if the appointee has become disqualified after publication of the Final Eligibility List. A disqualification as used herein is deemed to be any circumstance which casts doubt on the moral or professional qualifications of the person concerned for the appointment contemplated or an unsatisfactory mark in conduct for any subsequent period. This includes pending boards, courts-martial, or investigative proceedings. An appointment shall be withheld by returning the appointment letter to Commander (CGPC-opm-1) with a concise report of the circumstances. The appointee shall be furnished a copy of the report and shall be required to acknowledge receipt. A signed copy of the acknowledgment shall be attached as an enclosure to the report.

1.D.11.e. Physical Examination

A **commissioning** physical is required for appointment. It must be reviewed and approved by Commander, Maintenance and Logistics Command (k) or designated clinical administrator prior to execution of the oath of office. If the appointee is physically qualified on the date of appointment, a copy of the approved Report of Medical Examination (SF-88) shall be forwarded to Commander, (CGPC-opm-1) along with the completed oath of office form. If the appointee is not physically qualified on the date of appointment, the appointment letter along with the original SF-88 shall be returned to Commander (CGPC-opm-1). Commander (CGPC-opm-1) will remove the candidate's name from the Final Eligibility List. Candidates will be processed in accordance with the following chart:

When initially offered appointment and candidate is above the cut and is	Action	If candidate subsequently becomes qualified and	Action
Qualified	Appoint	N/A	N/A
Not Qualified	Remove from list	Current list has not expired	Name goes to top of list above the cut. Tendered next available appointment
Not Qualified	Remove from list	Current list expired before cut was reached	Name goes to top of list above the cut Tendered next available appointment
Not Qualified	Remove from list	Current list expired after cut was reached	May recompete, if eligible

When initially offered appointment and candidate is below the cut and is	Action	If candidate subsequently becomes qualified and	Action
Qualified	Appoint	N/A	N/A
Not Qualified	Remove from list	Current list has not expired	Name goes to top of list below the cut. If vacancy occurs prior to expiration of current list tendered next appointment;otherwise may recompete if eligible
Not qualified	Remove from list	Current list has expired	May recompete if eligible

1.D.11.f. Weight Standards

Compliance with established Coast Guard weight standards is required prior to execution of the oath of office. If the candidate does not meet the weight standards, the appointment letter shall be returned to Commander (CGPC-opm-1). Commander (CGPC-opm-1) will remove the candidate's name from the eligibility list. Candidates will be processed in accordance with the following chart:

When initially offered appointment and candidate is above the cut and is	Action	If candidate subsequently becomes qualified and	Action
Meets established weight standards	Appoint	N/A	N/A
Does not meet established weight standards	Remove from list	Current list has not expired	Name goes to top of list by precedence. Tendered next available appointment. If current list expires prior to the next available appointment, then member may recompete if eligible
Does not meet established weight standards	Remove from list	Current list has expired	May recompete if eligible

1.D.11.g. Discharge from Enlisted Status

Members who accept appointment as a chief warrant officer (W-2) will be discharged from their enlisted status upon acceptance of the appointment. The discharge will be effective as of the day before the date the candidate executes the oath of office. Discharge shall be for the convenience of the Government. ☞ Article 12.B.12. shall be cited as authority for discharge.

1.D.12 Appointment ceremony

The member's commanding officer, or if absent, the executive officer shall preside over an appropriate formal ceremony to appoint the member to the grade of chief warrant officer (W-2) unless the member prefers a private ceremony. The ceremony should include these elements:

1. Honor the member's desire for a particular individual to administer the oath, if possible, consistent with the current laws on persons authorized to administer oaths.

2. The family, special guests and shipmates, as desired by the appointee should be invited to the ceremony.

3. A photographic record of the ceremony should be made and presented to the appointee. Press releases should be made to the appropriate media.

4. After the ceremony, a brief social gathering is recommended for the appointee(s) and guests.

5. If required, transportation within the confines of the military installation should be provided for guests.

1.D.13 Scope of Warrant Specialties

1.D.13.a. Aviation Engineering Specialty (AVI)

Warrant officers serving in the specialty of aviation engineering must meet the requirements of Aircraft Maintenance Officer as described in the ☛ Air Operations Manual, COMDTINST M3710. They are operational and technical specialists in the field of aircraft maintenance. They serve as aircraft maintenance officers, assistant aviation engineering officers, and aviation project officers. They plan, schedule, and control all phases of aircraft maintenance. They provide technical advice and information concerning capabilities, limitations, and reliability of aircraft powerplants, accessories, airframes, avionics, and equipment. They direct and supervise practices and procedures for service, maintenance, overhaul, repair, inspection, alteration, modification, and adjustment of aircraft powerplants, accessories, airframes, avionics, and equipment. They formulate and supervise training programs and prepare, maintain, and submit personnel and material records, logs, reports, and accounts.

1.D.13.b. Boatswain Specialty (BOSN)

1. At sea, warrant officers serving in the specialty of boatswain are specialists in seamanship. They serve as officers in charge of small vessels, as division and repair party officers, assistant first lieutenants, and as battery officers on small ships. They plan and supervise the preservation of ships' hulls, superstructures and spaces; maintenance, repair, and operation of deck, cargo and buoy handling, anchor, and mooring gear; stowage of cargo; maintenance, repair, operation and equipping of small boats; replenishment operations at sea; stowing, security, preservation, accounting and requisitioning of stores and equipment for the first lieutenant.

2. Ashore, warrant officers serving in the specialty of boatswain are general duty specialists in operational commands and seamanship specialists on inspection duties. They serve as officers in charge of small units; as executive officers of group commands, depots and bases; as first lieutenant, boats and vehicles officer, and yard boatswain and security officer at larger units. In order to qualify for Merchant Marine Safety duties, personnel selected for initial assignment receive special additional training.

3. Both at sea and ashore, warrant officers serving in the specialty of boatswain develop and supervise training programs; prepare, maintain and submit personnel, material and operational records, reports, and accounts.

1.D.13.c. Communications Specialty (COMM)

Warrant officers serving in the specialty of communications are operational and technical specialists in the field of communications. They serve as commanding officers and executive officers of radio stations, as assistants to communications officers in such billets as communication security, and may serve as assistants to district communication officers; supervise and direct personnel concerned with, and provide technical information regarding, communication operations, methods, procedures, transmitters, receivers, direction finders, cryptographic methods and procedures, and handling of and accounting for classified matter; supervise radio stations; develop and conduct training programs; supervise handling and shipping of classified matter; and prepare, maintain, and submit records, reports, and accounts of personnel, material, and communication operations. When assigned as commanding officer or officer in charge, they carry out the many varied duties in connection with the general operation, maintenance, care and upkeep of buildings, grounds, and equipment which comprise the facilities of area communication stations. In many cases these stations consist of properties containing more than 100 acres, some of which include up to five dwellings and housing units for families.

1.D.13.d. Electronics Specialty (ELC)

Warrant officers serving in the specialty of electronics are technical specialists in the field of ship and shore, electronic equipment. Electronic equipment is defined as any equipment which transmits or receives intelligence by electrical or electromagnetic means (including landline and sonar equipment). They serve as officers in charge of electronics repair shops and as assistants to electronics officers; instructors in theory and repair of electronic equipment; and as command and staff officers concerning inspections, uses, capabilities, limitations, and reliability of electronic systems and equipment. They plan, direct, and supervise practices and procedures for maintenance and repair of electronic equipment; analyze, solve, and correct electronic operational and maintenance problems; and prepare, maintain, and submit personnel and material records, reports, and accounts.

1.D.13.e. Finance and Supply Specialty (F&S)

Warrant officers serving in the specialty of finance and supply organize, plan, and supervise the work of personnel engaged in procurement, stowage, and issue of supplies, including personnel engaged in commissary departments and disbursing offices. They supervise and direct personnel in the performance of duties including preparation of estimates of requirements, inventories of supplies and equipment, the audit of records, computation of pay, preparation of vouchers, and allocation of materials. They disburse public funds as assistant disbursing officers, agent cashiers, and imprest fund cashiers. They develop and supervise training programs, maintain and submit personnel and material records, reports, and accounts. Appointments to the warrant specialty of finance and supply **may be** subject to certification for finance and supply duties by **Commandant (G-CPM) or Commandant (G-CFM).**

1.D.13.f. Material Maintenance Specialty (MAT)

Warrant officers serving in the specialty of materiel maintenance are operational and technical specialists in the fields of repair, maintenance, damage control and fire fighting aboard ship and at shore units. They serve as assistants to engineering and repair officers, as shop superintendents and technical advisors concerning uses, capabilities, limitations, and reliability of ship repair, fire fighting and damage control equipment, and as officer in charge of maintenance and repair detachments ashore. They organize and supervise personnel in ship repair and maintenance activities including electric arc welding, oxyacetylene welding and cutting, woodworking, metal working, boat repairs, damage control, piping and drainage, and NBC warfare defense facilities. They provide technical advice and information concerning use, characteristics, and limitations of building and construction materials; organize and supervise maintenance and repair forces on work involving repairs to buildings, towers, docks, bulkheads, street paving, pipelines including water and sewer lines. They develop and supervise training programs; supervise preparation, maintenance, and submission of personnel and material records and reports; and supervise procurement, stowage, preservation, and utilization practices for repair parts, building materials, and equipment. In order to qualify for Merchant Marine Safety duties, personnel selected for initial assignment thereto will receive special additional training.

1.D.13.g. Medical Administration Specialty (MED)

1. Warrant officers serving in the specialty of medical administration will administer nonprofessional aspects of medical and dental facilities ashore and afloat; manage administrative functions such as fiscal and supply, personnel, records and other related medical matters; promote and manage environmental sanitation programs; administer and serve as instructors in medical training programs; perform medical service planning and logistic duties; serve as assistants to inspectors in reviewing administrative organization and operations of medical and dental facilities.

2. In the absence of the medical officer and only because of the unavailability of such an officer, they shall carry out the functions of the medical facility insofar as they are qualified to do. They shall not be required to undertake or assume the professional duties or responsibilities of a medical or a dental officer.

1.D.13.h. Naval Engineering Specialty (ENG)

Warrant officers serving in the specialty of naval engineering are operational and technical specialists in the field of engineering and in machinery repair. They serve as engineering officers on smaller vessels and as assistants to engineering officers on larger vessels. They also serve as machinery repair officers and as technical advisers capabilities, limitations, and reliability of engineering equipment. They supervise handling, stowage, and expenditure of fuel oil, boiler, feed water, and potable water; direct and supervise installations, operation, testing, maintenance, and repair of

engineering equipment; develop and supervise training programs; prepare, maintain, and submit engineering department personnel and material records and reports; and supervise procurement, stowage, preservation, and accounting practices for engineering department stores and repair parts. They shall be proficient in damage control, rigging, first aid, maintenance, and operation of gyrocompasses. They also serve on engineering duty under Industrial Section at Coast Guard bases, and at Naval Engineering Support Units (NESUs). In order to qualify for Merchant Marine Safety duties, personnel selected for initial assignment thereto will receive special additional training.

1.D.13.i. Personnel Administration Specialty (PERS)

Warrant officers serving in the specialty of personnel administration are specialists in general and personnel administration. They serve as personnel, education, and classification officers. They provide technical advice and information concerning officer and enlisted personnel regulations and administration. They organize and supervise personnel engaged in preparing and processing correspondence and personnel records, reports, and accounts; develop and supervise training programs; and administer recreational, travel, and procurement funds and allocation of officer materials and equipment. In order to qualify for Merchant Marine Safety duties, personnel selected for initial assignment thereto will receive special additional training.

1.D.13.j. Port Safety and Security Specialty (PSS)(RESERVE ONLY)

Warrant officers serving in the specialty of port safety and security are specialists in port safety, maritime security/anti-terrorism, enforcement of maritime laws and regulations and investigative methods. They serve as team leaders and supervisors at small units and detachments. At MSOs and staff positions, they serve as subject matter experts for dealing with port physical security, security inspections, marine environmental concerns, investigations, anti/counter terrorism, and maritime law enforcement. They can be designated as the Port Security Officer for "M" units. In all assignments, they develop and supervise training programs; and prepare, maintain, and submit personnel and operational records and accounts.

1.D.13.k. Public Information Specialty (INF)

Warrant officers serving in the specialty of public information are specialists in all phases of public information as it applies to the Coast Guard. They serve as public information officers, assistant public information officers, and photographic officers, and provide expertise and supervision to personnel in the photojournalist rating.

1.D.13.l. Weapons Specialty (WEPS)

Warrant officers serving in the specialty of weapons are operational and technical specialists in gunnery and ordnance. They act as assistant gunnery and ordnance repair officers; direct and supervise assembly, installation, operation, testing, maintenance, and repair of ordnance equipment; supervise testing, handling, stowage, preservation, requisitioning, issuing, and accounting practices and procedures for all ammunition and ammunition components; supervise stowage, preservation, security, requisitioning, and accounting practices and procedures for all ordnance equipment and repair parts; develop and supervise training programs; prepare, maintain, and submit ordnance, personnel, material, and operational records, reports, and accounts.

1.D.13.m. Bandmaster Specialty (BNDM)

Refer to ☞ Article 1.D.14.c.

1.D.14. Appointment as Warrant Officer (Bandmaster)

1.D.14.a. Applications

Applications may be solicited from enlisted personnel in the Coast Guard, enlisted personnel from the other Armed Forces, or the civilian sector.

1.D.14.b. Minimum Eligibility Requirements

1. Other Armed Forces and Civilian Sector. The eligibility requirements will be specified in the soliciting media.

2. Coast Guard Enlisted Personnel. Refer to ☞ Section 1.D.2 for guidance.

3. Must meet the qualifications for warrant specialty (Bandmaster) outlined in ☞ Article 1.D.14.c. below.

1.D.14.c. Qualifications for Warrant Specialty (Bandmaster)

Warrant officers serving in the specialty of Bandmaster will be in highly visible billets with significant public and media exposure. In addition, they will supervise large groups of subordinates as they prepare performances, rehearse and travel to events both nationally and internationally. They will also function in a role with their assigned unit similar to the role of an executive officer of an operational unit. Consequently, candidates must possess some knowledge of Coast Guard supply, personnel and

administrative matters as well as knowledge of military protocol at ceremonial affairs.

1. Technical Qualifications.

   a. Produce a musical program by selecting and adapting appropriate musical compositions or by arranging a musical score.

   b. Demonstrate the ability to conduct a military band during a public performance.

   c. Be knowledgeable of the close order military drill and the protocol for both military ceremonies and the rendering of honors.

   d. Demonstrate knowledge of the maintenance and repair requirements for musical instruments including brass, strings, woodwinds, percussion, etc.

   e. Prepare a military marching band for a performance with an understanding of the balance between showmanship and traditional military sharpness.

2. Administrative Qualifications.

   a. Be familiar with Coast Guard budgeting policies and practices with particular knowledge of preparing justification of budget requests for both appropriated and nonappropriated funds.

   b. Understand the Coast Guard policies for conducting official travel.

   c. Demonstrate knowledge of the rank and rate systems for military members of the Coast Guard.

   d. Demonstrate an understanding of the preparation of standard Coast Guard correspondence and the policies for maintenance of records and files.

3. Leadership Qualifications.

   a. Demonstrate past experience in leading or commanding a military unit or organization.

   b. Present evidence of having successfully represented the Coast Guard or other Armed Forces unit as a leader of the unit at parades, concerts, ceremonies, etc.

   c. Present evidence of success in training subordinates or others in improving their skill as a musician or petty officer.

1.D.14.d. Application Procedures.

1. Upon solicitation by the Coast Guard for applications for appointment to warrant grade (Bandmaster), eligible personnel desiring appointment should submit applications to Commander, (CGPC-opm-1).

2. The application file shall consist of the following:

   a. Letter of application containing a comprehensive resume of personal, professional, and military history and experience, giving specific attention to musical education and experience.

   b. Commanding Officer's Endorsement. The commanding officer's endorsement shall address the applicant's potential to perform successfully as a warrant officer. As enclosures to the endorsement, the commanding officer shall submit an Officer Evaluation Report (OER), Level I (CG-5311) will be prepared in accordance with ☛ Article 1.D.7.b.

1.D.14.e. Appointment Board

1. Convening the Board. The convening date of the board will be announced on the solicitation ALCGPERSCOM message.

2. Composition of the Board. The membership of the board shall consist of at least five members with a captain as senior member and additional officers not below the grade of chief warrant officer (W-2). Other nonvoting board members may be designated, as appropriate, for technical advice such as the Director, U. S. Coast Guard Band, a band director from any of the other Armed Forces, or both.

3. Oath of Members. Each member of the Board shall swear that they will perform the duties imposed without prejudice or partiality.

4. Standards for Recommendation. The Board shall recommend candidates for appointment for the warrant specialty of Bandmaster when it considers the candidates best qualified for appointment and promotion under the following standards:

   a. The warrant Bandmaster should be a versatile musician who can recruit, train, and assemble a variety of instrumental groups with particular emphasis on organizing a military marching band for ceremonial functions.

   b. The warrant Bandmaster must be capable of supervising diverse groups of people from paid consultants to volunteers to create a quality entertainment organization. The candidates must possess strong administrative skills and be capable of formulating budgets and to operate programs within budget guidelines.

   c. The warrant Bandmaster must have special skill for recruiting and auditioning instrumentalists, marketing performing events and be capable of constructing logistic support networks to conduct successful performances both on location and at the candidate's assigned command.

   d. The warrant Bandmaster should be knowledgeable in the general administrative

practices of the Coast Guard. Candidates should be familiar with Coast Guard budgeting procedures, personnel administrative and evaluation processes, policies on human relations and equal opportunity and the broad guidance for managing both appropriated and non-appropriated money.

e. The warrant Bandmaster candidates should possess good speaking and writing skills and have excellent public relations skills. They should represent the Coast Guard in every respect as quality, military role models.

5. Method of Selection.

a. The recommendation file and personnel records of all eligible candidates will be considered by an appointment board appointed by CGPC-c to recommend candidates for appointment. The board shall not recommend candidates for appointment if their personal conduct and associations are such that reasonable grounds exist for rejection on the basis of loyalty. Also, although a candidate may have been considered as meeting the minimum requirements, the board may find trends or patterns of conduct, indebtedness, performance, or behavior which it considers disqualifying and therefor may not recommended the candidate for appointment.

b. The Board shall be held in two phases.

Phase one. Select a sufficient number of finalists, based on overall review of the candidate records and recommendation files, to be interviewed in phase two.

Phase two. Consider all finalists for appointment to warrant grade. The Board shall:

a) Evaluate each finalist's qualifications, personal characteristics, and other data pertinent to the application.

b) Interview each finalist to appraise those personal attributes of the individual which must necessarily complement the finalist's technical qualifications for service as a warrant officer in the Coast Guard. In view of the unique position under consideration, emphasis should be placed on the finalist's potential for leadership and management.

c) Evaluate each finalist's performance during a conducting audition.

d) Select, in numbers not to exceed those authorized in the precept convening the board, those finalists who are best qualified to be appointed to warrant grade.

6. Submission of Reports of Boards.

   a. The Board shall submit its report as outlined in ☞ Article 1.D.8.f. to the Commandant for approval, modification, or disapproval.

   b. After the Commandant has approved the report and the Secretary has granted appointment authority, the candidates concerned shall be promptly notified of the Board results through publication of the Final Eligibility List by ALCGPC message. Individual notification will not be made. All primary candidates found not fully qualified by the Board will receive a letter from CGPC-opm-1 stating the reason(s) for the finding.

1.D.14.f. Procedures for Appointment

Procedures for appointment to warrant grade are outlined in ☞ Article 1.D.11.

1.D.14.g. Procedures for Appointment Ceremony

Procedures for the Appointment Ceremony are outlined in ☞ Article 1.D.12.

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1.E. Appointment as U.S. Coast Guard Cadet

1.E.1. General

1.E.1.a. Statutory Authority

By regulations appearing at 49 CFR 1.46(b), the Secretary of the Department of Transportation has delegated statutory authority to the Commandant of the U. S. Coast Guard to prescribe regulations on cadet appointments (14 USC 182). This section exercises that authority. To facilitate administering the appointment process, the following delegations of authority are made.

a. The Superintendent, U. S. Coast Guard Academy, is authorized to tender appointments as Cadet, U. S. Coast Guard; and

b. The Superintendent, U. S. Coast Guard Academy, is authorized to appoint a board of Coast Guard officers to be known as the Cadet Candidate Evaluation Board, whose duties are set forth in ☛ Article 1.E.4.c.

1.E.1.b. Coast Guard Academy

Cadets are appointed in the Coast Guard for education and training to prepare them to become commissioned officers in the Service. The Coast Guard Academy, located at New London, Connecticut, is maintained by the Government for the practical training and theoretical education of young men and women to enable them to enter upon the duties of a junior officer in the U. S. Coast Guard.

1.E.1.c. Appointment as a Cadet

The Academy tenders appointments solely on the basis of an annual nationwide competition. There are no congressional appointments nor quotas for any state, district, or special category. The competition for appointment as a cadet is based on the candidate's high school rank, performance on either the College Board Scholastic Aptitude Test (SAT I) or the American College Testing Assessment (ACT), and leadership potential as demonstrated by participating in high school extracurricular activities, community affairs, or part-time employment. Any man or woman, civilian or military, who meets the requirements set forth in ☛ Article 1.E.2. is eligible to apply for appointment as cadet, U. S. Coast Guard. No eligibility requirements may be waived, except as noted.

1.E.2. Eligibility Requirements

1.E.2.a. Age

Must have reached the age of 17 but must not have reached the age of 23 by 01 July of the year admitted as a cadet.

1.E.2.b. Citizenship

Must be a United States citizen at the time of entry to the Academy. (Citizens of foreign countries authorized by law and nominated by mutual agreement between the United States and their native country are exempt from this requirement.)

1.E.2.c. Marital Status

Must be unmarried and have no legal obligations resulting from any previous marriage.

1.E.2.d. Character

Personal background must demonstrate positive evidence of good moral character, responsibility, trustworthiness, and emotional stability.

1.E.2.e. Height and Weight Requirement

Must be between five feet and six feet six inches with weight suitable to physique. Maximum height is waiverable to six feet eight inches by the Commandant.

1.E.2.f. Physical Aptitude

1. Life as a Coast Guard cadet and later as an officer is physically demanding. It requires physical fitness and stamina that lead to a healthy lifestyle. To ensure that cadets meet fitness standards, they take the physical fitness examination (PFE) each semester. Cadets should prepare for this challenging aspect of Academy life.

2. The PFE is a 500 point test with a minimum passing score of 250. It consists of five elements worth 100 points each:

   a. Pull-ups for men and women or incline pull-ups for women

   b. Two minute curl-ups or sit-ups

   c. Standing long jump

d. 300 yard shuttle run

e. 1.5 mile run

Note: Pull-ups, curl-ups, long jump, and 300 yard shuttle run must be administered in order with a maximum of five minutes rest period between events. The 1.5 mile run must be performed no sooner than one day and no longer than seven days after the first four events.

3. Cadets reporting to the Academy will take the PFE during their first week and during the academic semester. At the first administration, any cadet who receives a score of less than 200 points will be recommended for immediate disenrollment. Cadets who initially score between 200 and 249 points will be assigned to a physical fitness advisor and be issued a specific developmental exercise prescription. If they do not pass the PFE by the beginning of their second academic term, they will be recommended for disenrollment. Later, cadets who fail two consecutive PFEs; i.e., score below 250 points, will also be recommended for disenrollment.

1.E.2.g. Scholastic Requirements

Must be a high school graduate or senior assured of graduation from an accredited high school, preparatory school, or college. Except for courses completed by correspondence for which an accredited school has granted a certificate, correspondence schools do not meet this paragraph's requirements and their certificates will not be accepted. Fifteen units of study are required.

1. Required Courses

The courses listed below, comprising f six units, are mandatory:

a. Three mathematics courses, including algebra and plane or coordinate geometry, or their equivalent

b. Three courses in English (I, II, and III)

2. Both high school and college credits may be submitted. Because of the great variation in academic standards and credit requirements among the schools, the Superintendent reserves the right to evaluate each academic record submitted on its individual merits. In general, college credits and high school credits from accredited institutions will be given the same weights for the same amount of work, and in no case will one semester of college work be considered equivalent to more than one unit of high school work. The Superintendent reserves the right to reject any applicant whose assigned grades create doubt as to ability to successfully pursue the Academy course.

1.E.2.h. Medical Requirements

1. Candidates must pass a Service Academy Medical Examination before receiving an appointment. Medical examinations will be authorized by the Academy to candidates as their records become more complete. The Coast Guard Academy Medical Examination satisfies the requirement for all Service Academies and four-year ROTC Scholarships. Medical examinations are scheduled and coordinated by the Department of Defense Medical Examination Review Board (DODMERB). The medical requirements or appointment as a cadet are published in the Medical Manual, COMDTINST M6000.1 (series).

2. No waivers of medical requirements are granted to applicants. Should there be any questions regarding cause for disqualification, this information may be obtained by writing to DODMERB, P. O. Box 3000, U.S. Air Force Academy, CO 80840, Attn: USCG Representative. A cadet must pass a second medical examination upon reporting to the Academy.

1.E.3. Application

1.E.3.a. Application for Testing

All candidates for admission to the Coast Guard Academy must take either the College Board Scholastic Aptitude Test (SAT I) or the American College Testing Assessment (ACT) and bear all expenses.

1. To register for the SAT, obtain a current copy of the College Board Admissions Testing Program either at Box 592, Princeton, NJ 08540, or Box 1025, Berkeley, CA 94701. The SAT must be taken prior to or including the December test date of the year in which application is made for the Academy. Registration for the December SAT closes in late October of each year. The Coast Guard Academy must be named as one of the colleges to receive the test scores. The Academy's code number for College Board is 5807.

2. If an applicant desires to use the ACT, a registration packet should be obtained from the Registration Department, American College Testing Program, Box 168, Iowa City, IA 52240. The ACT must be taken prior to or including the December test date of the year in which application is made to the Academy. Registration for the last acceptable ACT test closes in late October of each year. The Coast Guard Academy must be named as one of the colleges to receive the test scores. The Academy's ACT code is 0600.

3. Applicants must register prior to the deadline established by either the college Board or American College Testing Assessment for the last acceptable test administration. The scores from tests subsequent to the December administration will not be accepted.

1.E.3.b. Application for Appointment

1. Formal application must be made to the Coast Guard Academy. Obtain the initial application for appointment by writing directly to Director of Admissions, U.S. Coast Guard Academy, 15 Mohegan Avenue, New London, CT 06320-4195, or Commander, (CGPC-CGRC). The complete application must be postmarked by 15 December to receive consideration for the class entering the following summer.

2. The Academy will mail these seven supplemental forms to applicants in September; applicants must complete and return the forms to the Director of Admissions, U.S. Coast Guard Academy, by 15 January:

   a. High school transcript
   b. Candidate activities
   c. English instructor evaluation
   d. Mathematics instructor evaluation
   e. Physical education instructor or coach evaluation
   f. Background information
   g. Essay questions

1.E.4. Selection

1.E.4.a. Purpose, scope and form

1. In meeting the Academy's goal of producing a graduating class which, taken as a whole, meets the program, diversity, and quality objectives of the Coast Guard, the Admissions Division follows procedural and philosophical directives in recruiting and admitting candidates to the Academy.

2. The Academy ultimately is responsible for selecting and developing commissioned officers to serve in the U.S. Coast Guard. In pursuing this mission, the Academy seeks applicants with a wide variety of desired characteristics, including the motivation and potential to complete the challenging four-year program. From the applicant pool, the Academy appoints well-rounded candidates who demonstrate the many qualities of successful cadets and officers. These appointees are also individuals who will enrich campus life with a variety of differing perspectives and backgrounds reflecting the diverse aspects of American society.

3. Once enrolled, the cadet's intellectual and professional development is supported and enhanced in an environment that stimulates a high level of integrity,

commitment, respect, discipline, and camaraderie. He or she will experience a sound undergraduate education along with professional development that enables a graduate to assume duties immediately as a junior officer afloat.

4. The Academy's broad program of intellectual, professional, physical, and character development prepares the Coast Guard's and America's future leaders. Thus, the Academy seeks to enroll students of high moral character with a well-rounded background of academic, leadership, extra-curricular, and athletic preparation.

5. The admissions process uses both objective and subjective criteria. Objective criteria include an applicant's high school rank (HSR) and standardized test scores (SAT I or ACT). The subjective component is a score determined by the Cadet Candidate Evaluation Board (CCEB). Unlike the other military academies, Congressional nominations or appointments are not required.

6. The CCEB is comprised of panels that include three Academy faculty and staff members. These panels individually evaluate a candidate's total record, paying particular attention to strength of transcript, essays, demonstrated leadership, extracurricular activities, employment, community service, special talents, awards, recommendations, etc.

7. The combination of HSR and test and CCEB scores results in the Candidate's Principal Score (CPS).

8. Candidates who are medically qualified and meet or exceed the Principal Appointment Score (PAS) receive an appointment. The PAS is a cut-off established each November by counting many variables, including historical data, societal trends, number of applications expected, size of entering class based on graduation projections, etc. If openings exist after the Principal Appointment list is exhausted, the CCEB considers candidates from the list of highly qualified alternates (those with scores within 250 points of the PAS).

9. Candidates also are selected from Coast Guard participants in the Naval Academy Preparatory School (NAPS) program, whose purpose is to enlarge and diversify the applicant pool. NAPS accepts individuals, including previous enlisted members, who demonstrate potential as future candidates for appointment, who then undergo 10 months of rigorous academic study, military training, and competitive sports. On completing the program successfully and meeting the admission requirements, the Academy offers them an appointment.

10. U.S. Coast Guard Cadet appointments are offered to candidates who meet or exceed the PAS established for that year's entering class. A candidate who fails to receive an appointment may compete in subsequent years without prejudice, provided he or she meets age and physical qualifications. The Commandant

annually re-evaluates the number of appointments tendered and adjusts it in accordance with Service needs.

11. The Candidate's Principal Score (CPS) and its Function.

a. It is difficult to compare individuals effectively, particularly in a highly selective environment, without some measurement capability. Designed to represent a wide variety of a candidate's aspects, including standardized test scores, the CPS is carefully calculated to provide the best numerical representation of an applicant.

b. The CPS is comprised of the CCEB score, representing 40%; the HSR, 30%; the SAT I or ACT mathematics portion, 20%; and the verbal portion, the final 10%. To establish an accurate numerical composite of scores, the CCEB evaluation converts HSR (adjusted if needed depending on class size, school competitiveness, and strength of the student's curriculum) and the ACT score to a numerical score corresponding to the SAT I scale (200 to 800 points). Only the highest SAT I or ACT score is used for candidate evaluation. The CCEB evaluation allows subjectivity to balance the objectivity of the HSR and test scores; the latter cannot accurately measure a candidate's motivation, maturity, determination and other objective qualities.

c. To be evaluated by the CCEB, a candidate must meet minimum academic qualifications, i.e., he or she must have a combined HSR and standardized test score minimum of 3350 points. A candidate who meets or exceeds this standard is deemed a Finalist.

d. Sample Candidate: HSR = 5th out of 100 = 675 points; SAT scores: 670 Mathematics and 600 Verbal

30% HSR	=	3	x	675	=	2025
20% Mathematics	=	2	x	670	=	1340
10% Verbal	=	1	x	600	=	600
Total	=					3965

This score qualifies the candidate as a Finalist.

CCEB scores: 700, 650, 600
40% CCEB = 4 x (700 + 650 + 600)/3 = 2600

Finalist Score + CCEB Score = 6565, the candidate's Principal Score.

If the Principal Appointment Score is set at 6550, for example, the Academy would offer this candidate a full appointment.

A candidate scoring between 6300and 6550, would place on the alternate list.

e. It is important to note CCEB scores are relatively subjective and the admissions process, though heavily numerical, is not an exact science. Determining an individual's potential capacity to perform and become a leader is a most difficult responsibility. Therefore, highly dedicated, experienced members using carefully chosen criteria determine which candidates likely will best serve and meet the Coast Guard's needs. The admissions criteria are re-examined annually and compared with available cadet performance and retention data as well as post-graduation performance.

1.E.4.b. Selection Process

The selection process consists of these three parts:

1. Academic Evaluation. The academic evaluation portion of the competition, representing 60 percent of a candidate's total score, is determined by combining high school rank converted to a standard score with either the SAT or ACT scores using the following weighting factors:

If SAT Scores Are Higher:	If ACT Scores Are Higher:
SAT Verbal x 1	ACT English x 1
SAT Mathematics x 2	ACT Natural Science x 2
High School Class Rank Converted Score x 3	ACT Mathematics x 3
	High School Class Rank Converted Score x 4

The Academy accepts the best of either the SAT or ACT scores of any test taken before or including the December test date of the year in which applying for the Academy. Applicants with the highest scores in the academic evaluation are considered "finalists" in the competition and notified of their status in February. Each finalist's complete file is submitted to the Cadet Candidate Evaluation Board.

2. Cadet Candidate Evaluation Board.

a. The Academy Superintendent designates a board of Coast Guard officers who assign an evaluation mark to each candidate satisfying the minimum score requirements in the competitive examination. The evaluation includes all the factors known to influence success as a cadet and officer. The marks are based on the candidates' relative merit as shown by tests, questionnaires, and documents in ☛ Article 1.E.3. The board's decision is based on this factual, objective information:

i. The candidates' attitude toward assigned tasks and willingness to work as shown by the consistency and pattern of previous school work

ii. The candidates' previous extracurricular and athletic interests and experience with particular attention to evidence of leadership and teamwork

iii. The candidates' personal qualities as shown by their reference questionnaire, evaluations, and comments by their high school counselor, principal, teachers, and similar officials

iv. The candidates' score on one or more tests of emotional stability, social adjustment, vocational interest, study habits, background, and personality characteristics as may be administered for the purpose

b. The board has the duty to obtain the best possible cadets and officers for the Coast Guard. It is therefore in a candidate's interest to cooperate fully in supplying the board with all relevant information on the factors listed in this paragraph. The board's judgment is final and subject to review only by the Commandant's order. To establish a list of eligible candidates and eliminate those markedly deficient in one or more phases of the examination, the board will not consider candidates who fail to meet the minimum test requirements. Candidates whose standard scores on required tests and measures fall below the prescribed individual and/or combined test level are eliminated from further consideration.

c. Each candidate's final mark is computed by averaging the standard weighted scores provided through the test marks and the Cadet Candidate Evaluation Board rating.

d. NO WAIVERS OF EDUCATIONAL OR PHYSICAL REQUIREMENTS ARE GRANTED TO APPLICANTS.

3. Medical Examination. A Service Academy Medical Examination is required before receiving an appointment. (☛ Article 1.E.2.h.)

1.E.4.c Required deposit

On appointment, each candidate will be required to pay an entrance fee to offset the cost of initial clothing, books and school supplies, computers, and equipment. Currently, this fee is $3000. Payment of some, or all, this amount may be deferred in cases of extreme need.

1.E.4.d. Subsequent Appointments

All former cadets who request readmission, except those who voluntarily resigned due to hardship, must compete for admission in the same manner as those candidates who have not attended the Academy.

1.E.4.e. Hardship Readmission

Former cadets who resigned due to unavoidable hardship which subsequently is resolved may be granted readmission. The Superintendent, Coast Guard Academy shall prescribe readmission requirements and procedures.

1.E.4.f. Service Obligation

1. When appointed, a cadet agrees to serve five years as a commissioned officer in the U.S. Coast Guard on graduation from the Academy. All cadets are required to sign an agreement with the consent of their parent or guardian, if a minor, stating they will fulfill this obligation.

2. Cadets who have completed their course of instruction and are qualified to accept a commission but do not do so will be transferred to the Coast Guard Reserve and ordered to active duty for four years. The four-year obligation commences on dismissal.

1.E.4.g. Voluntary Resignation of Appointment

The Superintendent, Coast Guard Academy may accept the voluntary resignation of a cadet's appointment.

1.E.4.h. Involuntary Termination of Cadet Appointment and Appeal Authority

The Superintendent, Coast Guard Academy has the authority to terminate a cadet’s appointment on the recommendation of an Executive Board, the Dean of Academics or the Commandant of Cadets. The decision by the Superintendent, Coast Guard Academy to dismiss a cadet may be appealed to **Commandant (G-W).** The Superintendent, Coast Guard Academy shall prescribe the appeal procedures.

1.E.4.i. Terminating a Cadet Appointment

When a cadet's appointment is terminated either voluntarily or involuntarily, one of these actions normally will be completed depending on the cadet's status before accepting an appointment and the length of time he or she held the appointment.

1. Third and Fourth Class Cadets.

   a. A cadet who accepted a cadet appointment without any prior obligation to the Armed Forces of the United States who either resigns or is dismissed will be discharged from active service with no military obligation.

   b. Cadets who entered the Academy as a member of the Coast Guard or Coast Guard Reserve revert to their prior status and complete the remainder of their duty obligation. All time served in a cadet status is counted as service under any preexisting enlistment or service obligation.

   c. Cadets who entered the Academy from another Armed Force revert to their prior status and transfer to their former branch of Service to complete the remainder of their duty obligation. All time served in a cadet status is counted as service under any preexisting enlistment or service obligation.

2. First and Second Class Cadets.

   a. Cadets who entered the Academy with an obligation to serve in any branch of the Armed Forces of the United States revert to their previous status and transfer to their former branch of Service to complete the remainder of their duty obligation. All time served in a cadet status is counted as service under any preexisting enlistment or service obligation.

   b. First and second class cadets who accepted an appointment without any prior obligation to the U.S. Armed Forces who resign, are disenrolled, or summarily dismissed transfer to the "Individual Ready Reserve (RJ)" in the quartermaster second class or third class rating respectively (seaman if disenrolled due to suitability for service reasons), for a time equal to their time as a cadet. In special cases, if the Superintendent determines a cadet is not suited to any type of military service, he or she may recommend the Commandant give the cadet no Reserve commitment or obligation.

1.E.4.j. Requests for Active Duty

Any cadet whose appointment terminates before he or she completes the course of instruction who was tendered a cadet appointment without any preexisting obligation to the Armed Forces of the United States may request from Commandant (G-WP) an extended active duty agreement for up to four years as a Coast Guard Reservist. The Superintendent, Coast Guard Academy determines the final appropriate rating but normally the appropriate ratings for the individual making such a request are:

Cadet Class	Appropriate Rating
Cadet First Class	QM2
Cadet Second Class	QM3
Cadet Third Class	SNQM
Cadet Fourth Class	SA

1.E.5. Responsibilities

The competition for appointment as Cadet, U. S. Coast Guard, is widely publicized for the purpose of attracting a large well qualified applicant pool.

1.E.5.a. Commandant's Responsibilities

The Commandant establishes Academy admissions policies and procedures.

1.E.5.b. District Commander's Responsibilities

District commanders coordinate cadet recruiting and awareness activities in their districts with the Academy Superintendent. They develop district programs and support Academy programs to recruit a large, well qualified, career-motivated applicant pool. Further, district commanders assist the Academy in appointees' sponsor and follow-up programs and by 15 June annually submit to the Superintendent a Report of Cadet Recruiting and Awareness Programs, a report in letter form containing this information:

1. List of high schools and preparatory schools visited for Academy recruiting or awareness purposes. Suggested items are listed below:

    a. High School Name

    b. City and State

    c. Contact Personnel

    d. Total Attendees

    e. Date Visited

    f. Return Visit Recommended

    g. Remarks (significant minority population, name of outstanding candidate for Academy follow up, etc.)

2. List of Academy recruiting and awareness programs conducted (such as presentations to civic or youth groups, television or radio appearances, special programs and visits to Coast Guard units, etc.).

3. Recommendations for improving Academy and district recruiting efforts.

4. Specific efforts in minority awareness.

1.E.5.c. Academy Superintendent's Responsibilities

1. Develop and initiate Academy recruiting programs in cooperation with the district commander.

2. Prepare and distribute necessary Bulletins of Information, posters, television and radio spots, and other media releases to support the Admissions Program.

3. Encourage and support the district commanders and field units in furthering cadet recruiting efforts and Academy awareness programs.

4. Process, evaluate, select, and appoint candidates as Cadet, U. S. Coast Guard.

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1.F. Appointments to U. S. Service Academies and Eligibility of Armed Forces Members' Sons and Daughters

1.F.1. General

1. The opportunity to compete in examinations for cadet appointments at the U.S. Military Academy, U.S. Naval Academy, and U.S. Air Force Academy is available to sons and/or daughters of certain members of the Armed Forces.

2. The President makes appointments to the Military, Naval, and Air Force Academies to sons and/or daughters and adopted sons and/or daughters of officers and enlisted personnel of Armed Services Regular components because that such personnel, owing to the nature of their duties, are unable to establish permanent residence and thus be in a position to secure nominations for their sons and/or daughters from their Senators and Representatives. Adopted sons and/or daughters are eligible if they were adopted before their fifteenth birthday.

3. In addition, appointments are provided at each of the three Academies for sons and/or daughters of members of U.S. Armed Forces and all their components who were killed in action, have died, or may hereafter die of wounds or injuries received, disease contracted, or preexisting injury or disease aggravated in active service:

    a. during World War I or World War II (as each is defined by laws providing Service-connected compensation or pension benefits for veterans of World War I and II and their dependents), or

    b. on or after 27 June 1950 and before 1 February 1955. Qualified sons and daughters of Medal of Honor winners are offered appointments on a noncompetitive basis.

1.F.2. Requirements

Some of the general requirements for applicants are:

1. Age. To be eligible for appointments a candidate must have attained the age of 17 years and must not have reached the age of 22 on 01 July of the year of proposed admission.

2. Citizenship. A candidate must be a citizen of the United States.

3. Marital Status. A candidate must not be married nor ever have been married.

4. Height. Candidates for service academies must meet these height requirements.

School	Minimum Height	Maximum Height
U.S. Military Academy	5’ 6”	6’ 6”
U.S. Naval Academy	5’ 4”	6’ 6”
U.S. Air Force Academy	5’ 4”	6’ 6”

1.F.3. Procedure

Applications for admission in any given year should be mailed before 15 February so that arrangements can be made to take the competitive examination in March. Applicants should supply the name, rank or rating, service number, and branch of the Service of parent and the full name, home address, present address, and date of birth of the applicant. Deceased veterans’ sons and daughters also should submit a brief statement about the time, place, and cause of death; and the claim number assigned to the veteran parent's case by the Veterans Administration. An adopted son and/or daughter should submit evidence indicating date of adoption. Address appointment applications as follows:

School	Address
U.S. Military Academy	Chief of Naval Personnel Navy Department Washington, DC 20370
U.S. Naval Academy	Adjutant General Department of the Army Washington, DC 20310 Attention: Military Academy Section
U.S. Air Force Academy	Director of Admissions United States Air Force Academy Colorado Springs, Colorado

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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. **Personnel who have 10 or more years of active service shall be reenlisted for an indefinite period of time. Indefinite reenlistments are for an indefinite period up to a member's 30-year active duty anniversary date.**

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 ☞ 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.7. Eligibility Requirements for Reserve Enlistment or Reenlistment

To be eligible for enlistment or reenlistment in the Coast Guard Reserve, a person must meet the following requirements

1. Meet the minimum applicable average shown for the period after 30 June 1983.
   a. Member evaluated using only one form (nonrated, 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. 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-rpm) 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. A person desiring to enlist or reenlist in the Coast Guard Reserve must not have over 13 years' total military service and not more than 10 years of active duty, unless enlisted or reenlisted within 24 hours at the same unit from which discharged. Such a person NOT enlisting or reenlisting within 24 hours may be considered for a waiver in accordance with the ☞ Recruiting Manual, COMDTINST M1100.2 (series), and must be processed through a Coast Guard recruiting office.

8. A member being discharged from active duty who is eligible for reenlistment and has fulfilled his or her obligated military service under 10 USC 651, shall complete a CG-5525, Coast Guard Reserve Assignment and Orders, in the fourth month prior to separation. The CG-5525 must be forwarded via the chain of command at least 90 days prior to date of discharge to the district commander (a) of the district in which the member will reside after separation. If the member is immediately enlisting into the Coast Guard Reserve, the member's Integrated Support Command (ISC) will complete the assignment orders section of the CG-5525. The member will be assigned to a Selected Reserve Unit, if requested and if a billet is available. Otherwise, the member will be assigned to the Individual Ready Reserve (non-drilling, non-pay). The assignment orders (CG-5525) must be received by the member's PERSRU in sufficient time prior to the date of discharge to complete the appropriate enlistment or discharge documents.

1.G.8. Continuous Service

1.G.8.a. Regular Reenlistments

For regular reenlistments, a member must reenlist within three months from discharge date to remain in a continuous service status and to receive the benefits listed below:

1. Selective Reenlistment Bonus. To receive a selective reenlistment bonus (SRB), a member must reenlist within three months from date of discharge and meet the eligibility requirements contained in ☞ Reenlistment Bonus Programs Administration, COMDTINST 7220.33 (series).

2. Time in Pay Grade in Present Rating (TIR) for Advancement. To receive credit for time previously served in the present grade, a member must reenlist within three months from date of discharge and meet the requirements contained in ☞ Article 5.C.14.

1.G.8.b. Other Benefits

Other benefits that Congress may enact from time-to-time will be announced if implemented by the Coast Guard.

1.G.8.c. Reservists' Continuous Service Status

A Reservist must enlist or reenlist on the day following the effective date of his or her discharge to remain in a continuous service status.

1.G.9. Enlisted Personnel Serving as Officers

An enlisted person holding a temporary appointment as a commissioned officer shall not be discharged at the expiration of enlistment, which is postponed for the period he or she continues to hold the temporary appointment.

1.G.10. Authority to Effect Reenlistment

1.G.10.a. Personnel Authorized to Administer Oaths

These personnel are authorized to administer oaths for regular reenlistments subject to the provisions of ☞ Coast Guard Regulations, COMDTINST M5000.3 (series):

1. Any commissioned officer of any component (including Reserve) of any of the Armed Forces of the United States, or
2. Any warrant officer or chief warrant officer, or
3. Any chief petty officer or first class petty officer who is an officer in charge of a recruiting office and is authorized by the Recruiting Command, or
4. The Master Chief Petty Officer of the Coast Guard or any Commandant-designated or MCPOCG-designated Command Master Chief (CMC), or
5. Permanently assigned officer in charge of a unit.

1.G.10.b. Within 24 Hours

A person reenlisting within 24 hours after discharge may be reenlisted at the unit to which last regularly assigned. All other reenlistments shall be effected at a regular recruiting office.

1.G.10.c. Effect Enlistment or Reenlistment in the Reserve

The authority to effect enlistment or reenlistment in the Coast Guard Reserve is as follows:

1. Providing a member is in all respects eligible in accordance with this chapter and has no obligation under 10 USC 651, the commanding officers of cutters and shore units are authorized to:
   a. Voluntarily enlist members into the Coast Guard Reserve immediately following discharge (within 24 hours) from the Regular Coast Guard.
   b. Reenlist Coast Guard reservists assigned to their command for full-time active duty.
2. A recruiting officer as defined by the ☞ **Coast Guard** Recruiting Manual, COMDINST M1100.2 (series) may also effect the enlistment or reenlistment. A recruiting officer must effect the enlistment of any member who does not immediately enlist following discharge (within 24 hours).

1.G.10.d. Reservist on Inactive Duty

A Coast Guard reservist on inactive duty desiring to reenlist within 24 hours of the effective date of discharge from his or her Reserve unit shall have the enlistment oath administered at that unit, as provided for in the ☞ **Coast Guard** Recruiting Manual, COMDTINST M1100.2 (series). The necessary forms required shall be prepared and forwarded by the servicing PERSRU to the reservist in ample time to allow them to be executed within 24 hours after the expiration of enlistment.

1.G.10.e. Reenlistment Prior to Expiration of Enlistment

If a person has no obligation remaining under 10 USC 651 it may be more expedient to effect a reenlistment prior to the expiration of the member's enlistment. Authority is granted to discharge and reenlist a reservist not earlier than 90 days before the expiration of his or her enlistment, and not later than the day following the date of expiration of enlistment. Personnel so reenlisted will be classified "RQ."

1.G.10.f. Reenlisting Within Specified Time Frame

Any reservist desiring to reenlist who does not do so within the time frame ☞ Article 1.G.**10**.c. authorizes must be discharged on the normal date of expiration of enlistment or extension and thereafter apply for reenlistment at a Coast Guard recruiting office.

1.G.10.g. Reserve Enlisted Personnel on Completing 20 Years' Satisfactory Service

1. Commanding Officer, Human Resources Service and Information Center, will set the expiration of enlistment date for enlisted reservists completing 20 years satisfactory service and who have requested "retired without pay, awaiting age 60 (RET-2)."
2. The End of Enlistment date for Reservists completing 20 years of satisfactory service remaining in the Selected Reserve is the end date of their current enlistment contract. The End of Enlistment date shall be changed on re-enlisting or requesting transfer to RET-2 status.
3. Any Reservist who, upon completion of 20 years satisfactory service, fails to reenlist or request RET-2 status upon the expiration of enlistment, shall be automatically transferred to RET-2 status after notification procedures IAW current policy have been completed.

1.G.11. Authority to Refuse Reenlistment

For both regular and reserve personnel, the enlisting officer may refuse to reenlist a person when he/she has become cognizant of any valid objection to the person's reenlistment 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-1) for final decision.

1.G.12. Forms to Send to Commander, Coast Guard Personnel Command

1.G.12.a. Reenlistment within 24 Hours

The following forms will be forwarded to Commander, (CGPC-adm-3) as soon as regular reenlistment within 24 hours after discharge at same unit from which discharge has been effected:

1. Enlistment/Reenlistment Document, DD Form 4
2. BAQ Dependency/Record of Emergency Data/SGLI Election, CG-4170A

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.

e. Meet an approved retirement date; ☞ Article 12.C.11.a.2.b.(4).

3. For any number of full months less than 1 year in order to complete a cruise on a vessel scheduled to be absent on the member's normal date of expiration of enlistment. ☞ Article 12.B.11.d.

4. For one year or other such period as Commander (CGPC-epm) may authorize in specific cases.

1.G.15.b. Non-U.S. Citizens

If a **non-U.S. citizen (alien)** at the time of original enlistment, a member must be a naturalized citizen to extend enlistment. Only the Commander, (CGPC) may authorize **non-U.S. citizens** to extend their enlistment. This does not apply to a member who enlisted from the Republic of the Philippines.

1.G.15.c. Total of Extensions

The total of all extensions of an enlistment may not exceed six years.

1.G.15.d. Eligibility to Extend

To be eligible to extend enlistment for any amount of time, personnel must meet the same minimum characteristic average required for reenlistment described in ☞ Articles 1.G.5. through 1.G.**7**. Article 12.B.48. contains instructions on determining average marks.

1. If a member meets the prescribed final minimum average for extending or reenlisting in only one of the two marking systems, the commanding officer notifies Commander, (CGPC-epm) or (CGPC-rpm) by letter of the situation at the earliest possible date. The letter must include at least the final averages for the member's marks under both marking systems and a definite recommendation whether he or she should be allowed to extend.

2. If a member does not meet the criteria in either marking system but the commanding officer feels a short extension is warranted, he or she may request such extension from Commander, (CGPC-epm) or (CGPC-rpm). Approval of such extensions will be on a case-by-case basis.

1.G.15.e. First Term Personnel

The term of enlistment for first term personnel may only be extended for the minimum period required to attend a resident or other schools, to participate in the Coast Guard Tuition Assistance Program, or for duty INCONUS or OUTCONUS. Commanding Officers are authorized to extend these members in order to meet only the minimum service required without referring to CFTRR or CGPC.

1.G.15.f. Reserves' Enlistment Term

A Coast Guard Reserve enlisted person serving on extended active duty may, by his or her voluntary written agreement be approved by his or her commanding officer, extend or reextend his or her enlistment term in accordance with ☞ Article 1.G.**15**.

1.G.15.g. War or National Emergency

When a war or national emergency declared by Congress begins, the Commandant involuntarily extends all Reserve enlistments in effect which otherwise would expire until six months after the war or national emergency ends, whichever is later.

1.G.15.h. Officer Candidate

The enlistment of a person designated as an officer candidate shall be involuntarily extended by such period as he or she may remain in such status beyond the normal expiration thereof.

1.G.15.i. Reservist Not on Extended Active Duty

The enlistment term of a Coast Guard Reserve enlisted member not serving on extended active duty may, with their voluntary written agreement approved by the district commander (a), be extended for a period of 60 days, six months, one, two, three, or four years, or longer if necessary to ensure a six-year Selected Reserve affiliation required by the Selected Reserve Educational Assistance Program (Montgomery G.I. Bill). Effect only one extension of 60 days or six months during any one enlistment. The total of all extensions to any single enlistment may not exceed four years, except for the sole purpose of meeting the affiliation requirement for the Montgomery G.I. Bill. Execute extensions before the enlistment expires. However, if during such an extension the reservist desires to reenlist, the district commander (a) may authorize discharge and immediate reenlistment for any term of years listed in ☞ Article 1.G.2.

1.G.15.j. Extension of Enlistment for a Reservist

When a reservist not on active duty has indicated he or she intends reenlist but is not able to report for reenlistment on the day following the normal expiration date of his or her enlistment, the district commander (a) is authorized to extend his or her enlistment with his or her consent, for a period not to exceed 60 days, to permit reenlistment the day following discharge.

1.G.16. Extension to Attend School or for Assignment to Duty Outside the United States

1.G.16.a. Obligated Service

An enlisted person who does not have sufficient obligated service remaining in his or her enlistment period who applies for transfer to a Service school or duty outside the United States continental limits, including Alaska, shall signify in the application for training or duty OUTCONUS his or her willingness to execute the required extension. Do not execute the agreement until after the selection for such transfer has been made. In all such cases, the voluntary agreement to extend enlistment must be executed and accepted by the commanding officer before the transfer is effected.

1.G.16.b. First Term Personnel

The term of enlistment for first term personnel may only be extended for the minimum period required to attend a resident or other schools or for duty inside or outside CONUS. Commanding Officers are authorized to extend these members to meet only the minimum service required without referring to CFTRR or CGPC.

1.G.16.c. Application to Reservists

Provisions of this article shall apply to enlisted personnel in the Coast Guard Reserve on extended active duty applying for extension of enlistment.

1.G.17. Physical Examination for extensions of enlistments

1.G.17.a. Extension of Enlistment

A physical examination is not required prior to signing an extension of enlistment. However, the commanding officer or officer in charge shall, prior to the extension, review the member's Health record and require him or her to undergo a physical examination when evidence in the record or personal knowledge indicates a potential health problem. This article does not eliminate the physical examination requirements set forth in the ☞ Medical Manual, COMDTINST M6000.1 (series).

1.G.17.b. Report of Medical Examination

When physical defects are found to exist, the Report of Medical Examination, SF-88, will be forwarded to Commander, (CGPC-epm) in duplicate, together with a letter of transmittal setting forth the facts in the case and including 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 for his or her current enlistment. The duplicate of SF-88 will be returned showing the Commander, (CGPC-epm) authority to accept or reject the agreement to extend.

1.G.17.c. Physical Examinations for Reservists

For reservists, the District commanders may waive physical examination upon extension of enlistment in accordance with the provisions of the ☞ Coast Guard Reserve Policy Manual, COMDTINST M1001.28 (series).

1.G.18. Executing Agreement to Extend Enlistment

1.G.18.a. Legal and Binding

To be legal and binding, the member concerned must enter an agreement to extend his or her enlistment with his or her commanding officer on Agreement to Extend Enlistment, CG-3301B. Agreements on other than this form are informal and unofficial and the individual could repudiate or withdraw them at any time.

1.G.18.b. Agreement to Extend

An individual may not extend his or her enlistment more than three months (for regular active duty) or 30 days (for reservists) before the date the existing enlistment expires. For certain purposes, however, such as assignment to a Service school, duty outside CONUS, other duty requiring additional obligated service, or enabling a reservist to meet the 6-year selected Reserve affiliation requirement for the Montgomery G.I. Bill, an individual may extend his or her enlistment considerably in advance. An individual may not extend more than three months early for SRB bonus purposes only. (☞ Article 1.G.**15**.). Execute an Agreement to Extend, CG-3301B, described in the SDA User/Query Manual, PPCINST M5230.1. Do not use Form CG-3301B to record retentions in the Service made in accordance with ☞ Article 12.B.11, whether voluntary or involuntary. Record such retentions using the appropriate SDA II transaction in accordance with the ☞ SDA User/Query Manual, **HRSICINST** M5230.1.

1.G.19. Operative Extension Date

Unless canceled for one of the reasons in ☞ Article **1.G.20**, an Agreement to Extend Enlistment becomes **operative** on the date next following the normal date the enlistment expires or the enlistment expiration date as voluntarily extended or as extended to make up time not served (☞ Article 12.B.11.), as appropriate.

1.G.20. Canceling an Extension Agreement

A properly executed Agreement to Extend Enlistment, CG-3301B, is a valid modification to an enlistment contract, and reflects a commitment by both the Government and the member.

1. An extension of enlistment may not be canceled after it begins to run, either for the convenience of the Government or the person concerned.
2. An appropriate authority may cancel an Agreement to Extend Enlistment at any time before the extension begins to run if any of these situations applies.
   a. The commanding officer shall cancel an Agreement to Extend Enlistment in the following cases:
      (1) The service member is absent over or without leave on the date the original enlistment term expires, unless the commanding officer believes the member absented him- or herself to cancel the agreement to extend.
      (2) Before closing the Personnel Data Record on desertion, if it occurs before the date the extension begins to run.
      (3) When the commanding officer receives orders to discharge the member before the date the extension begins to run.
      (4) When an individual's performance of duty or conduct is unsatisfactory and the commanding officer believes the member is not suitable to retain in the Service. Enter the facts in full on Administrative Remarks, CG-3307.

(5) An Agreement to Extend Enlistment for a first term member who is not selected by CFTRR for reenlistment or retraining may be canceled and the member separated at the normal expiration of enlistment. If Service needs dictate, the member must serve any remaining obligated service.

b. The commanding officer may cancel an Agreement to Extend Enlistment on the effective extension date when the individual concerned has reenlisted or extended on that date for any authorized enlistment term longer than the original extension agreement. Additionally, extensions may be canceled when a member agreed to extend to attend a resident school but is dropped from the course for academic reasons. However, do not cancel extensions to attend resident schools if the individual is dropped from the course due to misconduct, failure to apply him- or herself to the course of instruction, or voluntary withdrawal (except as noted in ☞ Article 1.G.**20.3.**b.). Extensions of two years or less for a member to receive PCS orders, attend training, or obligate for advancement may be canceled before their operative date for immediate reenlistment or longer extension without any loss of Selective Reenlistment Bonus eligibility.

3. The commanding officer shall forward to Commander, (CGPC-epm) for decision, individual requests for cancellation of an Agreement to Extend Enlistment with a full report of the circumstances and their recommendation when:

   a. An individual requests cancellation because he or she failed to receive the full benefits for which the agreement to extend was executed through no fault of his or her own.

   b. The member voluntarily withdraws from a resident school because of a documented personal hardship beyond his or her control.

   c. In all cases of cancellation of an extension agreement, note the date and reason for cancellation on the original CG-3301B. Note and distribute in accordance with the SDA User/Query Manual, **HRSICINST** M5230.1. Retain a copy showing the cancellation in the Personnel Data Record.

4. The provisions of this article apply only to active duty Coast Guard members.

5. For reservists on inactive duty, district commanders are authorized to cancel agreements to extend enlistments:

   a. On the effective date of the extension when the individual concerned has reenlisted on that date for any authorized period of enlistment, but not less than the term of the extension agreement.

   b. When he or she received orders from higher authority to discharge the reservist before the effective extension date.

6. In all cases of cancellation of an extension agreement for a reservist on inactive duty, note the date and reason for cancellation on the original form CG-3301B. Note and distribute in accordance with the SDA User/Query Manual, **HRSICINST** M5230.1. Retain a copy showing the cancellation in the Personnel Data Record.

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1.H. Appointing Regular Coast Guard or Navy Officers to the Coast Guard Reserve

1.H.1. General

Under regulations prescribed by the Secretary, a former commissioned officer of the Coast Guard or Navy may, if otherwise qualified, be appointed as a Reserve officer of the Coast Guard. (10 USC 12206)

1.H.2 Application Procedures

1.H.2.a. Who May Apply

1. Former officers of the Coast Guard or Navy who are within **one** year of the effective date of resignation of their commission or discharge **(14 USC 744).** If more **than one year** has passed since the effective date of resignation or discharge then ☞ Article 1.C. provisions apply.

2. Coast Guard officers who submit an unqualified resignation in accordance with ☞ Article 12-A-6.

3. **Regular** officers who have been twice **non-selected** on the active duty promotion list (ADPL), who are not retirement eligible, and are scheduled for discharge.

1.H.2.b. Application Procedures

1. Qualified applicants shall write a letter to Commander, Coast Guard Personnel Command (CGPC-rpm) requesting a Reserve commission.

2. Coast Guard officers who resign their active duty commission via letter may request a Reserve commission within the text of their resignation letter. Copy CGPC-rpm on the letter.

1.H.2.c. Selections

1. Requests for Reserve commissions under this program shall be considered by a panel convened at CGPC-rpm. This panel meets approximately 4 times a year, as needed.

2. The panel will review each applicant's entire Personnel Data Record (PDR) and may:

   (a) approve the request;

(b) conditionally approve the request, offering a Reserve commission at the same grade held while a member of the Regular Coast Guard or Navy, but assigned a different date of rank;

(c) conditionally approve the request, offering a Reserve commission, but at a lower grade than previously held, or;

(d) disapprove the request.

1.H.2.d. Date of Rank Determination

1. If applicant is approved with an appointment to the same grade, the date of rank shall remain the same if the applicant resigned their commission from active duty.

2. If applicant, who has multiple **non-selections** on the ADPL and **is** discharged from active duty, is approved with an appointment to the same grade, the date of rank shall be the date the applicant signs their oath for a Reserve commission.

3. If applicant is approved with appointment to a lower grade, the date of rank will normally be equal to that of the senior most officer on the Inactive Duty Promotion List in that grade who has not yet been considered for promotion to the next higher grade.

1.H.3 Appeal Procedures

Appeals may be made to Commander, Coast Guard Personnel Command (CGPC-rpm) only in cases where a commission is offered at a lower grade than previously held.

1. The individual may request that CGPC-rpm review the grade determination being offered.

2. Such appeal shall be:

   (a) in writing;

   (b) via the officer's chain of command (if applicable), and;

   (c) initiated within 15 days of receipt of the letter offering a commission at the lower grade.

3. The appeal shall be based on additional information that is a matter of record but was not available to the panel making the original determination. Mere disagreement is not sufficient justification for appeal.

4. The appeal shall include a statement as to whether or not the officer will accept the original determination, should it be confirmed upon review.

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2.A Commissioned and Chief Warrant Officers

2.A.1. Grades of officers

The grades of officers of the Coast Guard in order of seniority, with abbreviations and pay grades, are listed in the following table:

Grade	Abbreviation	Pay Grade
Admiral	ADM	O-10
Vice Admiral	VADM	O-9
Rear Admiral	RADM	O-8
Rear Admiral (Lower Half)	RADM	O-7
Captain	CAPT	O-6
Commander	CDR	O-5
Lieutenant Commander	LCDR	O-4
Lieutenant	LT	O-3
Lieutenant (Junior Grade)	LTJG	O-2
Ensign	ENS	O-1
Chief Warrant Officer	CWO4, CWO3, CWO2	W-4, W-3, W-2
Cadet	CDT	

The titles of the specialties of chief warrant officers are as follows:

Specialty Name	Abbreviation
Boatswain	BOSN
Weapons	WEPS
Communications	COMM
Electronics	ELC
Naval Engineering	ENG
Aviation Engineering	AVI
Material Maintenance	MAT
Personnel Administration	PERS
Public Information	INF
Finance & Supply	F&S
Medical Administration	MED
Bandmaster	BNDM
Port Safety and Security (Reserve only)	PSS

2.A.2. Manner of Addressing Officers

2.A.2.a. Commissioned Officers

Commissioned officers shall be designated and addressed in official communications by the title of their grades. In oral communication, commissioned officers below the grade of commander may be addressed as "Mister," "Mrs.," "Miss," or "Ms," as appropriate. Medical officers in the grade of captain and below may be addressed as "Doctor."

2.A.2.b. Chief Warrant Officers

Chief warrant officers shall be addressed by the title of their grades. The abbreviations CWO2, CWO3, and CWO4 shall be used in written form. The specialty name or abbreviation will not be used except when it is necessary to state the chief warrant officer's specialty. In oral communication, chief warrant officers may be addressed as "Mister," "Mrs," "Miss," or "Ms," as appropriate.

2.A.3. Active Duty Promotion List and Lineal List

2.A.3.a. Active Duty Promotion List

Commander, Coast Guard Personnel Command maintains a single active duty promotion list (ADPL) of officers of the Coast Guard on active duty in the grades of ensign and above in accordance with article 5.A.2 in the order of precedence as outlined in this section.

2.A.3.b. Lineal List

Commander, Coast Guard Personnel Command maintains a lineal list of chief warrant officers in the order of precedence as outlined in this section.

2.A.4. Date of Rank

2.A.4.a. Appointment

Upon original appointment in the Coast Guard, the date of rank of a commissioned officer or chief warrant officer shall be the date specified in the appointment letter, or, if there be no specified date, then the date the oath of office is taken.

2.A.4.b. Promotion

1. Upon promotion of a commissioned officer above the grade of ensign, the date of rank will be the date of appointment to that grade, except that the date of rank of an active duty officer not on the ADPL shall be the date of rank of his/her running mate.

2. Upon promotion of chief warrant officers the date of rank will be as specified in section 5.B.

2.A.5 Commencement of Pay and Allowances

Pay and allowances for an original appointment or for a promotion appointment shall accrue from the effective date specified in the appointment letter, but not before the date the oath of office is administered for an original appointment.

2.A.6. Precedence of Coast Guard Commissioned Officers in the Grade of Ensign or Above

2.A.6.a. Seniority by Grade

Commissioned officers in the grade of ensign or above shall take precedence on the active duty promotion list in order of seniority of the grades in which appointed.

2.A.6.b. Seniority by Date of Rank

Officers serving in the same grade shall take precedence in the order of their date of rank in that grade, except for officers who have lost numbers in grade.

2.A.6.c. Seniority as Listed on the Active Duty Promotion List

Officers serving in the same grade with the same date of rank shall take precedence among themselves as they are listed on the active duty promotion list and as Commander, Coast Guard Personnel Command shall determine in this section.

2.A.6.d. Precedence with Running Mate

Active duty officers not on the active duty promotion list and "extra number" officers under 14 U.S.C. 432 and 433 shall take precedence with, but after their running mates. Officers in this category with the same running mate shall take precedence with each other in the order determined by Commander, Coast Guard Personnel Command.

2.A.6.e. Precedence on the Active Duty Promotion List

Officers appointed in the same grade with the same date of rank shall take precedence on the active duty promotion list in the following order:

1. Officers promoted from the next lower grade shall take precedence with each other in the order their names are listed on the active duty promotion list in the lower

grade giving due consideration to the change in precedence which takes place upon the promotion of deep selected officers, officers once passed over, and officers completing a service requirement for promotion.

2. Graduates of the Coast Guard Academy appointed as Regular officers shall take precedence with each other in the order of their class standing upon graduation. (14 U.S.C. 185)

3. Graduates of the Coast Guard Academy appointed as Reserve officers shall take precedence with each other in the order of their class standing upon graduation.

4. Licensed officers of the U. S. Merchant Marine appointed as Regular officers under 14 U.S.C. 211 (PL 80-219) shall take precedence with each other in the order recommended by the Permanent Examining Board as approved by Commander, Coast Guard Personnel Command.

5. Enlisted members or warrant officers appointed as temporary Regular officers shall take precedence with each other as follows:

   a. Warrant officers - In the order their names are listed on the lineal list for their permanent status.

   b. Enlisted members - If graduates of Officer Candidate School, before enlisted appointees who are not Officer Candidate School graduates and in the order of their class standing on graduation; if not graduates of Officer Candidate School, in the order of precedence of the rating and time in grade of their permanent status as set forth in section 2.B.

6. Graduates of Officer Candidate School and the Aviation Cadet Program appointed as Reserve officers shall take precedence with each other in the order of their class standing upon graduation.

7. Direct commission officers appointed in the Reserve shall take precedence with each other in the order recommended by the Permanent Examining Board as approved by Commander, Coast Guard Personnel Command.

2.A.7. Precedence of Chief Warrant Officers of the Coast Guard

2.A.7.a. Seniority of Chief Warrant Officers

Chief warrant officers shall take precedence with each other in the order of seniority of the grades in which appointed.

2.A.7.b. Precedence by Date of Rank

Chief warrant officers serving in the same grade shall take precedence in the order of their date of rank in that grade.

2.A.7.c. Precedence as Listed on the Lineal List

Chief warrant officers serving in the same grade with the same date of rank shall take precedence among themselves as they are listed on the lineal list.

2.A.7.d. Precedence Within the Same Grade

Chief warrant officers appointed in the same grade with the same date of rank shall take precedence among themselves in the following order:

1. Appointees promoted from the next lower grade shall take precedence with each other in the order their names are listed on the lineal list.

2. Appointees receiving an original appointment shall take precedence with each other in the order of the seniority of their specialty as listed in article 2.A.1. Appointees in the same specialty shall take precedence with each other in the order recommended by the Warrant Officer Selection Board.

2.A.7.e. Retired Recalled Chief Warrant Officer

A retired-recalled chief warrant officer shall take precedence with, but after his/her running mate.

2.A.8. Precedence with Relation to Officers of Other Services

2.A.8.a. Rank of Commissioned Officers between Services

The commissioned officers of the Coast Guard rank as follows: admirals with admirals in the Navy and generals in the Army, Air Force, and Marine Corps; vice admirals with vice admirals in the Navy and lieutenant generals in the Army, Air Force, and Marine Corps; rear admirals of the upper half with rear admirals of the upper half in the Navy and major generals in the Army, Air Force, and Marine Corps; rear admirals of the lower half with rear admirals of the lower half in the Navy and brigadier generals in the Army, Air Force, and Marine Corps; captains with captains in the Navy and colonels in the Army, Air Force, and Marine Corps; commanders with commanders in the Navy and lieutenant colonels in the Army, Air Force, and Marine Corps; lieutenant commanders with lieutenant commanders in the Navy and majors in the Army, Air Force, and Marine Corps; lieutenants with lieutenants in the Navy and captains in the Army, Air Force, and

Marine Corps; lieutenants (junior grade) with lieutenants (junior grade) in the Navy and first lieutenants in the Army, Air Force, and Marine Corps; ensigns with ensigns in the Navy and second lieutenants in the Army, Air Force, and Marine Corps.

2.A.8.b. Precedence between Services

The precedence of officers of the Coast Guard, Army, Navy, Air Force, Marine Corps, and Public Health Service, when serving together, shall be:

1. In accordance with their relative grade.

2. In accordance with their dates of rank when of the same relative grade.

3. In accordance with the time each has served on active duty as a commissioned officer of the United States when of the same relative grade with the same date of rank.

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2.B Enlisted Personnel

2.B.1 Definitions

2.B.1.a. Groups

A group is a broad classification of occupationally related ratings and rates.

2.B.1.b. Ratings

A rating is a name given to an occupation which requires basically related aptitudes, training experience, knowledge, and skills. Thus, the rating of yeoman comprises clerical and verbal aptitudes; filing, typing, and stenographic skills; and a knowledge of correspondence, reports, forms, and procedures. For pay purposes, a rating is composed of six pay grades - master chief; senior chief; chief; first class; second class; and third class. Personnel in pay grades E-3, E-2, and E-1 are not to be considered as possessing ratings, since the occupational content is either too broad in scope or too limited in technical content and responsibility.

2.B.1.c. Rates

A rate identifies personnel occupationally by pay grade. Within a rating, a rate reflects levels of aptitude training, experience, knowledge, skills, and responsibility. Thus, the rating of boatswain's mate is reducible to the rates - master chief boatswain's mate; senior chief boatswain's mate; chief boatswain's mate; boatswain's mate, first class; boatswain's mate, second class; and boatswain's mate, third class. In addition, pay grade E-3, E-2, and E-1, such as seaman and fireman apprentice are rates.

2.B.2 Pay grades and titles

The enlisted pay grades with their general titles and abbreviations are listed below in order of precedence. The specific rating title or rating abbreviation may be substituted for the words "petty officer" or letters "PO" in each case except when using the abbreviation for a pay grade E-7 through E-9 (other than the Master Chief Petty Officer of the Coast Guard), in which case the rating abbreviation shall precede the abbreviation for chief petty officer, "C," which shall precede the "S" for senior or "M" for master. Examples are: master chief boatswain's mate (BMCM) and boatswain's mate, second class (BM2).

Pay Grade	General Title	Abbreviation
E-10	Master Chief Petty Officer of the Coast Guard	MCPOCG
E-9	Master chief petty officer	MCPO
E-8	Senior chief petty officer	SCPO
E-7	Chief petty officer	CPO
E-6	Petty officer, first class	PO-1
E-5	Petty officer, second class	PO-2
E-4	Petty officer, third class	PO-3
E-3	General apprenticeship	SN/FN
E-2	General apprenticeship, apprentice	SA/FA
E-1	General apprenticeship, recruit	SR

2.B.3 Precedence

Unless otherwise directed by competent authority, enlisted personnel shall take precedence in accordance with the rules prescribed herein.

1. The Master Chief Petty Officer of the Coast Guard shall take precedence over all other enlisted members in the Coast Guard.

2. Among enlisted members present and regularly assigned to the same activity, or among the enlisted members present in any gathering, the member with the longest period of continuous service in the highest pay grade shall take the highest precedence and be considered the senior member, regardless of rating.

3. When two or more members are in the same pay grade and have the same amount of continuous service in that pay grade, the member with the longest period of time in the next lower pay grade shall take the highest precedence; when the amount of continuous service is the same in the next lower pay grade, apply the criterion that the member who served the longest period of time in each of the successively lower pay grades shall take the highest precedence.

4. Precedence shall not be observed in such a manner as to interfere with the responsibility for, or the performance of, assigned duties or duties of a rating by any member.

5. Authority or privilege shall not accrue to an enlisted member solely by reason of precedence; except that in an emergency, a prisoner of war situation, or a situation requiring action in the best interest of the Coast Guard, when no commissioned officer able to assume command is present, the enlisted member taking the highest precedence shall exercise authority over all enlisted members present.

2.B.4 Manner of Addressing Enlisted Personnel

2.B.4.a. Correspondence

Enlisted personnel shall be addressed in correspondence as outlined in the Coast Guard Correspondence Manual, COMDTINST M5216.4 (series).

2.B.4.b Personnel Records

On all Personnel Data Records and health, and pay records, etc., rates may be written out or abbreviated, as appropriate. Where applicable, designators are added as follows: SNBM, FNEM.

2.B.4.c. Awards and Certificates

As a general rule the member's rate will be written out in full on all certificates and awards.

2.B.4.d. Oral Communication

In oral communication enlisted personnel will be addressed as follows:

1. Formal.

   a. E-7 through E-9. "Chief Petty Officer (last name)," with "Master" or "Senior" prefixed when appropriate.

   b. E-4 through E-6. "Petty Officer (last name)."

   c. E-1 through E-3. "Seaman (last name)," with "Fireman," "Airman," etc., substituted as appropriate.

2. Informal.

   a. E-7 through E-9. "Chief (last name)," with "Master" or "Senior" prefixed when appropriate.

   b. E-4 through E-6. "Petty Officer (last name)."

   c. E-1 through E-3. For everyday "on the job" situations, last name only.

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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.B.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.15. 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

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4.A. Assignment Policies for all Members

4.A.1. General

4.A.1.a. Objective

Coast Guard personnel administration aims to supply authorized numbers of qualified, versatile personnel who can efficiently perform the Coast Guard's varied duties and who, through broad experience, are prepared to assume duties of greater responsibility and authority. To develop the experience and background required to meet this objective, members rotate in assignments within and between Service activities. In managing the Coast Guard's members, personnel administration follows these basic assumptions.

1. In distributing and assigning members, Service needs come first.

2. The fact an enlisted person holds a specific rate means he or she is fully qualified to perform its duties.

3. The billet structure the Commandant authorizes for a specific unit is adequate to execute its mission satisfactorily.

4.A.1.b. Distributing Personnel

1. The Coast Guard Personnel Command (CGPC) fills authorized allowances by providing personnel capable of performing all necessary tasks so the Coast Guard can properly carry out its mission. To accomplish this task the CGPC exercises directing, guiding, and restraining authority over enlisted and officer assignments.

2. The distribution organization furnishes members to all units equitably by grades, rates, ratings, and total numbers to fulfill authorized allowances. The Commandant's policy is to withhold personnel assignments to units which have no authorized allowance for them.

3. Except under extremely unusual circumstances Commander, (CGPC) does not order members to a unit in anticipation of the issuance of billets. Although the Service may have received Congressional authorization to establish additional billets, the Coast Guard may change priorities or implement new programs which require reallocating those billets before the unit for which they were originally scheduled can issue them.

4. Adding new billets or reprogramming existing billets is a lengthy process. District commanders, commanders of maintenance and logistics commands, and commanding officers expect the CGPC to order members to fill the billets without delay. In most cases,it takes three to six months from when a new billet is issued or reprogrammed until an individual reports for duty. However, if a billet requires extensive training or an incumbent remains in a reprogrammed billet, several additional months may elapse before a qualified person can fill the billet. Additional factors such as the ability to recruit, appoint and train individuals and budgetary constraints may require delaying assignment to the new or reprogrammed billet to a future transfer year. This delay also ensures all who may want to compete for that billet have an equitable opportunity to do so.
5. Commander, CGPC assigns and transfers all non-rated members to units throughout the Coast Guard as required to fill overall allowances. ☛ Chapter 4.D.
6. In emergencies, commanding officers of groups, sections, and administrative units may authorize the temporary distribution and transfer of non-rated members for periods of up to 30 days without notifying Commander, (CGPC-epm). If the period will exceed 30 days, units may transfer personnel to mitigate the emergency and notify Commander, (CGPC-epm) as soon after as practical.
7. CGPC considers Reserve personnel on active duty (other than active duty for training) the same as Regular personnel for assignment purposes.

4.A.2. Order Issuing Authority

Command or Officer(s)	Transfer Authority
Commander, (CGPC)	May transfer personnel at any time based on Service need.
District Commanders and Commanders of Maintenance and Logistics Commands	1. Enlisted personnel for discharge in accordance with ☛ Chapter 12.B. 2. Enlisted personnel to home on transfer to the Reserve or release from active duty. 3. May redelegate their transfer authority to section or group commanders and commanding officers. Because centralized transfer authority is desirable; may redelegate only to the extent necessary to administer personnel efficiently.
Headquarters Units Area Commanders Superintendent, Academy Commanding Officer, Reserve Training Center Yorktown Commanding Officer, Aviation Training Center Mobile Commanding Officer, Training Center Cape May Commanding Officer, Training Center Petaluma	May transfer enlisted members to their home of record or place from which ordered to active duty when they transfer to the Reserve or are released from active duty. When a physical evaluation board finds an enlisted member unfit to perform the duties

Commanding Officer, Institute Commanding Officer, Yard Commanding Officer, Aircraft Repair and Supply Center Commanding Officer, Electronics Engineering Center Commanding Officer, Supply Center Commanding Officer, Research and Development Center Commanding Officer, Air Station Washington Commanding Officer, Telecommunication & Information Systems Command Commanding Officer, Coast Guard Headquarters Commanding Officer, Aviation Technical Training Center Commanding Officer, Facilities Design and Construction Centers Commanding Officer, Navigation Center Commanding Officer, **Human Resources Service and Information Center**	of his or her rating, at the discretion of the board's convening authority, the member may be transferred to his or her home or place accepted for enlistment, but not beyond the CONUS, to await further disability retirement or separation orders. Since a member signs separation documents before departing on orders placing him or her in an "awaiting orders" status, his or her personnel records remain at the current reporting unit until the Commandant directs the member's final disposition. ☞ Physical Disability Evaluation System, COMDTINST M1850.2 (series).

4.A.3. Transfer Orders

4.A.3.a. General

Transfer orders are not travel orders. They constitute the basic authority to issue travel orders.

4.A.3.b. Transfer Orders Issued by Coast Guard Personnel Command

1. Officers. Commander, (CGPC-opm-2) issues permanent change of station (PCS) transfer orders **through the Coast Guard Human Resources management System (CGHRMS)**. Travel orders are normally issued as set forth in ☞ Article 4.G.20. Transfer orders directing temporary additional duty (TAD) may be issued in letter or message form.
2. Enlisted Personnel. Commander, (CGPC-epm-2) issues PCS transfer orders **through the Coast Guard Human Resources management System (CGHRMS)**.

4.A.3.c. Action on Receiving Transfer Orders

When a command receives orders to transfer enlisted members, the officer issuing travel orders complies with ☞ Article 4.B.2. and immediately screens the member for reassignment eligibility according to ☞ Article 4.B.1.d.

4.A.3.d. Signatures

Officers authorized in ☞ Article 4.A.2. to transfer members and staff or subordinate officers designated in writing to sign transfer orders originating within the command sign transfer orders. Only ETO's issued by CGPC-epm-2 may carry a facsimile signature. Otherwise, facsimile signatures on travel or transfer orders are not authorized.

4.A.4. Using Abbreviations in Messages about Transferring Coast Guard Members

The ☞ Personnel and Pay Procedures Manual, **HRSICINST** M1000.2 (series) contains a list of approved abbreviated equivalents for certain phrases, sentences, or groups of sentences employed in transfer orders. Commands authorized to issue them should use these and any other abbreviations to the maximum extent possible provided the document retains clarity, an overriding consideration.

4.A.5. Tour Lengths

4.A.5.a. Officers

Tour lengths for officers are listed below. They represent assignment goals which Commander, (CGPC-opm) strives to attain in managing the officer corps. It is not realistic to expect every member will experience these tour lengths with each assignment since CGPC-opm has the authority to adjust individual tour lengths to meet Service needs. While CGPC-opm is responsible for balancing these needs with those of the member, the personnel system's dynamic nature sometimes precludes completing a tour of duty as described below. An individual officer's orders prescribe his or her tour length. CGPC-opm considers extending or reducing tour lengths for officers in billets individually, consistent with Service needs.

1. Afloat (CONUS AND OUTCONUS): Two or three years as follows.

	Two-year tours	Cutters, LEDETs, USN Exchange, SDQ Western Hemisphere Group, UNITAS, and CWO WPB CO
	Three-year tours	WLB CO; WTGB CO; **WIX CO**; WMEC EO; WAGB AEO; and all other CWO's afloat.

2. Ashore (CONUS): Four years except:

a.	**Aviation Units**:	
	Three-year tours	O-6 COs; CO AIRSTA Washington; precommand OPS, EO, and XO; and POPDIV Branch Chief.
	Two-year tours	O-5 COs and POPDIV duty.

b.	**Marine Safety Units (MSO, MIO, and MSD):**	
	Three-year tours	CO and XO; Strike Team Duty, and MSDs.
	Two-year tours	CVS Training (O-1, O-2, and CWO).

c. **Headquarters, Area, MLC, and District**:		
	Three-year tours	CO, XO, and OPS; VTS duty; ICC; TACLET; ITD; Training Teams; Non-PHS O-1s and above at Groups; CG Academy Cadet Branch Chief and Company Officers; OCS Staff; CGPC Division Chiefs; CGPC-opm staff; CGPC-epm Branch Chief; Assignment Officers, and CAC Coordinators; O-2s, and OPBAT.
	Two-year tours	CG Academy Assistant Superintendent
	18-month tours	First tour OCS O-1s and O-2s in staff jobs to rotate to an operational unit, as desired, during the normal summer rotation period.

d. **Headquarters, Area, MLC, and District staffs**		
	Three-year tours	G-CPA staff; G-CC staff; Chief Trial Judge (G-L-4); and Chief, G-CBU-2, O-2s (unless on post graduate/advanced training payback when it will be a four-year tour).
	Two-year tours	Area or district Chiefs of Staff, and Area or district Chiefs of Operations; MLC Deputy Commanders; Ethnic and Gender Policy Adviser, Executive Assistants to G-C, G-M, G-O, G-S, G-W; G-CC, G-CP, G-CQ, G-CX, G-CPA, G-CBU, G-MO, G-OP, G-OC, G-SL, G-SC, G-SE, **G-H**, and G-WR; Deputies to G-CCS, G-CI, G-A, G-H, G-WK, and G-WT.
	18-month tours	First tour OCS O-1s and O-2s to rotate to an operational unit, as desired, during the normal summer rotation period.

e. **Medical**. Five-year tours: PHS CONUS clinical.

3. Duty outside a Coast Guard unit or staff (except as previously noted): Two years except:

	5 years	Astronaut program.
	4 years	CG Motion Picture and TV Liaison.
	3 years	Navy Flight School instructor; CG Liaison Officer - White House Communications Agency; CG Liaison Officer - Office of Secretary of Transportation (M-30).
	DUINS	As noted in transfer orders.

4. Involuntary extension of tour lengths. Assignment tour lengths may be involuntarily extended if dictated by the needs of the Service. This policy applies only to those members who are currently serving INCONUS ashore and are candidates for another INCONUS ashore assignment. Commander, (CGPC-opm) is the approval authority for officers.

5. Unless assigned to a corresponding CONUS billet as listed above, the following tour lengths (in years) apply:

OUTCONUS ASHORE TOUR LENGTHS FOR OFFICERS

LOCATION	WITH DEPENDENTS	WITHOUT DEPENDENTS (1)
Alaska (Anchorage and Juneau)	4	4
Kenai	3	3
Sitka and Kodiak (non-ALPAT)	3	2
Kodiak (HH65 ALPAT)	2	2
All other locations	3	3
Bahamas	3	3
Guam	2	2
Hawaii		
Oahu	4	4
All other locations	3	3
Puerto Rico	3	2
Virgin Islands	2	2
Singapore and Japan	3	2

Note 1: The term "Without Dependents" applies to single members only. Members choosing to accept overseas orders without moving their dependents will complete an accompanied tour length.

4.A.5.b. Enlisted Personnel

1. The tour lengths which follow are targets, or goals, which can be met only under ideal conditions. Because it is necessary to transfer many members in certain arduous duty billets; e.g., LORAN stations, sea duty, etc., at the one, two, or three year points, it is difficult to ensure the completion of tours for members serving in non-arduous duty, which are three and four year assignments. The average of all stated tours contained herein is over three years. Because of the dynamic nature of the personnel system, taking into account separations, retirements, officer accessions, organizational change, and other Service requirements, the completion of any tour of duty as described may be precluded.

2. Members on their original enlistment will normally not be transferred from their first permanent duty station regardless of tour length unless:

   a. The member has been assigned to a ship for two years; advanced to E-5; a minimum of one year remaining on active duty (upon assigned arrival date); and the assignment is recommended by the commanding officer, or

   b. The member's assignment is necessary to fill independent duty billets or other urgent Service needs.

3. Commander (CGPC-epm) may grant extensions of **up to one full tour length**, within the needs of the service, to rated enlisted members who request to extend their tour length after completing a normal tour at their current operating facility (OPFAC). Members must compete for tour extensions based on their assignment priority. Commander (CGPC-epm) may grant a second extension provided no other members request assignment to the same billet code number (BCN).

4. Involuntary extension of tour lengths. Assignment tour lengths may be involuntarily extended if dictated by the needs of the Service. This policy applies only to those members who are currently serving INCONUS ashore and are candidates for another INCONUS ashore assignment. Commander (CGPC-epm) is the approval authority for enlisted members.

5. A back-to-back tour is a full tour of duty at the same OPFAC. Commander (CGPC-epm) normally disapproves back-to-back tours of duty since they prevent other deserving members from competing for assignments. However, CGPC-epm may consider approving a back-to-back tour if an incumbent is the only member requesting a billet which traditionally has been difficult to fill.

6. Nonrated enlisted personnel. If at tour completion an individual appears to be within twelve months of striker designation or orders to “A” school, the tour length may be extended until the member is designated or departs to class “A” school. These extensions will minimize disruption to members and their families surrounding PCS moves.

7. Overseas Elective Tour Lengths. Members ordered to overseas commands may request a one year increase to the established overseas tour length (Contained in the tour lengths for enlisted personnel tables) as follows:

   a. Prior to assignment overseas. During initial assignment negotiations, CGPC assignment officers will provide members the option of electing a 1-year increase in tour length prior to PCS.

   b. After assignment overseas. Members who do not elect a 1-year increase in tour length prior to departing PCS overseas, may request it within the first 12 months after reporting to the overseas command by submitting an Assignment Data Card (ADC), with endorsement, to CGPC. For example, a member who reports on 1 October 1999 must submit an ADC requesting the increase no later than 1 October 2000.

   c. Members who elect a 1-year increase prior to departing PCS or within the first 12 months after reporting will not be allowed to change that election, unless service needs dictate otherwise.

   d. Members desiring to increase their tour length at the overseas command, who do not elect a 1-year increase prior to departing PCS or within the first 12 months after reporting, must compete in the normal assignment process for tour extensions.

TOUR LENGTHS FOR ENLISTED PERSONNEL

CONUS ASHORE	WITH AND WITHOUT DEPENDENTS (NOTE 1)			
	E-1 thru E-4	E-5	E-6	E-7,E-8,E-9
Executive Petty Officer (XPO) CG Liaisons FTG & ATG Little Creek Mayport Pearl Harbor San Diego	3/3 (All grades E-1 through E-9)			
LORAN Stations	3/3	3/3	4/4	4/4
MEPS	3/3 (All grades E-4 through E-9)			
NSF & Strike Teams	3/3	3/3	4/4	4/4
Recruit Regimental Duty TACLET, LEDET, HITRON-10 & ITD TRATEAMS (PAC & LANT) Norwegian Crewed Boats	3/3 (All grades E-1 through E-9)			
FT, GM, & RD Ratings	3/3	3/3	4/4	4/4
FS Ratings	3/3	3/3	3/3	4/4
All Others	4/4 (All grades E-1 through E-9)			
CONUS SEMI-ISOLATED	**WITH AND WITHOUT DEPENDENTS (NOTE 1)**			
	E-1 thru E-4	**E-5**	**E-6**	**E-7,E-8,E-9**
ANT Morgan City ANT Cape Hatteras ANT Port Mansfield ANT & STA Port O'Connor	3/3 (All grades E-1 through E-9)			
ANT & STA Venice	3/3 (All grades E-1 through E-9)			
AUXOP STA Apena AUXOP STA Sodus Group Cape Hatteras	3/3 (All grades E-1 through E-9)			
Light Station Boston	2/2 (All grades E-1 through E-9)			
LORSTA Malone LORSTA Nantucket **(Note 6)** LORSTA Raymondville MSO Morgan City **Station Bayfield (Note 6)** Station Brant Point **(Note 6)** Station Grand Isle Station Hatteras Inlet Station Neah Bay (Note 6) Station Ocracoke Station Parramore Beach **Station Portage (Note 6)** Station Port Aranses Station Port Isabel Station Quillayute River (Note 6)	3/3 (All grades E-1 through E-9)			

OUTCONUS ASHORE	WITH AND WITHOUT DEPENDENTS (NOTE 1)			
	E-1 thru E-4	E-5	E-6	E-7,E-8,E-9
Alaska				
Anchorage & Juneau	4/4	4/4	4/4	4/4
Kenai	4/3	4/3	4/4	4/4
AIRSTA Kodiak	3/2	3/2	3/3	3/3
HH65 ALPAT				
AIRSTA DET Cordova	3/2	3/2	3/3	3/3
LORSTA Shoal Cove	2/1.5	2/1.5	2/1.5	2/1.5
LORSTA Tok	2/2	2/2	2/2	2/2
Isolated LORSTA'S	X/1	X/1	X/1	X/1
MSD Dutch Harbor	X/1	X/1	X/1	X/1
All Other Locations	3/2	3/2	3/3	3/3
Bahamas	2/2 (All grades E-1 through E-9)			
Cuba (GTMO)	2/2 (All grades E-1 through E-9)			
Europe	3/3 (All grades E-1 through E-9)			
Guam	2/2 (All grades E-1 through E-9)			
Hawaii				
Oahu	4/4	4/4	4/4	4/4
All Other Locations	3/3	3/3	3/3	3/3
Puerto Rico	3/2 (All grades E-1 through E-9)			
Samoa	2/2 (All grades E-1 through E-9)			
U.S. Virgin Islands (3)	2/1.5 (All grades E-1 through E-9)			

CONUS AFLOAT	WITH AND WITHOUT DEPENDENTS (NOTE 1)			
	E-1 thru E-4	E-5	E-6	E-7,E-8,E-9
WPB'S	2/2 (All grades E-1 through E-9)			
WLR	3/3	3/3	3/3	4/4 (OINC only)
All Others	3/3 (All grades E-1 through E-9)			

OUTCONUS AFLOAT (4)	WITH AND WITHOUT DEPENDENTS (NOTE 1)			
	E-1 thru E-4	E-5	E-6	E-7,E-8,E-9
Alaska:				
WPB'S (2)	2/2	2/2	2/2	2/2
Others (2)	3/2	3/2	3/3	3/3
Guam (2)	2/2 (All grades E-1 through E-9)			
Hawaii (2)	3/3 (All grades E-1 through E-9)			
Puerto Rico (3)	2/2 (All grades E-1 through E-9)			

DESIGNATED SURF UNIT	SURFMAN/TRAINEE (NOTE 5)			
	E-4	E-5	E-6	E-7,E-8,E-9
STA Merrimac River STA Chatham STA Gloucester STA Fire Island STA Shinnecock STA Jones Beach STA Great Egg STA Barnegat Light	4/6 (All grades E-4 thru E-6)[5]			4
STA Hatteras STA Ocracoke (SM)	3/3 (All grades E-4 thru E-6)[5]			3
STA Oregon Inlet STA Humboldt Bay STA Noyo River STA Golden Gate STA Morro Bay STA Coquille (SM) STA Chetco River STA Depoe Bay (SM) STA Siuslaw (SM) STA Cape Disappointment STA Coos Bay STA Grays Harbor	4/6 (All grades E-4 thru E-6)[5]			4
STA Quillayute River	3/3 (All grades E-4 thru E-6)[5]			3
STA Tillamook Bay STA Umpqua River STA Yaquina Bay NMLBS Cape Disappointment	4/6 (All grades E-4 thru E-6)[5]			4

Note 1: The term “Without Dependents” applies to single members only. Members choosing to accept overseas orders without moving their dependents will complete an accompanied tour length.

Note 2: The normal tour of overseas duty for rated members assigned to ships will be three years, except WPB's which are two years, unless the ship is located in an area where the prescribed tour is less, in which case the lesser tour will apply.

Note 3: Public schools in Port Ponce, Puerto Rico, are unsuitable for students who speak only English. Public schools in the Virgin Islands may be considered by Coast Guard members to be undesirable for dependents. Private schooling is available, but the costs are high and must be borne by the Service member. Members with school-aged dependents who desire assignment to these areas will have an entry placed on their PCS orders (CG-5131) acknowledging the financial and personal hardships that may result if they elect private education for their dependents.

Note 4: For travel entitlements in conjunction with Consecutive Overseas Travel (COT) of duty, refer to the Joint Federal Travel Regulations (JFTR), paragraph U7200.

a. If an advancement creates an over-billet situation, members with one year or more at their present geographic station will be subject to transfer upon acceptance of advancement to pay grades E-7 through E-9. Every effort will be made to minimize the number of transfers upon advancement to E-7 through E-9. Other enlisted members who become excess to unit allowance through advancement may be subject to transfer out of the geographic area after two years on board, or at any time if a billet vacancy exists in the same geographic area. These personnel may be transferred earlier than two years at their request, or if Service needs mandate transfer. Due consideration will be given to special training provided at the unit.

b. Personnel shortages elsewhere may require transfer of personnel prior to completing three years even though not in excess. Every effort will be made to ensure at least two years between transfers and to discuss the situation with the command prior to issuing any orders.

c. Prescribed tours may be extended voluntarily or involuntarily based upon Service needs.

d. Members with less than one year of obligated service remaining on a first enlistment will not normally be eligible for a PCS transfer, with the exception of transferring members from isolated and other OUTCONUS duty to process members for discharge.

e. OUTCONUS. Additional guidance for transfers to and from OUTCONUS can be found in Chapter 4.G of this manual.

Note 5: Tour lengths for Surfman at Designated Surf Stations. Surfmen are assigned to surf stations in either a certified status or a trainee status. The tour lengths for each of these statuses are shows below:

a. Tour lengths for certified Surfmen assigned to designated surf stations are 4-years, with the exception of Station Hatteras Inlet, Station Ocracoke, and Station Quillayute River, which are 3-year tours.

b. Tour lengths for Surfmen trainees will be 2 years as a trainee and 4 years as a Surfman for a total of 6 years with the exception of Station Hatteras Inlet, Station Ocracoke, and Station Quillayute River, which are 3-year tours. Assignment Officers shall indicate on the members orders what status (certified or trainee) the member will be assuming and the member's tour length.

c. Surfmen/trainees will remain for the full tour with the exception of personnel advanced to pay grade E-7 or above. Needs of the Service will determine whether personnel advanced to E-7 or above will complete a full tour.

d. Members assigned as surfmen trainees who do not show satisfactory progress towards qualification will be subject to reassignment.

Note 6: **Screening Process. Members and dependents must be screened to determine their suitability for assignment to these remote locations. Use the command checklist for overseas screening contained in ☞ Article 4.H. to conduct this screening.**

4.A.6. Members' Availability for Unrestricted Assignments

4.A.6.a. Commandant's Policy

It is a long-standing feature of military service and the Commandant's policy that all Coast Guard members be available for unrestricted duty assignment worldwide. To achieve this responsiveness level, each Coast Guard member must make and maintain suitable arrangements to care for dependents. In many cases, a non-military spouse provides adequate care. However, the number of single-parent families and married military couples with dependents is growing.

4.A.6.b. Caring For Dependents

Caring for children or other dependents (e.g., aged parents, invalids) without a spouse's assistance can be a difficult, demanding task. Duty responsibilities can make this task even more difficult for a single member sponsor or military couple. Because many Coast Guard assignments feature unusual or irregular working hours and calls to immediate duty remain an inevitable possibility, members often encounter difficulties in caring for dependents.

4.A.6.c. Fair Implementation

It is manifestly unfair to implement the Commandant's unrestricted duty assignment policy differently among Service members. If for any reason a member is not available for unrestricted assignment for an appreciable period, the usual solution is separation from the Service. When it appears the member can resolve the problem, the Commandant grants a reasonable time for the member to return to availability for full duty through a humanitarian assignment (For enlisted members refer to ☞ Article 4.B.11.)

4.A.6.d. Command Expectations

Sponsors must understand they are responsible for arranging care for their dependents. The Coast Guard has the right to expect sponsors' status will not interfere with performing duty fully. Commanding officers (COs) and officers-in-charge (OICs) should counsel single parents or military couples with dependents who fail to make adequate dependent care arrangements and then request exception from normal job requirements. While COs and OICs should show sympathy and compassion for their members' problems, they also should insist on unrestricted availability for regular duties and watches.

4.A.6.e. Enlisted Members Unavailable for Short Term

When enlisted members are not fully available for duty and cannot locally resolve a problem which appears to be relatively short-term in nature, COs and OICs should advise these members to submit a request for a humanitarian assignment and comply with ☞Article 4.B.11. If no clear prospect exists for unrestricted availability in the near future, the CO or OIC should recommend the member separate under ☞Article 12.D.3.

4.A.6.f. Officers Unavailable for Full Duty

COs should counsel officers not fully available for duty due to inadequate dependent care arrangements as noted above and grant a reasonable time, not to exceed four months, to resolve their difficulties. If the officer cannot resolve the problem locally, he or she should write to Commander, (CGPC-opm) through the chain of command, outlining the circumstances involved and seeking resolution on grounds acceptable to him or her and the Service. Commander, (CGPC-opm) evaluates the merits of each situation individually and directs appropriate action. If the officer continues to be unavailable for unrestricted assignment after taking the recommended steps, Commander, (CGPC-opm) processes the officer for separation under ☞Article 12.A.15.

4.A.6.g. Annual Certification

Single member sponsors and military couples with dependents must **annually certify on Form CG-4170A, in the remarks block, that** they have made adequate, proper dependent care arrangements **and are available for unrestricted worldwide duty**. Not complying with or violating this annual requirement could result in involuntary discharge.

4.A.6.h. Members Who are Human Immunodeficiciency Virus (HIV) Antibody Positive

Members who are HIV antibody positive and demonstrate immunologic deficiency, neurologic involvement, progressive clinical or laboratory

abnormalities associated with HIV, as well as those diagnosed as having AIDS Related Complex or Acquired Immune Disease are disqualified for retention in the Coast Guard. Listed below are procedures to be followed:

1. **Any member who is HIV antibody positive must have an Initial Medical Board, regardless of symptoms or clinical laboratory findings, for appropriate disposition or assignment.**
2. **Members who are HIV antibody positive but asymptomatic are unfit for worldwide deployment. However, those members may receive an assignment from CGPC to remain on active duty in a non-deployable billet. Asymptomatic HIV antibody positive members of the Selected Reserve may receive non-deployable RPAL unit assignments from their servicing ISC(pf). These members will normally be assigned to a unit within 100 miles of a Military Treatment Facility (MTF) capable of providing evaluation, follow-up and treatment services for those infected with the HIV antibody.**

4.A.7. Women's Duty Assignments and Rotations

4.A.7.a. Policy

Commander, CGPC assigns women to any Coast Guard unit having adequate privacy for each gender in berthing and personal hygiene. Accommodations for women assigned to cutters should be essentially the same as those provided men of similar pay grade or rank. Sleeping quarters must be separate, with privacy provided by rigid bulkheads. Privacy in using head facilities must be assured; access to them should not violate sleeping compartment privacy.

1. All units which meet the requirements above are approved for mixed-gender crews.
2. The Service does not require assigning women officers to a unit to assign enlisted women and vice versa.
3. The Service makes every attempt to assign women to units in groups of two or more for medical and companionship reasons; however, the Service will not arbitrarily deny women an assignment solely due to lack of a second woman.

4.A.7.b. Assignments while Pregnant

The Service expects a pregnant member to retain a high degree of commitment to fulfilling full professional responsibilities. To afford the member who gives birth to a child the opportunity to make suitable child care arrangements while continuing to fulfill professional responsibilities, these assignment policies apply.

(2) During pregnancy and for six months after childbirth, the Service defers assigning otherwise eligible pregnant women on CONUS shore duty to shipboard or OUTCONUS assignments, unless they volunteer for earlier rotation to a shipboard or OUTCONUS tour.

2. The Service transfers pregnant women assigned to OUTCONUS locations with inadequate housing and medical facilities to complete their tour at an alternate location where these facilities exist. The pregnant member's commanding officer determines when to transfer her and so recommends to the Commander, CGPC based on the attending medical officer's advice.

3. Pregnant women assigned to OUTCONUS locations where adequate housing and medical facilities are available remain there until they complete their OUTCONUS tour.

4. The Service does not require or permit pregnant women to perform physical duties that could threaten the pregnancy or assign them beyond the availability of medical attention, for example, to aircraft and boat crews or vessel inspection teams.

5. The Service ultimately reassigns women who become pregnant while assigned to shipboard duty to duty ashore. Upon confirmation of pregnancy, the commanding officer of units afloat coordinates with the attending physician to determine when to reassign the pregnant member ashore, at the latest by the 20th week of pregnancy. The member's and potential child's safety is paramount. Commanding officers must consider any possible effect of a cutter's operational schedule on that safety. Commander, CGPC transfer the member to a unit ashore where adequate housing and medical facilities are available.

6. Commander, CGPC reassigns women assigned to shipboard duty whose pregnancy terminates before childbirth when fit for full duty, as berthing becomes available, generally six months after childbirth unless the member volunteers to return earlier.

7. The Service credits women reassigned to shipboard duty with the time served aboard before transfer due to pregnancy and consequently reassigns them afloat only to complete the balance of their prescribed sea tour.

8. Pregnant members who have orders to any school should not fulfill them unless they can complete training before the third trimester. If the training cannot be completed before the third trimester, CGPC holds the orders in abeyance and reissues them for the next available class after child delivery.

9. Before a pregnant member undertakes any government travel, she should obtain written authorization from the attending physician stating that the pregnancy has been uneventful, that no excessive absences are anticipated, and that the travel will not harm the member or child.

4.A.7.c. Tour Lengths

Women can expect normal tour lengths under the provisions of Article 4.A.5.

4.A.8. Policy on Assigning Married Couples

4.A.8.a. General

This assignment policy offers married active duty members the opportunity to collocate or reside jointly whenever possible. Affected couples must realize the Service may not be able to collocate them throughout their military careers and should allow some separation for professional development while meeting Service needs. This article assumes married couples want to live together throughout their Service careers.

4.A.8.b. Reassignment

When reassigned, each member receives all authorized PCS entitlements on two separate orders. The Service does not consider a unilateral assignment for a collocated spouse an option for enlisted members, thereby ensuring full PCS entitlements for each. Consistent with geographic stability objectives, married couples should expect two consecutive tours in the same geographic area if at all possible to align their differing tour lengths. If two consecutive tours are not available, assignment officers adjust one member's tour length if the couple's tour lengths are not of equal duration. In these cases, assignment officers generally try to lengthen the shorter tour by one year. However, they extend arduous duty (afloat, overseas, or isolated) tour lengths only with the member's consent.

4.A.8.c. Types of Units to Which Assigned

The Service does not assign married couples together to the same cutter or a small shore unit of less than 60 members. If a member at such a unit marries another member assigned to the same unit, the Service will reassign one as soon as possible. ☛ Chapter 8.H. contains further guidance.

4.A.8.d. Simultaneous Shipboard Duty

Except for recent Coast Guard Academy graduates, who should expect to complete their first tour afloat, the Coast Guard does not assign members married to Coast Guard members to simultaneous shipboard duty unless they volunteer for it and acknowledge in writing their awareness they potentially may lose BAQ. The Service makes every effort to reassign ashore at the earliest opportunity one member of a recently married couple assigned afloat on different cutters and with dependents, subject to these considerations: the members' desires to remain assigned afloat; on-board relief, if required; and PCS funding constraints. Assignment officers reassign

such members only after consulting with both members and their commanding officer(s).

4.A.8.e. Collocation with Other Armed Services' Members

Assignment officers collocate Coast Guard members married to active duty members of other Armed Services whenever possible, assuming successful coordination with that Service.

4.A.8.f. Overseas Duty

Regardless of the member's pay grade, these policies govern assigning to an overseas tour of duty a married member whose spouse is also a military service member.

1. Both members assigned to the same overseas location serve the accompanied tour when they maintain a joint residence. If they cannot travel together, assignment officers may adjust the tour of duty of the member arriving later at the same overseas location to conclude when the first member's does, providing the member arriving later serves at least the prescribed "Without Dependents" tour.
2. When a member marries another member while in an overseas area, the original tour length remains the same unless both members voluntarily agree to serve a longer tour there so both can depart from that location together.

4.A.8.g. Service Needs

While the Coast Guard attempts to assign affected couples equitably, they must understand assignments ultimately must be made based on Service needs. However, the Service makes every reasonable effort to assign a couple to the same geographic area to permit them to maintain a joint residence. The fact that two enlisted members are married does not alter the assignment priority policy in Article 4.B.4.

4.A.9. Administrative Assignments

4.A.9.a. Purpose

Administrative assignments provide for personnel management, disciplinary, and accounting procedures which remove a member's records from a unit when the command determines a member is absent under conditions which mean his or her return is uncertain. Members not on leave or in some other officially recognized status; e.g., unauthorized absence (UA), should be issued TAD orders in all cases (☛ Exhibit 4.A.1. for text to include in TAD orders). This type of administrative action normally is "after-the-fact" and entails no additional costs other than normal entitlements in accordance with the Joint Federal Travel Regulations. (Note: An administrative assignment is not a means to direct a member's physical movement from one command to another, though the two actions may coincide.)

4.A.9.b. Procedures For Transferring And Receiving Commands

The commanding officer of the transferring command takes these actions.

1. Requests administrative assignment from Commander, (CGPC-epm) or (CGPC-opm) for members who meet one of the following conditions:

   a. The member is undergoing medical or dental treatment at a medical facility away from his or her duty station's vicinity, the facility expects the treatment will exceed 60 days, and the ultimate outcome and disposition are uncertain (medical board required).

   b. The member is temporarily not medically fit for sea duty and requires an ashore assignment until fit for full duty.

   c. The member, under medical board action, is appearing before a physical evaluation board and the treatment or the board's pending findings preclude return to the unit.

   d. The member is at another unit and Commander, CGPC directs separation from active duty, excluding transfer for normal expiration of enlistment or active duty obligation or retirement.

   e. The member is absent, other than on leave or unauthorized absence, when a cutter sails on an extended patrol for more than 45 days.

   f. The member is confined or on disciplinary status as Chapter 8.F. prescribes.

   g. The member is at another command for TAD which is likely to result in an extended period or it is evident the member probably will not return to his or her permanent unit.

2. On receiving authorization from Commander, (CGPC-opm-2) or (CGPC-epm-2) for an administrative assignment, the commanding officers transfer the member's records to the new reporting unit. The authorization from CGPC will specify whether the assignment is PCS or TAD.

3. The commanding officer completes CG-3853, "Personal Effects Inventory and Disposition," as required, and transfers the member's personal effects to the new unit. If the member does not claim his or her personal effects, they should be disposed of as prescribed in Article 11.A.11.

4. Commanding officers of the transferring and receiving units prepare CG-3312D, “Endorsement on Orders,” in accordance with the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series) and provide all the necessary data for personnel accounting transactions. Enter in the "Remarks" block reasons for the administrative assignment, information on disposition of records, estimated duration of absence from duty, and details which have a bearing on the case.

5. When the member can return to full or limited duty, the administrative assignment has served its purpose. Unless previously directed, the unit to which the member is administratively assigned notifies Commander, CGPC and the unit from which the member was administratively assigned of the following information:

   a. Name, grade or rate, and social security number
   b. Last permanent unit
   c. Date reported on administrative assignment
   d. Recommendations on next duty assignment

4.A.9.c. Members under Orders to A Certain Assignment

Commander, CGPC may direct that personnel under orders to certain assignments and planned units not yet in commission be administratively assigned to a district or Headquarters unit for administrative, disciplinary, and accounting purposes. These assignments do not affect the travel and transportation allowances to which travel orders entitle these members. Orders will specify the administrative responsibility described by special instructions in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

4.A.10. Transferring Patients between Hospitals

4.A.10.a. Transfer To Uniformed Services Medical Treatment Facilities (USMTF)

At its own expense the Coast Guard transfers its personnel and escorts, if any, from its own units and medical facilities to Uniformed Services Medical Treatment Facilities (USMTF), outpatient clinics, contract hospitals, and other Federal hospitals, even though undertaken on U.S. Public Health Service medical officers’ recommendation.

4.A.10.b. Transfer by USAF Aeromedical Evacuation

Charge expenses incurred, if any, in transferring Coast Guard members and needed escorts by USAF Aeromedical Evacuation to, from, or between military or civilian health care facilities for required care to Commandant (G-WK).

4.A.10.c. Transfer after Emergency Admission

Commandant (G-WK) pays to transfer a Coast Guard member and escorts, if any, to another hospital after emergency admission at a non-USMTF facility provided the Service is notified, assumes charge of the case, and decides to transfer the member. It therefore is imperative to notify the medical officer in charge of the USMTF nearest to the member's current hospital of an emergency hospitalization as soon as possible and obtain his or her acknowledgment of the case. Commanding officers must immediately advise the district commander, who informs the appropriate medical officer in charge and requests him or her to assume charge of the case and make any necessary arrangements to transfer the member to a USMTF or authorize the Coast Guard to effect such transfer at its own expense.

4.A.10.d. Transfer For Required Care

District commanders or commanders of maintenance and logistics commands transfer Coast Guard members and other designated officers and escort(s), if needed, to, from, and between military or civilian health care facilities for required care at the Coast Guard's expense. The patient pays any charges incurred for transfers the Coast Guard accomplishes for his or her convenience or elective care. (☛ Article 4.G.2).

4.A.10.e. Transferring Patients Suffering Mental Diseases

Commandant (G-WK) pays travel costs to transfer a Coast Guard patient suffering from a mental disease who require an escort from one USMTF to another or from a non-Service hospital to a USMTF and any professional personnel detailed to accompany him or her. The responsible Coast Guard officer details escorts, if necessary, to exercise custodial care and authority over the patient en route and charges the cost of the escort's travel to and from the hospital to which the patient is transferred against Coast Guard appropriations.

4.A.11. Returning Patients from Overseas Duty

4.A.11.a. Information Provided

When a member serving outside CONUS returns to CONUS for hospitalization, the member's command advises Commander, (CGPC-opm) or (CGPC-epm), as applicable, MLC and the district commander involved of the case's pertinent facts, including this information.

1. Name, grade or rate, and social security number
2. Hospital to which sent
3. Need for replacement
4. Member's rotation status

5. Estimate, if possible, of the expected duration of hospitalization

4.A.11.b. Issuing Orders

The member's command issues orders to the hospitalized member to report to the MLC and district commanders in which the hospital is located immediately upon his or her release, or to another specified Coast Guard unit for proper endorsement of orders covering in-patient and leave periods and for further orders.

4.A.11.c. Casualty Report

If not previously submitted, the member's command submits a casualty report as required in Chapter 11.

4.A.12. Transferring Members at Time of Sailing

4.A.12.a. Personnel Absent At Sailing

The commanding officer processes members absent at time of sailing for whom administrative assignment is appropriate as prescribed in Article 4.A.9. Those in an unauthorized absence status are processed as prescribed in Chapter 8.C.

4.A.12.b. Members In Receipt Of Orders

The commanding officer transfers a member who has received orders specifying detachment on a date which will occur while the cutter is under way to one of these locations:

1. Directly to the new permanent duty station if the member is ready in all respects to depart from the area; or

2. An intermediate unit the district commander, commander of maintenance and logistics command, or Commander, (CGPC-opm) or (CGPC-epm) designates for temporary duty pending transfer as the basic orders direct, if there is an urgent need to delay departure from the area.

4.A.12.c. Preparing Endorsements

The commanding officer should prepare CG-331D, "Endorsement on Orders," according to the Personnel and Pay Procedures Manual, COMDTINST M1000.2 (series). Item 21 (Remarks Section) explains the circumstances requiring detachment other than as basic orders direct.

4.A.13. Health Services Personnel and Drug Abuse

Members serving in the Health Services (HS) program occupy positions of special trust which frequently require them to control, secure, and issue a wide variety of drugs and other controlled items. Therefore, commanding officers (COs) shall handle all cases of these members' chemical abuse and/or drug trafficking as a security breach. If any CO suspects such a security violation, he or she shall deny that member's access to any controlled substances, except when the member is directly supervised by the CO, officer-in-charge, or an officer or senior petty officer designated as supervisor. The CO submits a full report with recommendations for future retention and/or reassignment to Commander, (CGPC-opm) or (CGPC-epm) and continues to deny the member access until the parent command receives final disposition.

1. Commander, (CGPC-epm) may offer a change in rating to enlisted members who must be removed from the HS rating but not necessarily from the Service.

2. The provisions of ☛ Articles 12.A.15., 12.A.20., or 12.A.21., as appropriate, apply to Coast Guard officers. USPHS officers are processed according to the current regulations for Coast Guard retention or are returned to USPHS.

3. Members will be dismissed from HS "A" School for chemical abuse and/or drug trafficking. Members with a history of drug abuse from any source may not be assigned to any Health Services school.

4. Current active duty or Reserve Health Services members who have a past history of drug abuse, as determined by examining Personnel Data Records or personal admission, may be considered for a one-time waiver of this Article for past offenses or circumstances, provided that member's command concurs and submits a recommendation and complete supporting documents to Commander, (CGPC-opm) or (CGPC-epm).

4.A.14. Logistics and/or Financial Support Members' Fiscal Improprieties

Members serving in the Logistics, Procurement, and Financial Management programs occupy positions of special trust which frequently require them to control, secure, and issue a wide variety of valuable government property, cash, accountable forms (e.g., credit cards, SF-44s, etc.), and sensitive financial information. Therefore, the commanding officer (CO) shall handle all cases of these members' financial impropriety (personal or professional) as a security breach. If any CO suspects any such security violation, he or she shall deny that member access to cash funds, expensive government property, and accountable forms except when the member is directly supervised by the CO, officer-in-charge, or an officer or senior petty officer designated as supervisor. The CO submits a full report with recommendations for future retention and/or reassignment to Commander,

(CGPC-opm) or (CGPC-epm) and continues to deny the member access until the parent command receives final disposition. This Article specifically includes but is not limited to all CWO (F&S), SKs, and FSs.

1. Commander, (CGPC-epm) may offer a change in rating to enlisted members who must be removed from the FS or SK ratings but not necessarily from the Service.

2. The provisions of Articles 12.A.15., 12.A.20., or 12.A.21., as appropriate, apply to Coast Guard officers.

3. Member will be dismissed from FS or SK “A” School for serious financial improprieties and/or mismanagement. Members with a history of financial problems from any source may not be assigned to FS or SK "A" School.

4. Current active duty or Reserve Logistics and Financial support personnel who have a past history of financial improprieties, as determined by examining Personnel Data Records or personal admission, an opportunity to be considered for a one-time waiver of this Article for past offenses or circumstances, provided that member’s command concurs and submits a recommendation, complete with supporting documents to Commander, (CGPC-opm) or (CGPC-epm).

4.A.15. Sponsor Services

4.A.15.a. General

Most Coast Guard members (married and single) can safely rely on the community to provide housing and other support services. It is important for members to know enough about the community in advance to make informed decisions on where to look for housing and other services that will adequately satisfy their particular needs. Relocating to a new duty station and getting established in a new community can be a trying experience. Some members require little or no assistance while others have unique requirements a standard information packet just cannot meet. The individualized assistance and support a member and his and her dependents receive from the new command can set the tone for the tour and significantly affect the member's satisfaction or dissatisfaction with Coast Guard life. Positive command interest and sponsor enthusiasm are invaluable at this critical time in attitude formulation. Support at all levels is required to ensure program effectiveness.

4.A.15.b. Procedures

1. It is mandatory for a receiving command to assign a sponsor to all incoming personnel en route.

2. The command should provide members on initial PCS orders (recruit training, Academy, OCS, and other graduates) additional first-time information on the Coast Guard Housing Program, including descriptions of Government-owned and leased housing, their eligibility requirements, housing referral, basic allowance for quarters concepts, and the sponsor program, all as part of the command's training curriculum. Refer to Item 8 below for additional procedures for units receiving recruit graduates.

3. All assigned sponsors preferably, but not necessarily, should be of similar circumstances to their member. If the new unit cannot feasibly assign a sponsor, it should request assistance from other units in the geographic area.

4. The designated sponsor need not duplicate the efforts of an established Area or Local Housing office. Available housing offices should coordinate sponsor services.

5. At those units which do not have housing offices, a designated sponsor will:

   a. Contact, preferably by telephone, the incoming member and/or his or her family to determine their needs. In making this connection, using government-owned telephones is authorized wherever available.

   b. Provide information and assistance which would include at a minimum:

      (1) Housing availability, e.g., Government-owned or -leased, private rental areas, general costs, etc

      (2) Temporary lodging arrangements until the member is permanently established.

      (3) Medical facilities' type and location.

      (4) Public transportation, car pools, parking, etc.

      (5) Location or lack of commissary and exchange facilities.

      (6) Location of dependents' schools and off-duty and special education facilities, as required.

      (7) General information on recreational facilities.

      (8) Special clothing requirements.

   c. Facilitate a job-seeking spouse's employment by providing this information:

      (1) State and local employment agencies' brochures and telephone numbers.

      (2) The local newspaper's "Help Wanted" classified advertising section.

      (3) Chamber of Commerce brochures and other local business information.

(4) Job fair announcements and related assistance available from community colleges and DoD job information and skill centers.

6. If dependents are not traveling with members, the receiving unit should make special efforts to ensure they are provided this program's benefits when area entry is authorized.

7. Transferring units should complete NAVPERS 1330/2, "Navy Sponsor Notification," and send it to the member's destination as soon as possible after receiving orders to arrange for sponsor services.

8. Units receiving graduating recruits should take these steps.

   a. On receiving the Recruit Transfer Orders (RTO), provide Training Center Cape May with the following information:

      (1) A unit sponsor (E-4 or above) who can provide the type of sponsor information contained in this Article and other pertinent information the receiving unit deems necessary; and

      (2) Unit phone number and best time (EST) for recruit to contact the sponsor.

   b. Receiving units may not contact recruits at Training Center Cape May because they will have ample time to contact the unit sponsor at the time the receiving unit designates.

   c. The recruit will give his or her sponsor a leave address where the receiving unit should mail sponsor packages. Sponsor packages shall not be sent to Training Center Cape May.

4.A.16. Dislocation Allowance

4.A.16.a. Definition

37 USC 407 entitles a member to one dislocation allowance per fiscal year **at a rate** as prescribed **in chapter 5 of the Joint Federal Travel Regulations (JFTR)** for his or her pay grade as a member with or without dependents, notwithstanding the amount of **BAH** the member receives, to partially reimburse expenses incurred in relocating a household as follows:

1. For a member with dependents whenever dependents relocate their household in connection with a permanent change of station.

2. For a member without dependents when transferred to a permanent duty station where Government quarters are not assigned.

3. The Secretary of Transportation may find Service needs require more than one permanent change of station in the same fiscal year, except for permanent change of station orders to, from, or between courses of instruction of 20 weeks or longer duration conducted, controlled, and managed by the Uniformed Services at a civilian educational institution or elsewhere. These findings are referred to as SECTRANSFIND.

4. The Joint Federal Travel Regulations, Vol. 1, Chapter 5, Part G, contain details and provisions governing paying the dislocation allowance.

4.A.16.b. Secretary Of Transportation Finding (SECTRANSFIND)

1. When Obtained.

   a. Whenever the order issuing authority foresees the need for a SECTRANSFIND, he or she requests the finding before issuing the orders. Commandant (G-W) has been delegated authority to make SECTRANSFINDs if Commander, (CGPC-opm) or (CGPC-epm) so recommends.

   b. When a command receives an order to transfer members requiring but not indicating a SECTRANSFIND, the command immediately refers the orders to the issuing authority, which explores alternate solutions and if necessary requests a finding. Humanitarian assignments, mutual exchanges of station, and unilateral transfers do not qualify for a dislocation allowance. Members should not execute such orders before receiving a SECTRANSFIND except in urgent circumstances.

   c. When individual findings by the Secretary of Transportation would be impractical and not serve to reduce the frequency of moves, requests for a SECTRANSFIND may be initiated for groups rather than individuals; e.g., permanent change of station for units, groups, or categories of personnel, such as inactivating a unit or changing its home port.

   d. When a command issuing authority obtains the necessary finding, it includes this statement in the individual orders, an endorsement to them, or in the certificate of such change when a unit permanently changes its home port.

      The Secretary of Transportation has found that this permanent change of station is required by the exigencies of the Service.

2. Submitting Requests for SECTRANSFIND. Submit letter or message request to Commander, (CGPC-opm) or (CGPC-epm) as follows.

   a. For Individuals. For individuals include this information:

      (1) Name, grade or rate, and social security number.

(2) Detachment date from each previous permanent duty station where entitled to a dislocation allowance except those to or from a course of instruction.

(3) Present duty station or status.

(4) Latest date of presently ordered detachment.

(5) Duty assignment or status to which ordered.

(6) Necessity for proposed transfer and criteria to select that particular member for such transfer.

(7) Other pertinent information, if any. State whether an earlier entitlement to dislocation allowance resulted from a change of home port or unit inactivation.

b. Unit Change of Home Port or Inactivation. In these cases, state this information.

(1) The approximate number of enlisted members requiring a SECTRANSFIND.

(2) Full name, grade, and social security number of officers requiring a SECTRANSFIND.

4.A.17. Attending Technical, Professional, Scientific, and Other Similar Organizations' Meetings

4.A.17.a. General

This Article applies to meetings which, although concerned with a Coast Guard function or activity, are initiated or sponsored by a non-Coast Guard organization.

4.A.17.b. Policy

To transmit or acquire information or knowledge about its missions or administrative activities, the Coast Guard may send representatives at Government expense to meetings of scientific or professional societies, municipal, State, Federal or international organizations, congresses, and law enforcement or other groups and pay the representatives' necessary expenses, including travel, per diem, and registration or other necessary fees out of appropriations available for travel. ☞ Joint Federal Travel Regulations, Vol. 1.

4.A.17.c. Attendance Criteria

Before approving attending a meeting, officers authorized to approve such orders should determine the following information:

1. If attendance will benefit one or more Coast Guard functions or activities.

2. The reasons to attend justify the expense to the travel appropriation and the absence of the representatives from regularly assigned duties.

3. The number of representatives does not exceed the minimum necessary to serve adequately the Coast Guard's interests.

4. When representatives present information about Coast Guard activities, the information must conform with Coast Guard policy and instructions.

5. The travel conforms with other regulations governing travel on official business.

4.A.17.d. Meetings of Federal Agencies Or Under Their Auspices

Authorized officers may issue routine TAD orders to attend meetings of technical, scientific, professional or other similar organizations sponsored by Federal agencies. The orders must show the name of the meeting and its sponsoring agency. The meeting must meet attendance criteria listed in ☛ Article 4.A.17.c. above.

4.A.17.e. Meetings Under Non-Federal Auspices

1. Submitting Requests. When a member wishes to attend a meeting under non-Federal auspices at Government expense, he or she should submit a request for orders containing all pertinent information required in subparagraph 3 below to the appropriate approval authority through the chain of command.

2. Delegation. The authority to approve requests to attend meetings under non-Federal auspices is delegated as follows:

   a. Chief of Directorates for members assigned to Coast Guard Headquarters.

   b. Area commanders, commanders of maintenance and logistics commands, district commanders, Superintendent of the Academy, and commanding officers of Headquarters units for all members under their command.

   c. These officers may not redelegate approved signature authority below that of the Executive Assistant level at Headquarters; Deputy Area Commander; Deputy Commander, Maintenance and Logistics Command; Assistant Superintendent of the Academy; district Chief of Staff, or commanding officer levels. In all cases charge travel to field travel funds, subject to ☛ Chapter 4.G. provisions.

3. Submitting Requests. All requests to approve travel to attend meetings under non-Federal auspices must include the following information:

   a. The meeting's title and specific objective with official announcement and descriptive literature, if available.

   b. The meeting's inclusive dates; if a regularly scheduled meeting (e.g., quarterly, annually, etc.) so indicate.

   c. The sponsoring organization's name and nature (e.g., technical, scientific, professional, educational, etc.).

   d. Meeting location (city and state).

   e. Proposed transportation mode (e.g., commercial air, privately owned vehicle, etc.).

   f. Anticipated Coast Guard benefits from the meeting.

   g. Itemized estimated cost per person.

   h. Total number of members for whom requesting approval and identifying information for each: full name, grade, social security number and billet.

   i. The extent to which each attendee will participate in the meeting (e.g., delivering a paper, observing, taking part in a panel discussion, etc.).

   j. Required security clearance, if appropriate.

   k. Inclusive dates of absence from duty station.

   l. Member's specific duties germane to the meeting; e.g., a particular project, research area, etc.

4. Information to Include in Orders. TAD orders to attend meetings under non-Federal auspices should contain this statement:

   _____(name)_____ approved this travel on (date) in accordance with Article 4.A.17., Coast Guard Personnel Manual, COMDTINST M1000.6A (series).

4.A.18. NATO Supplemental Orders

4.A.18.a. Agreement

Armed Forces of countries belonging to the North Atlantic Treaty Organization (NATO) use a travel order format which, when such members present their identity cards, exempts them from passport, visa, and immigration inspection and allows them individually and collectively to pass easily from one NATO nation to another. NATO nations are Belgium, Canada, Denmark, France, Germany, Greece, Iceland, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Turkey, the United Kingdom, and the United States.

4.A.18.b. Scope

The NATO travel order is to be used for both individual and collective movement. When the travel order is issued to parties of 20 or more, detailed arrangements are to be made, as necessary, for movement, reception, staging, etc. The NATO travel order is to be used only for the movement of military personnel and their personal baggage, individual weapons, and official documents..

4.A.18.c. Issue

The sending nation's appropriate agency issues a NATO travel order; the receiving nation may require its appropriate representative to countersign the travel order. When frequent passage from one NATO country to another is required, a nation may issue a NATO travel order to individuals for a period of up to one year from the issue date.

4.A.18.d. Official Documents

Documents under official seal are exempt from customs inspection, provided the NATO travel order issued to the courier shows the number of dispatches carried and certifies the courier carries only official documents.

4.A.18.e. Exemption from Civil Regulations

Personnel traveling under the Agreement's conditions are exempt from the receiving nation's regulations on alien registration and control, but do not acquire any right to permanent residence or domicile there or in its territories.

4.A.18.f. Languages Used on The Form

The NATO travel order is published in the receiving nation's language(s), English, and French. Any instructions printed on the reverse of the form are only in the issuing nation's language.

4.A.18.g. Completing the Form

It is not necessary to follow exactly the format shown in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series). However, all required information should appear in the same sequence, paper, and dimensions as prescribed there. The issuing nation completes the NATO travel order in its language.

4.A.19. Sole Survivors

4.A.19.a. General

Policy on sole survivors applies to a father, mother, and one or more of a family's children, including adopted children and half-brothers or -sisters, who, while on active military service:

1. Is killed, or
2. Dies as a result of wounds, accidents, or disease, or
3. Is in a captured or missing in action status, or
4. Is permanently, l00 percent physically or mentally disabled as the Veterans Administration or one of the military Services determines or is hospitalized on a continuing basis and is not gainfully employed due to that disability.

Any of these cases constitutes grounds to assign and retain the survivor outside the combat area. When the survivor is the father either he or his spouse may make such request.

4.A.19.b. Assignments

At the member's or one of his or her parents' request, CGPC will not assign a sole survivor to duty in a combat area. "Parents" includes legal guardians and natural and adoptive parents. This policy includes cases in which other sons or daughters died during service in either current or previous hostilities.

4.A.19.c. Once Qualified

Once a member qualifies as a sole survivor, he or she retains that status permanently even though there is no living family survivor. ☛ McKart v. U.S., No. 403 (U.S. Supreme Court, May 26, 1969).

4.A.19.d. Cases Not Covered

In case a commanding officer believes a situation is within the sole survivor policy's intent, but is not specifically described above, the commanding officer should advise Commander, CGPC of the circumstances and request a decision.

REMARKS FOR ADMINISTRATIVE ASSIGNMENT TAD ORDERS

The following remarks should be incorporated into TAD orders as applicable:

1. For members remaining ashore at the homeport of the vessel to which they are assigned and who have quarters ashore from which they normally commute to the vessel, regardless of whether or not quarters allowances are paid, the following entry should be used:

> You are being ordered ashore for approximately _____ days while the vessel to which you are assigned, USCGC _____ is underway. In accordance with JFTR, PAR. U4102-G, you are not eligible for per diem and no reimbursement for occasional meals is authorized. No overnight lodging; other than the quarters from which you normally commute, are required.

Note: Members commuting to a different duty location in the vicinity of the homeport and able to remain at their quarters, do not require overnight lodging and therefore are excluded from receiving per diem. In other than the homeport, overnight lodging at a BEQ might be required. In that case, this exclusion does not apply.

2. For members remaining ashore at the homeport of the vessel to which they are assigned and who do not have quarters ashore from which they normally commute to the vessel, one of the following entries should be used:

a. For Coast Guard Dining Facility Reasonably Available at which the member can receive meals at the Category 2 cost. Reasonably available includes, but is not limited to, easy walking distance from the work site and lodging or government transportation provided for each meal to the dining facility.

> You are being ordered ashore for approximately _____ days while the vessel to which you are assigned, USCGC _____ is underway. You are eligible for per diem. Accordingly, you will be authorized reimbursement for lodging but must use adequate government quarters if available. The availability of adequate government quarters must be endorsed on your orders by the command controlling the quarters at the location, not the command, to which you are ordered.
>
> Your meals and incidental expense (M&IE) rate, based on a determination made in accordance with JFTR, PAR. U4135 is zero dollars as long as meals are available to you at the Category 2 meal rate at the Coast Guard Dining Facility. If meals are not available to you at the Category 2 rate at the Coast Guard Dining Facility, your M&IE rate will be determined based on the availability of government messing facilities as endorsed on your orders by the command controlling the mess at the location, not the command, to which you are ordered.

Note: This covers the member in all meal situations, but presumes that a Coast Guard Dining Facility (CGDF) is available for three meals a day, seven days a week. The CGDF "uniqueness covers members who have non-CGDFs available but which charge the Category 1 meal rates. In that case, the "normal" government meals available M&IE rate should be paid.

b. Coast Guard Dining Facility Not Reasonably Available. Reasonably available includes, but is not limited to, easy walking distance from the work site and lodging or government transportation provided for each meal to the government mess.

You are being ordered ashore for approximately _____ days while the vessel to which you are assigned, USCGC _____,is underway. You are eligible for per diem. Accordingly, you will be authorized reimbursement for lodging but must use adequate government quarters if available. The availability of adequate government quarters must be endorsed on your orders by the command controlling the quarters at the location, not the command, to which you are ordered.

Your meals and incidental expense (M&lE) rate, will be determined based on the availability of government messing facilities as endorsed on your orders by the command controlling the mess at the location, not the command, to which you are ordered.

Note: This covers the member in all meal situations but presumes that a CGDF is not available for three meals a day, seven days a week. In case a non-CGDF is available, the prospect of charging the Category 2 rate for meals is significantly diminished. The "normal" government meals available, M&IE rate should be paid.

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4.B. Assignment Policies for all Enlisted Members

4.B.1. General

4.B.1.a. Request for Transfer

The right of enlisted personnel to submit a request for transfer via proper channels shall not be restricted; however, an intermediate command may return a request to the sender for correction or completion

4.B.1.b. CGPC Assignments

All rated and nonrated personnel are assigned by Commander, (CGPC-epm-2) and individually issued orders.

4.B.1.c. Assignment Decisions

The Assignment Officers will continue to ensure members receive the career enhancement and diversity necessary for future advancement. Geographic stability (☛ Article 4.B.3) does not exempt a member from completing an assignment afloat or ashore, but only that these assignments may be located within the same geographic region when possible. Geographic stability also does not mean a member may fill the same billet for two consecutive tours. Career enhancement, diversity and advancement potential of each member are paramount in the assignment decision.

4.B.1.d. Suitability for Transfer

In general, personnel with military or civil disciplinary action in progress, excluding probation or unpaid fines, and those with a history of indebtedness, repeated discipline infractions, and other unsuitable characteristics shall normally not be transferred. ☛ Chapter 12.B. for procedures on members unsuitable for transfer. Personnel who receive a characteristic average less than three, NJP, court-martial, or a civil conviction during the last regular semiannual reporting period are normally not eligible for transfer. In addition, any member who receives an unsatisfactory conduct mark will be reviewed by Commander, (CGPC-epm-2) for transfer suitability.

1. If an individual in receipt of orders subsequently receives a characteristic factor average less than three, transfer will not be effected without prior approval of Commander, (CGPC-epm-2).
2. Personnel assigned overseas who are not qualified for transfer because of a characteristic factor average less than three will be transferred to their next duty assignment for evaluation and/or other administrative action as appropriate, unless the member's commanding officer requests a delay in the rotation date.

Commander, (CGPC-epm-2) shall be notified promptly of any ineligible overseas member scheduled for transfer to determine the selection of an appropriate new duty assignment.

4.B.1.e. Not Physically Qualified

Personnel who are not physically qualified to perform the duties of their rating will not be transferred on permanent change of station (PCS) orders out of their current geographical area. If not fit for sea duty, commands are required to initiate medical board procedures within 14 days in accordance with the Medical Manual, COMDTINST M6000.1(series). Further reassignment may be directed based on Service needs.

4.B.1.f. Age Considerations

Assignment of personnel to duty ashore or afloat shall normally be made without regard to age. However, members 50 years of age or older who are not eligible for voluntary retirement and who are assigned to duty considered beyond their physical capabilities or which places undue physical hardship upon them, may request reassignment by Commander, (CGPC-epm-2) through the chain of command. The request shall describe in detail the conditions which preclude performing assigned duties and the endorsements shall state whether a medical board is recommended.

4.B.1.g. Other Considerations

Commander, (CGPC-epm-2) considers these factors when selecting members for transfer:

1. Service need
2. Assignment priority (☞ Article 4.B.4.)
3. Commanding officer's recommendation
4. Performance history
5. Member's desires
6. Time at present unit
7. Time in present geographic area
8. Previous assignment history (isolated, ashore, afloat, OUTCONUS and INCONUS)
9. Advancement or promotion status and leadership potential
10. Service remaining in original enlistment. (For Reservists, remaining obligated active duty time.)
11. Qualification codes
12. Service remaining before approved retirement date
13. Willingness to obligate service for transfer
14. Physical condition

4.B.1.h. Assignment to Officers' Quarters

Enlisted personnel may not be assigned to duties in privately occupied public quarters of officers below flag grade unless specifically authorized by the Commandant.

4.B.1.i. Checkoff List for Transfer and Receipt of Enlisted Personnel

1. Commanding officers shall ensure the following actions are completed prior to member's departure

   a. Begin checkout procedures as required by the unit after ensuring the commanding officer has checked the member's and dependents' qualifications for transfer in accordance with Article 4.B.1, and Articles 4.H.2., 4.H.3., and 4.E.5, as applicable.

   b. Verify that members being transferred will have the necessary obligated service as prescribed in the authority for transfer as required by Article 4.B.6. for INCONUS tours, Article 4.H.6. for OUTCONUS tours, and as prescribed in the Coast Guard Training and Education Manual, COMDTINST M1500.10 (series) for training schools. Complete the necessary Administrative Remarks, CG-3307, entry to document the member has been counseled about the obligated service requirements.

   c. Arrange for a physical examination in the following cases:

      (1) Before member's transfer to sea, aviation, or overseas duty. ☛ Article 4.H.7. and Medical Manual, COMDTINSG M6000.1 (series).

      (2) Before member's separation

      (3) When member needs more than 12 months' obligated service

   d. Counsel members on applicable portions of the Joint Federal Travel Regulations (JFTR), Volume 1, pertaining to:

      (1) PCS allowances

      (2) OUTCONUS station allowances such as COLA

      (3) Transportation of dependents

      (4) Shipment of household goods

      (5) Payment of dislocation allowance

      (6) Trailer allowance

   e. Prepare orders per Article 4.D.20. Ensure sponsor from new unit is assigned. ☛ Article 4.A.4.

   f. If the member occupies government-leased or government-owned quarters, advise the Local Housing Authority to schedule a termination inspection.

Ensure the member has cleared quarters in prior to departing on PCS orders. ☛ Chapter 6, Housing Manual, COMDTINST M11101.13 (series).

g. Ensure the member has transportation request and meal tickets, where appropriate, prior to departing unit and that member has sufficient funds to last until 14 days after arrival at next unit.

h. Verify PDR as required by instructions in the Military Personnel Data Records (PDR) System, COMDTINST M1080.10 (series) and ensure all entries and forms necessary for transfer have been completed.

i. Obtain Health Record from sick bay and ensure proper entries have been made. Ensure Health Record contains the member's International Certificate of Vaccination, Form PHS 731.

j. Ensure DEERS check is complete for member and dependents. Take appropriate action to update information where necessary prior to member's departure, especially if departing on an overseas assignment.

k. Ensure member has ample supply of Notice of Change of Address, CG-4646.

l. Brief member on type of conduct and behavior expected of all Coast Guard members while en route to new assignment.

m. Check to ensure member and dependents have valid identification cards.

n. Ensure member has minimum outfit of closing as prescribed by Uniform Regulations, COMDTINST M1020.6 (series).

o. Complete personnel accounting actions required upon transfer per instructions in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

p. Deliver orders to member for hand carry. (Member's PDR will be handled in accordance with instructions in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).)

q. Enter loss in daily ration record.

r. Make appropriate log entry.

2. Commanding officers shall ensure the following actions are completed when the member reports to the new unit.

a. Check person in as required by unit.

b. Endorse orders. ☛ Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

c. Compare member to the PDR and ID card.

d. Check PDR to ensure all entries have been made in accordance with the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

e. Ensure member has sufficient obligated service.

f. Ensure member meets all physical and mental prerequisites prior to beginning training. If member does not, report the findings immediately to Commander, (CGPC-epm) and Commandant (G-WTT).

g. Make appropriate gain entry in daily ration record.

4.B.2. Advance Notice of Transfer

4.B.2.a. Issuing Transfer Orders

Every attempt will be made to issue transfer orders at least 90 days before the reporting date to INCONUS units, 120 days before the reporting date to OUTCONUS units, and 120 days before the departure date from OUTCONUS units in order to give personnel as much time as possible to attend to personal matters before transfer. These standards do not normally apply for assignment of Class "A" School graduates or Strikers.

4.B.2.b. Responsibility of Administrative Commands

A subordinate or administrative command receiving orders to transfer a member shall inform the member and his or her command as soon as practical, but no more than three days after receipt of the orders. Notice occurs when the responsible administrative command notifies the member's command of the orders in writing or directly by phone, official message, or copy of the written transfer order.

4.B.3. Geographic Stability

4.B.3.a. Central Assignment Control (CAC)

The Commandant recognizes the undesirability of frequent assignment changes. A succession of short tours imposes hardships on members and their families and fails to provide the stability important to successful, efficient operations. On the other hand, excessive tour lengths may fail to provide the broad experience in a rating necessary to develop a well-rounded Coast Guard member. Central Assignment Control (CAC) of the assignment process removes district boundaries as a constraining factor in assigning personnel, stabilizes tour lengths, and more equitably distributes preferred and less desirable duty throughout the rating and enlisted personnel structure. One exception to the district boundary constraint applies to nonrated members completing their first assignment, who normally are transferred within their geographic area unless Service needs dictate otherwise.

4.B.3.b. Achieving Geographic Stability

Geographic stability can be achieved by the following:

1. Completing full tours of duty.

2. Granting extensions liberally.

3. Providing local stability. Completing two tours of duty (not necessarily at same unit) in a local area without effecting a household goods move.

4. Providing regional stability. Completing two tours of duty within a geographical region minimizing family and Coast Guard PCS transfer costs and family and personal disruption.

4.B.3.c. Assignment Continuum

1. Assignment priorities are critical in the enlisted assignment process, particularly for arduous or hard-to-fill isolated, afloat, and overseas duty assignments ☞ Article 4.B.4. Assignment priority must continue to be the driving factor in transferring members completing these assignments. However, when assignment priorities are equal, geographic stability should be the major factor. More than 60 percent of the enlisted workforce serves in assignments INCONUS ashore; therefore, geographic stability should be the foremost consideration for most of these assignments. Assignment Officers generally will not assign members back-to-back command afloat billets unless there are too few qualified personnel to fill vacancies. This policy is intended to create and maintain a sufficient pool of qualified personnel and provide a more experienced officer-in-charge.

2. The Assignment Officer (AO) shall consider the following assignment continuum when making any assignment decision:

   a. Service needs

   b. Assignment priorities and geographic stability. The AO first will attempt to reassign the member within the local area (local stability). If an appropriate assignment is not available there, the AO next will attempt to reassign the member within the geographic boundaries of the current district (regional stability) where he or she now is stationed. If the district geographic area does not provide an assignment opportunity, then the AO will consider the entire Area (Atlantic or Pacific as appropriate).

   c. Career enhancement, diversity, and qualification requirements; advancement potential.

3. AOs shall ensure that any member who has completed two consecutive tours at the same location or within a geographic region, shall have an opportunity for an assignment out of the local or regional area, if desired.

4. AOs will continue to ensure members receive the career enhancement and diversity necessary for future advancements. Geographic stability does not mean a member will not complete an assignment afloat or ashore, but rather successive assignments may be located within the same geographic region. Geographic stability also does not mean a member may fill the same billet for two consecutive tours. Each member's career enhancement, diversity, and advancement potential are paramount in the AO's assignment decision.

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.

3. Members recommended for advancement under the striker program and on the striker eligibility list for advancement are required to have two years' obligated service remaining upon reporting to the new unit, unless otherwise directed.

4. Members with less than one year of obligated service remaining on a first enlistment will normally not be eligible for PCS transfer unless they are being transferred from an isolated or OUTCONUS assignment as necessary to be processed for discharge.

5. Personnel who have failed to obligate required service but who have executed orders may be redirected to a different duty station based on Service needs. Receiving commands should notify Commander (CGPC-epm-2) (and info the transferring command) when members report without sufficient OBLISERV.

4.B.6.b. OUTCONUS Reassignments

1. All personnel ordered to OUTCONUS duty stations shall obligate to complete the full tour as specified in ☞ Article 4.A.5. The tour commences on the reporting date.

2. Orders may be canceled after they have been issued if the member requests, in writing, that they be canceled on the basis that the member will not reenlist or extend to meet the OBLISERV requirement. If the member subsequently reenlists or extends, Commander, (CGPC-epm-2) must be notified immediately. In such cases, the member will be reassigned based on needs of the Service.

4.B.7. Recalling and Assigning Retired and Reserve Members to Extended Active Duty Other Than Active Duty for Training

4.B.7.a. General

Retired and reserve personnel may be called to active duty (other than ADT) at any time, with their consent, provided their services can be used. They may be recalled to extended active duty involuntarily only in time of war or national emergency or when otherwise authorized by law.

4.B.7.b. Recalling Reserve Personnel to Active Duty

1. Reserve enlisted personnel applying for active duty shall submit a Request for Extended Active Duty, CG-3472, to Commander (CGPC-epm) via official channels. The signed CG-3472 is required because it is the only document which will establish a legal relationship between the government and the enlisted member requesting active duty.

2. Members who have insufficient obligated service remaining in their current enlistment must re-enlist or execute an Agreement to Extend Enlistment, CG-3301B, to cover the period of extended active duty before

being called to active duty. (☞ Article 1.G.14). Physical examinations shall not be waived. In computing obligated service to meet requirements, the Reservist's active duty status is considered to begin the date he or she must commence travel to report to a designated station for active duty.

3. Appropriate entries shall be made in the Personnel Data Record (PDR) showing action taken on the request.

4. Reserve personnel who have requested extended active duty should normally expect to be ordered to active duty within 15 days from the date they were notified of their request was approved.

4.B.7.c. Recalling Retired Personnel to Extended Active Duty

The Commandant will direct those retired personnel selected for recall to active duty to report for a physical examination as directed by the district commander nearest their home. If found qualified for active duty, he or she will be assigned as directed by the Commandant. If found not qualified for active duty, **the recall to active duty assignment will be cancelled**.

4.B.7.d. Endorsing Orders

Endorsements to orders for retired and Reserve personnel shall specify:

1. Date orders were received (signed by member).

2. Date and hour member departed from the address indicated in the orders (signed by member).

3. Date and place of reporting for physical examination, and whether qualified or not qualified (signed by a medical officer of the U. S. Public Health Service or a medical officer of one of the Armed Services).

4. Date and place of reporting for assignment (signed by direction of the district commander). For members found physically not qualified, the endorsement also will specify place, date, and hour of departure for home, signed by the direction of the district commander, and the date and hour of arrival home signed by the member.

4.B.8. Restoring to Duty and Assigning Personnel Released from Correctional Centers

Individuals released from confinement of six or more months due to court-martial will be assigned to the nearest Coast Guard unit if the Secretary's action on, or appellate review of, a punitive discharge is pending. If notified by the Commandant that the Secretary's action or appellate review has affirmed the discharge, it will be executed. If the discharge has been disapproved by such action or review and the

individual is restored to full duty, orders will be requested from Commander, (CGPC-epm-2). ☛ Chapter 8.F. for additional policy regarding confinement.

4.B.9. Using Enlisted Personnel in Messes

4.B.9.a. Officers' Mess Responsibilities

Enlisted members shall not be assigned duties involving the care, maintenance, and orderliness of officers' rooms and personal effects, including bed making. These personal services are the responsibility of the officer assigned to the room.

4.B.9.b. Coast Guard Dining Facility (CGDF)

1. The commanding officer or officer-in-charge may detail mess attendants for CGDF duties when the mess has 10 or more enlisted personnel subsisting there. The number of mess attendants assigned shall not exceed one for each 20 persons or fraction subsisting in the CGDF.

2. As a general rule, rated members shall not be detailed as mess attendants. When an exception must be made to this rule, the Service member shall be relieved as mess attendant as soon as practicable.

3. Generally, no person shall be assigned to mess attendant duties within two months of the completion of a previous detail except for a temporary assignment not to exceed 10 days.

4.B.9.c. Request by Individual

Members shall not be detailed to an officers' mess or a general mess for more than 60 consecutive days unless specifically requested by the individual.

4.B.9.d. Documentation

Details to duty as a mess attendants shall be recorded in the member's PDR.
☛ Personnel, Pay and Procedures Manual, PPCINST M1000.2 (series).

4.B.10. Mutual Exchange of Station and Unilateral Transfers

4.B.10.a. General

1. Each member is assigned initially to the duty station where his or her services are most needed. Although individual preferences are carefully considered when making these and all subsequent assignments, it is not possible to match duty station with preference in all cases. Fluctuations in personnel distribution frequently create situations where an individual could be utilized just as effectively in their desired area as in the area currently assigned. Frequently, the

tangible benefits to the Service do not warrant expenditure of official funds to effect a reassignment. However, personnel in such circumstances may be authorized reassignment as requested by the individual(s) and at no expense to the government.

2. Such transfers can improve morale, promote efficiency by alleviating minor hardships, and should be treated as privileges afforded only to personnel whose performance of duty indicates they deserve special consideration.

   a. Mutual Exchange of Station transfers involve two members of the same rating and pay grade requesting an exchange of duty stations. If the transfer is approved, each member will assume the other's tour completion date for a minimum of one year and a maximum of three and one-half years. The Assignment officer will adjust the rotation dates accordingly.

   b. Unilateral Change of Station transfers involve a member who is in excess at his or her present unit and who requests a unit or area which has a billet vacancy.

4.B.10.b. Criteria

An enlisted member must meet these prerequisites to be eligible for transfer under the provisions of this article:

1. Be in pay grade E-3 or above. Nonrated members must be in the same path of advancement; i.e., seamen can mutual only with seamen and firemen only with firemen.

2. Prior to executing the orders, non-rated members must agree to serve aboard the new unit for 12 months irrespective of Class "A" School standing. Prior to executing such orders, individuals must either request cancellation of their Class "A" School Training Request, or request Commander, (CGPC-epm-2) place their name on hold status, so that when the member's name reaches the top of the "A" School waiting list it will remain there until the member completes one year aboard the new unit. Upon completing one year at the new unit, the member will be authorized to attend "A" School when so ordered.

3. Receive favorable command endorsement.

4. Have at least one year of active obligated service remaining upon reporting to the new unit.

5. Have received no unsatisfactory conduct mark or any characteristic average less than three, nor NJP, court martial, or civil conviction for the previous year. This provision will not be waived.

6. Have a minimum of six months aboard present unit prior to executing mutual or unilateral transfer orders.

7. For a unilateral transfer, the member's present unit must exceed unit allowance in in his or her rate, or have the favorable endorsement of the commanding officer that no immediate replacement will be required if the request is granted.

4.B.10.c. Procedure

1. When two members of the same rate and rating wish to exchange duty stations, each must initiate a written request.

2. An individual who cannot find a partner for mutual exchange of stations may request a unilateral change of station for reassignment in a general area, a particular district, or a specific unit where there are billets available. Based on Service needs, chances of approval are far greater if a district or general area, rather than a specific unit, is requested.

3. Requests shall be submitted on Assignment Data, Form CG-3698A. Forms should be sent directly to Commander (CGPC-epm-2) with unit command endorsement, and in the case of a mutual, a copy to the other member's command.

4. The request must state that the transfer, if approved, will be effected at no cost to the government, and if travel outside CONUS is indicated, that MAC transportation is not authorized. It shall include:

   a. A transcript of the member's performance of duty marks for the past two marking periods.

   b. Reason for transfer request.

   c. Commanding officer's and district commander's endorsements recommending approval or disapproval. Reasons for disapproval should be stated in the endorsement.

5. Orders will specify that proceed time is not authorized, that regular leave is to be used in lieu of travel time, and must contain the following paragraph:

   This authorization is issued with the understanding you will not be entitled to reimbursement for mileage or expense in connection with it. If you do not desire to pay this expense, this authorization is cancelled.

6. For consecutive overseas mutual or unilateral transfers, no travel entitlements will accrue.

4.B.11. Humanitarian Assignments

4.B.11.a. General

A Humanitarian Assignment (HUMS) is a special assignment authorized to alleviate a hardship so severe an emergency leave cannot fully resolve it. As a rule, all HUMS are at no cost to the government. However, in some very limited, unusual cases, the Service may decide the overall situation warrants the Service's funding a permanent change of station (PCS) transfer. If so, the member will transfer under regular PCS orders under other sections of this Manual. This Article can be used to document procedures for this special situation.

4.B.11.b. Purpose

Military service includes duty involving forced, prolonged absences that inconvenience Coast Guard families. Occasionally, situations arise when the member's presence is essential to alleviate a hardship the family has encountered other Coast Guard members do not normally encounter. Emergency leave often is sufficient to alleviate the hardship or emergency, but consideration must be given to the advisability of a HUMS or discharge due to hardship before granting extended emergency leave involving excess leave.

1. Members must be aware certain conditions are long term. However, careful personal management of a long-term situation can result in a member once again becoming available for reassignment. The list below shows some long-term conditions normally requiring external intervention to resolve. However, for this article's purposes, a member can employ military, community, state, or federal intervention services to help manage them.

    a. Visual impairment or blindness,

    b. Hearing impairment or deafness,

    c. Learning disability,

    d. Chronic illness or health impairment, e.g., heart disease, cancer, asthma, kidney disease, multiple sclerosis, epilepsy, diabetes, etc.,

    e. Emotional or psychological illnesses (spouse and children only), e.g., autism, schizophrenia, etc.,

    f. Physical handicaps, e.g., cerebral palsy, arthritis, spina bifida, etc.,

    g. Mental retardation, and

    h. Multiple handicaps.

2. Commander, (CGPC-epm) considers a situation manageable once the family and member:

a. Demonstrate the ability to manage the situation.

b. Present adequate long-range planning for the situation WITH and WITHOUT the member's presence. For example, a member could elect an unaccompanied tour, allowing his or her dependents to remain in an area where adequate resources are available.

c. Demonstrate the situation no longer significantly impedes his or her availability for unrestricted reassignment. ☛ Article 4.A.6.

3. Work-Life staff managers are available to assist a member experiencing a family hardship or emergency.

4.B.11.c. Duration

Commander, (CGPC-epm) normally authorizes no-cost TAD orders for a maximum of six months for a HUMS because the situation involved is usually temporary. In some cases, if the hardship continues after six months, Commander, (CGPC-epm) may authorize no-cost PCS orders for up to two years for humanitarian reasons. If it appears the member will not be available for unlimited reassignment on completing the HUMS, Commander, (CGPC-epm) considers the hardship a permanent situation and normally will initiate discharge by reason of hardship.

4.B.11.d. Criteria

These are the criteria for requesting a HUMS:

1. The member has encountered a severe hardship other Coast Guard members normally do not.

2. The hardship has arisen or deteriorated excessively since the member entered his or her current enlistment and the cause is beyond the member's control.

3. The problem affects the Servicemember's immediate family, i.e., husband, wife, son, daughter, step-child, parent, step-parent, or other person acting in loco-parentis, or any bona fide dependents. Normally, this definition does not include in-laws unless they are bona fide dependents, but selected cases may be considered individually.

4. No other relatives capable of providing the necessary assistance are nearby.

5. The member’s presence is essential to alleviate the hardship.

6. In addition to meeting these criteria, a Service need normally must exist before a permanent change of station will be authorized; i.e., the receiving unit should have a current or projected billet vacancy. It is important to note consideration for authorizing temporary permissive travel is based on the merits of the hardship

alone but consideration for authorizing PCS permissive travel is based on both the merits of the hardship *and* the needs of the Coast Guard.

7. These additional restrictions apply to non-rated members:

   a. The Service normally will not authorize PCS HUMS for non-rated personnel. Commander, (CGPC-epm) may authorize an individual TAD HUMS for a maximum of six months for non-rated personnel. Generally, if the member's hardship cannot or does not abate within six months, the member may request either to return to his or her permanent unit or a discharge by reason of hardship.

   b. Non-rated members serving on HUMS must first present clear documentation the hardship situation is completely resolved and they are available for worldwide assignment in accordance with Service needs before Commander (CGPC-epm) will permit them to attend "A" School training.

4.B.11.e. Urgent Hardship Cases

Commanding officers should authorize emergency leave for all urgent hardship cases. Message requests for a HUMS normally are inadvisable because they do not contain enough information to evaluate and determine properly. Commanding officers should advise members if the emergency leave granted is insufficient to resolve the hardship, they should consult the nearest Coast Guard unit, which will assist them to submit a request to extend leave or, if appropriate, for a HUMS.

4.B.11.f. Restrictions on HUMS

1. Members serving on HUMS first must present clear documentation the hardship situation is completely resolved and they are available for unlimited reassignment in accordance with Service needs before Commander, (CGPC-epm) will permit them to reenlist or extend beyond the HUMS termination date or attend Class "A" School training. Members advanced to pay grades E-7 through E-9 are required to obligate for 2 years of active duty from the date of advancement; however, discharge shall still be initiated if, upon completion of the HUMS, they are unavailable for unlimited assignment.

2. Members who desire to extend their enlistment shall send their request to Commander (CGPC-epm) via the chain of command 60 days before they complete their enlistment. Unless the hardship that generated the HUMS has improved, Commander (CGPC-epm) will authorize an extension only to the end of the HUMS. Therefore, requests should contain documentation to substantiate the hardship has improved or ended if the requested extension is longer than the HUMS.

3. Members serving on a HUMS normally may not attend a resident Service course of instruction. Commander (CGPC-epm) may waive this restriction.

4. Commanding officers shall report members ineligible to reenlist due to a still-existing hardship to Commander (CGPC-epm) 60 days before enlistment expires and ensure members separated while serving on HUMS receive their appropriate reenlistment code.

5. Commander, (CGPC-epm) must approve extending members on active duty in advance. When Commander (CGPC-epm) has authorized a HUMS, the member's commanding officer shall ensure an Administrative Remarks, CG-3307, entry is prepared for the member's Personnel Data Record to document this prohibition. Such entry does not permanently bar a member's reenlistment or extension of enlistment, but is intended to require reevaluating those cases involving hardships of sufficient duration to jeopardize the member's future unrestricted assignment.

6. Members may not serve two humanitarian assignments for the same hardship but may serve multiple HUMS for subsequent, unrelated hardships.

4.B.11.g. Preparing Requests

1. Each basic request must contain:

   a. A brief statement outlining how the HUMS will alleviate or resolve the hardship.

   b. The requested HUMS locale and location of the nearest Coast Guard unit.

   c. Dependents' current address.

   d. Names of both the member's and spouse's family members, listing their age, marital status, and address, with a statement about each adult family member's ability to assist.

   e. This statement or a full justification of the member's financial situation:

      This unsolicited request is made for my own convenience. I realize no expense to the Government will be authorized in connection with any travel authorization that may be issued incident to this request.

   f. A statement as to whether the member intends to request a discharge by reason of hardship if the requested HUMS is not approved. ☞ Article 12.D.3.

2. Include these enclosures with the basic request:

a. A current BAH/Dependency/Emergency Data and SGLI Validation, CG-4170A.

b. Statements from two or more persons personally knowledgeable about the situation.

c. If feasible, a statement from the dependent concerned about the nature of the hardship and why the member's presence is necessary.

d. If illness is involved, the attending physician's written statement. It is important this statement include the dependent's diagnosis, prognosis and, if applicable, life expectancy described so an average person can ascertain the illness's cause and determining factors.

4.B.11.h. Submitting Requests While in a Leave Status

While in a leave status members may submit requests for a HUMS to their district commander, maintenance and logistics commander, or commanding officer, Headquarters unit, as appropriate. The nearest commanding officer should assist such members. A copy of all documentation and message traffic should be forwarded to the commanding officer of the member's permanent unit. Granting permissive travel authorization for a temporary HUMS during an emergency while gathering the documentation necessary for a permanent change of station HUMS request is appropriate. In addition to the information ☛ Article 4.B.11.g. requires, include also this information:

1. Leave address and telephone number.
2. Date and place leave expires.
3. Estimated departure date and time from leave address to return from leave on time.

4.B.11.i. Command Endorsement

The commanding officer's endorsement shall contain this information:

1. A recommendation for approval or disapproval. If the commanding officer believes a HUMS will not the resolve the problem, he or she shall recommend a proper course of action.

2. Any pertinent information the commanding officer has learned by personal interview or contact which the request does not contain.

3. Date enlistment expires or eligible for release from active duty.

4. Current earned leave credit and amount of leave taken in connection with the hardship.

4.B.11.j. Request to Extend a HUMS

This article applies to all TAD or PCS HUMS authorized for less than two years. If warranted, submit requests to extend a HUMS in these cases in as follows:

1. At least one month before the current HUMS expires.

2. The command to which the member is assigned TAD should endorse the extension request and send a copy to the member's permanent unit.

3. Current information on the status of the hardship, including the attending physician's new statement with current diagnosis and prognosis in the case, and any new facts or reasons why the extension is necessary.

4.B.11.k. Reporting HUMS Completion

1. The commanding officer of the unit to which a member is attached for a HUMS shall become familiar with the member's situation, assist as practical in resolving the hardship, and keep informed about the case.

2. When the conditions that caused the HUMS cease to exist or the HUMS period has expired, the command of the unit to which the member is attached shall promptly have the member submit a letter requesting termination of his or her HUMS to Commander, CGPC via the member's administrative chain of command. The termination letter must contain documentation, e.g., counselor's statement, court documents demonstrating final judgment, etc., showing the reasons causing the humanitarian assignment have been resolved and the member is available for worldwide assignment. In case of death, no additional documents other than the termination letter are needed. At least one month before the HUMS expires, the member should request either an extension if the original HUMS was granted for less than two years or HUMS termination as described here.

3. After Commander (CGPC) has approved, in the report of HUMS completion, include this statement on an Administrative Remarks, CG-3307, entry or letter as appropriate for the member's Personnel Data Record:

   > I have been counseled on the requirement of Article 4.B.11., CG PERSMAN, COMDTINST M1000.6 (series), about my availability for unrestricted worldwide assignment. I further certify the situation that caused my original request, described in my letter 1326 of [insert date] has been completely alleviated and I am now available for unrestricted worldwide assignment.

4. Because a TAD HUMS is short-term, it is not necessary to request termination. However, the member's permanent command should report the member's

completion of the TAD HUMS and his or her return to the unit to Commander, CGPC via message traffic.

4.B.11.l. Special Instructions

1. Commander (CGPC-epm) will normally issue members assigned under this article either temporary or permanent permissive travel authorization. Permanent means the member's permanent duty station changes to the new unit.

2. Members issued permissive travel authorization are so authorized at their own request and for their own convenience.

   a. Before accepting this permissive travel authorization, the member shall sign an Administrative Remarks, CG-3307, entry or letter as appropriate stating he or she understands he or she is not entitled to reimbursement for any expenses including:

      (1) Transportation or HHG,

      (2) Dislocation allowance, and

      (3) Per diem.

   b. Members will travel in a leave status. The permissive travel authorization shall not authorize proceed or travel time and shall contain this statement:

      This authorization is issued with the understanding you will not be reimbursed for mileage or any other expense in connection with it. If you do not desire to bear this expense, consider this authorization canceled.

   c. When Commander (CGPC-epm) grants a PCS HUMS, the member's command shall prepare an Administrative Remarks, CG-3307, entry or letter as appropriate for the member's Personnel Data Record stating the member must first present clear documentation the hardship is completely resolved and he or she is available for unrestricted reassignment in accordance with Service needs before Commander (CGPC-epm) will permit that member to reenlist.

3. Members may be entitled to basic subsistence and housing allowances if government messing and quarters are not available.

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4.C. Assignment Process for Rated and Designated Members

4.C.1. Overview

4.C.1.a. General

Commander, (CGPC-epm-2) will make assignments using a standardized process. The assignment process is commonly referred to as S.P.E.A.R., an acronym for the five separate and distinct phases during the year, Strategize, Publish, Engage, Act, and Review. A definition of each phase, and the specific actions taking place during them will be provided in Article 4.C.1.b. The S.P.E.A.R. process is designed to provide the following benefits:

1. Members have a greater number of billet choices. Members can apply for billets that are expected to become vacant during the entire year;

2. All ratings are managed by a standard process. Non-routine transfers (such as those caused by retirements, releases from active duty (RELADs), billet restructuring, medical cases, humanitarian assignments (HUMs), etc.) are handled on a case-by-case basis and given special consideration;

3. Routine transfers occur in the spring, summer, and early fall months, typically, **March through** September. This allows the majority of members to move during a time when it is more convenient for members and dependents; i.e., school concerns. Unit continuity and staggering issues will be closely monitored;

4. Assignment officers (AOs) are provided with a dedicated time to communicate with members, or their unit's point of contact (Unit POC) regarding their next assignment, before and while assignment decisions are made;

5. AOs, after having received member input through the Assignment Data Card (ADC), CG-3698A, and telephone, have a larger pool of candidates to select from and have dedicated time to make logical and equitable decisions without interruption;

6. Expectations, roles and responsibilities of the member, command and AOs are clearly identified and communicated; and

7. A dedicated time is set aside for review of the assignment process (measurement and analysis).

4.C.1.b. S.P.E.A.R.

The following are the explanations for the various phases of the standardized enlisted assignment process, with approximate timelines and deadlines. Commander, (CGPC-epm-2) will issue message traffic during the course of the year with the current timeline and deadlines.

1. "Strategize" PHASE ONE (June and July): This phase involves strategic planning for the assignment season, during which AOs identify Service needs, members who will be tour complete, billets added or deleted, projected billet vacancies, and fiscal limitations. Members who are tour complete during the period 01 January through 31 December of the following year should start discussing their assignment interests and desires with their family members, supervisors, and mentors. Commands should review unit rosters and confirm tour completion dates, and then ensure Commander, (CGPC epm-2) is aware of projected RELADs, retirements, and any other concerns
2. "Publish" PHASE TWO (August): This phase is primarily oriented to AOs publishing a “Shopping List” of all expected vacancies in the coming year. The list is published via E-mail and voice mail FAX. Members continue to consider assignment options in light of known available billets.
3. "Engage" PHASE THREE (September **through** November): This phase provides all those involved in the assignment process the opportunity to communicate information. ☛ Article 4.C.2. Each element - member, command, and Commander, (CGPC-epm) - has specific roles and responsibilities which should be accomplished at this time. Members who are tour complete between 01 January and 31 December of the upcoming year must submit an ADC during this phase to Commander, (CGPC-epm-2) with command endorsements. Members who do not have a current ADC on file prior to
15 November will lose their assignment priority. ☛ Article 4.B.4. During this phase:

   a. Members should submit all ADCs to Commander, (CGPC-epm-2) not later than 15 November. Those members desiring consideration for Special Duty Assignments (☛ Chapter 4.E) must have their ADCs to Commander, (CGPC-epm-2) no later than 01 October.

   b. Members should review the "Shopping List" with their mentors, supervisors and unit POC, then communicate their desires and goals to their AO using the ADC. The ADC is the primary mode of communicating the member's desires (and special concerns) to their AO. They should fully explain any specific issues in the comments section. After submitting an ADC, members may contact their AO if

their personal situation changes. Members should ensure the unit POC is also aware of these changes. ☛ Article 4.C.2.

c. Members who desire confirmation that a hard copy of their ADC has been received by Commander, (CGPC-epm-2), shall submit an Acknowledgment Referral Card (CG-4217) with the ADC.

d. Commands should appoint a unit POC. The POC is normally at the middle and senior management level, such as a leading chief, Command CEA, XPO, XO, or OIC. Their knowledge of the unit's operational needs, expected changes, understanding of the local housing situation, and knowledge of their members is invaluable to the transfer process. POCs can also provide career counseling. Their direct involvement allows the command to have positive influence in the assignment process.

e. AOs and Central Assignment Coordinators (CACs) should:

(1) Review each member’s ADC. Discuss with the unit POC the command concerns, member's desires and career needs, and Service needs.

(2) Not issue or promise routine orders during this phase.

4. "Act" PHASE FOUR (December through March): This phase is designed to allow the AOs to act on all the input developed and provided in previous phases. It will provide them the opportunity to develop assignment slates and issue orders uninterrupted. As a courtesy, AOs will attempt to contact a member or the unit POC if orders cannot be issued to any choices on the member's ADC. During this phase, it is essential that members and commands do not attempt to call Commander, (CGPC-epm-2) for "routine" assignment matters. Under bona fide emergency conditions, unit POC's may contact the AO's supervisor. The "normal" assignment season closes at the end of this phase.

5. "Review" PHASE FIVE (April and May): This phase allows AOs to review the assignment season and make necessary adjustments to assignments. Commander, (CGPC-epm-2) analyzes measurements,

including customer feedback, and adopts process changes for the next assignment season.

4.C.1.c. Non-Routine Assignments

It becomes necessary sometimes to make assignments outside the normal standardized enlisted assignment process as a result of billet changes and unplanned or unexpected billet vacancies throughout the year. The AOs will take into consideration all factors, issues and inputs; e.g., command concerns, member's desires and career development, and the needs of the Service, to assign members to these billets. ☛ Article 4.C.1.

4.C.2. Communicating with Assignment Officers

4.C.2.a. The Assignment Data Card (ADC), CG-3698A

1. The Assignment Data Card (ADC), CG 3698A, is the primary method for members to communicate their assignment desires. The importance of an enlisted member keeping his or her ADC current is critical. Members should submit a new ADC anytime they need to update information. Accurate and timely submission of this data provides Commander, (CGPC-epm-2) with important information when considering assignments. Requests for certain duty; i.e., recruiting, National Strike Force, executive petty officer, officer in charge, etc. must have appropriate endorsements. ☛ Article 4.E.1.

   a. Members must submit an ADC within six months of arriving at their new duty station. The purpose of this ADC is to ensure all personal data (i.e., address, phone number, family status, etc.) is updated and to provides valuable information for the AOs on the member's next desired assignment or type of duty.

   b. Members should submit an ADC during Phase Three of the assignment process when they will become tour complete in the next calendar year. (☛ Article 4.C.1.b.) Members who do NOT have a current ADC on file will lose their assignment priority.

   c. Command endorsements on ADCs are critical to the efficient and effective reassignment. Individual qualities and traits should be addressed in command endorsements in order to enhance the enlisted assignment process.

2. The ADC is also the primary method for “A” School students and strikers to communicate their assignment desires. “A” Schools will ensure that

each student submits an ADC at least five weeks prior to graduation. School chiefs are authorized to endorse the student's ADC in place of the command, if the training command so delegates.

3. Commands with Strikers assigned will ensure that each striker upon designation submits an ADC to Commander, (CGPC-epm-2). Upon designation, members are considered available for transfer regardless of their proximity to tour completion.

4.C.2.b. Letter Correspondence

Letter correspondence, although not required nor encouraged from a member, will be accepted by the AO and considered when making assignments.

4.C.2.c. FAX or Express Mail

Electronic facsimile (FAX) or Express Mail of ADC's will NOT be accepted, unless specifically requested by the member's AO when quick receipt is required.

4.C.2.d. Electronic Mail (E-Mail)

Electronic mail (E-Mail) directly from members to AOs is prohibited and will NOT be acknowledged. E-Mail to Commander, (CGPC-epm-2) will be accepted from the unit POC. Response via E-Mail is often impossible due to system constraints; therefore the unit POC's name and phone number should be included on all correspondence.

4.C.2.e. Telephone Calls

1. Telephone calls from members directly to AOs should be made only during phase three of S.P.E.A.R. (☛ Article 4.C.1). In most cases, it is only necessary for the unit POC to call Commander, (CGPC-epm-2) (AOs or CACs).

2. Telephone calls from “A” School students to AOs are NOT authorized. School chiefs can make any necessary calls on behalf of their students.

4.C.2.f. Unit POCs

1. Each command should appoint a unit Point of Contact (POC). The unit POC is normally at the middle or senior management level, such as a leading chief, Command CEA, XPO, XO, or OIC. Their knowledge of the unit's operational needs, expected changes, understanding of the local

housing situation and knowledge of their members is invaluable to the transfer process. In addition, the unit POC should provide career counseling and general assignment information.

2. If a member's situation does not fit into one of the above scenarios, or the member has a non-assignment related question, the member must receive local counseling before contacting Commander, (CGPC-epm-2). The designated unit POC should try to resolve the member's concerns using existing available resources; e.g., Command CEA, Career Information Specialist, Training Officer, publications, directives, etc. If it is absolutely necessary for Commander, (CGPC-epm-2) to become involved, the unit POC will notify them of the situation, then Commander, (CGPC-epm-2) will contact the member.

3. "A" School chiefs are authorized and expected to assume the role of unit POC for all students and provide appropriate career counseling.

4.C.3. Assignment policy upon advancement

4.C.3.a. Service Needs

When a member advances and desires to remain in his or her current assignment, every effort will be made to retain the member until tour completion, unless Service needs dictate otherwise. If a member desires reassignment upon advancement, AOs will consider, on a case-by-case basis, the reassignment of the member based on the needs of the Service. Every effort will be made to minimize the number of transfers upon advancement, but personnel should not compete for advancement unless they are prepared to be transferred to fill an authorized billet in the next higher pay grade.

4.C.3.b. Billet Vacancies

Enlisted advancements occur when a vacancy is created in the higher pay grade. This means that a need exists for a member in the higher pay grade to fill a higher pay grade billet. Although every effort will be made to minimize unscheduled, unplanned, and transfers prior to tour completion, these may be required to meet Service needs. While the Senior Enlisted Assignment Policy (SEAP) (☛ Article 4.C.3.d.) and Petty Officer Assignment Policy (POAP) (☛ Article 4.C.3.g.) provide flexibility for members and Commander, (CGPC-epm-2), some unscheduled transfers will be necessary. A member who advances to E-7 should expect to be reassigned to an E-7 billet as soon as possible, usually within one year after advancement. (☛ Article 4.C.3.e.)

4.C.3.c. Assignment Officer Priorities for Assignments

AOs will fill vacant billets with a member in the identified pay grade, when available within other Service needs. If there are no tour complete members in the pay grade available for transfer to fill a vacant billet, the AO will use the following ordered priority:

1. Members on current advancement eligibility list above the cutoff.
2. Members in the identified pay grade who are tour complete within the next assignment season or year.
3. Using SEAP or POAP:
   a. Members qualified for the next higher pay grade SWE.
   b. Members with a favorable commanding officer's written endorsement.

4.C.3.d. Senior Enlisted Assignment Policy (SEAP)

1. AOs will fill vacant billets with the identified pay grade; i.e., E-9 to E-9 billet, E-8 to E-8 billet, etc. However, if there are no available personnel in the pay grade to fill a vacant billet, the following procedures will be used by the AO based on Service needs:

   a. A newly advanced E-7 may fill only E-7 billets and must remain three years in grade before becoming eligible for an E-8 billet. This requirement is non-waiverable.

   b. An E-7 with three or more years in grade and a favorable command endorsement may fill an E-8 billet (except an Officer in Charge afloat billet), when there are no qualified E-8s available for assignment.

   c. An E-8 may fill any E-7 or E-9 billet (except exclusive E-9 assignments) when there are no qualified E-7s or E-9s available for those assignments. For E-9 assignments, members must receive a favorable command endorsement. In a situation where there are no
   E-8s available for an E-8 assignment, E-9s will have assignment priority over E-7s.

   d. An E-9 may fill any E-8 or E-9 billet. Billets which will be exclusively filled by E-9s are: Command **Master Chiefs** (CMCs); Senior Servicewide Examination (SWE) writers; and CPO Academy School Chief.

2. When considering assigning a member to a higher or lower pay grade billet, the AO will first contact the receiving command for their input to be weighed in the assignment decision.

3. Members in an out-of-pay-grade assignment should anticipate returning to a billet in their pay grade upon tour completion.

4. When a member requests assignment to a higher pay grade billet, commands shall provide a written endorsement on the member's ADC. When recommending a member for a higher pay grade billet, commands should consider whether they would favorably recommend the member for advancement to the next higher pay grade. This endorsement shall include a recommendation for assignment to a higher pay grade and a statement indicating completion of performance factors for the higher pay grade.

4.C.3.e. Assigning Newly Advanced Personnel E-4 to E-9

Advancements recognize the member's accomplishments and reaffirm the Service's faith and confidence in the member to assume positions of increased leadership and responsibility. It is important for members and commands to remember advancements are possible only because billet vacancies exist somewhere in the Service, so transfers to fill those vacancies are likely to occur. Assignment Officers (AO) consider these factors when members advance:

1. **"Service Need" is the main criterion in determining when or where to assign a newly advanced member.**

2. **A member advanced while filling a Special Assignment billet normally remains in that billet until tour-complete.**

3. **Newly advanced members considered for Command Cadre assignments are still required to meet those assignments' qualifications and screening requirements. Fleeting up or transferring to a Command Cadre billet is not automatic**

4. **Newly advanced E-7s normally transfer to an E-7 billet within one year of their advancement.**

5. **Assignment Officers follow these procedures when assigning newly advanced E-4s to E-9s:**

   a. **The AO uses the Senior Enlisted Assignment Policy (SEAP) or Petty Officer Assignment Policy (POAP) to determine whether the newly advanced member can continue to occupy his or her current BCN.**

b. If a member cannot continue to fill his or her current BCN, the AO attempts to allow him or her to fleet up at the same command if a vacancy exists and there is not a greater Service need elsewhere.

c. If the current unit has no vacancy, the AO attempts to assign the member to a vacancy in the same geographic area.

d. If the geographic area has no vacancy, the member should expect transfer to a billet out of the area.

4.C.3.f. Projected Advancement to Chief Petty Officer

A member projected for advancement to E-7; i.e., above the cut, on the advancement eligibility list, must submit an ADC within 30 days of his or her name appearing on the list indicating the member's desired E-7 billets. The ultimate decision on an assignment will be based on:

1. Service needs
2. Member's desires
3. Billet availability
4. Job experience
5. Further advancement opportunity
6. Proximity to tour completion
7. Training qualifications
8. Unit needs

4.C.3.g. Petty Officer Assignment Policy (POAP)

1. AOs will continue to make every effort to fill vacant billets with the identified pay grade; i.e., E-4 to E-4, E-5 to E-5, and E-6 to E-6. However, if there are no tour complete members available for transfer in the respective pay grade to fill a vacant billet, the following procedures will be used by the Assignment Officer:

   a. E-4s with less than two years time in grade shall not be assigned to an E-5 independent duty billet.

   b. Available E-4s may be assigned to vacant E-5 billets when there are no qualified E-5s available for the assignment.

c. Available E-5s may be assigned to vacant E-4 or E-6 billets when there are no qualified E-4s or E-6s available for the assignment. E-4s will have priority over E-6s for vacant E-5 assignments to enhance career growth.

d. An E-6 is not intended to fill an E-5 billet. However, an E-6 may be assigned to an E-5 billet based on Service needs.

e. Billets which will be filled exclusively by the designated pay grade are: Officer in Charge (OIC), Executive Petty Officer (XPO), and Engineer Petty Officer (EPO), unless Service need dictates otherwise.

2. A member will submit an ADC within 30 days of his or her name appearing above the cutoff on the advancement eligibility list. Obviously, some members may want to remain in their current billet; other members will request reassignment. AOs will carefully consider the member's desires in making these assignments.

3. When a member advances, every effort will be made to maintain geographic stability for the benefit of the member and the Coast Guard. Any assignment action will be dependent upon:

   a. Service needs

   b. Member's desires

   c. Billet availability

   d. Job experience

   e. Further advancement opportunity

   f. Proximity to tour completion

   g. Training qualifications

   h. Unit needs

4. When a member's command feels the rationale provided for reassignment is inadequate, the commanding officer or his or her representative should seek further explanation from Commander, (CGPC-epm).

5. When considering candidates for a higher pay grade billet, the AO will use the following ordered priority:

   a. Members on current advancement list

   b. Members qualified for the next higher pay grade SWE

c. Members with a favorable command endorsement

d. Tour lengths for E-5s filling E-6 billets INCONUS ashore will be four years. Tour lengths for E-6s filling E-5 billets INCONUS ashore will be four years.

e. When considering assigning a member to a higher pay grade billet where the member will be the senior member of that rating on board the unit, the AO will first contact the receiving command for their input to be weighed in the assignment decision.

f. When a member is not on the current advancement list and requests assignment to a higher pay grade billet, he or she shall submit an ADC with higher pay grade billets and the command's endorsement. This endorsement shall include a recommendation for assignment to the higher pay grade and a statement indicating completion of performance requirements for the higher pay grade.

4.C.4. Assignment of Strikers and "A" School Graduates and Disenrollees

4.C.4.a. General

1. Service need is the primary factor in assigning designated strikers and "A" School graduates. Commander, (CGPC-epm-2) will assign these members to third class petty officer (E-4) billets throughout the Coast Guard.

2. PERSRUs shall notify Commander, (CGPC-epm-2) by message of those personnel placed on the striker advancement list. Mere placement of members' names on the striker advancement list does not necessarily imply that a transfer is forthcoming.

3. Advance notice of transfer and assignment priority do NOT apply to these members. (☛ Articles 4.B.2. and 4.B.4.)

4.C.4.b. Reassignment of Class "A" School Disenrollees

1. Regardless of the reason for disenrollment, each training center shall send a message stating the circumstances of the case to the member's previous unit, Commander, (CGPC-epm-2), and the previous unit's chain of command. This message should also include the information outlined in Article 4.F.5.a. All Class "A" School training commands shall request assignment of disenrollees by message to Commander, (CGPC-epm-2) within 72 hours of a member's disenrollment. The message shall include the following information:

   a. Disenrollee's name and social security number

b. Reason for disenrollment (i.e., ineligibility, member's request, fault due to member's own actions, academic, or other - explain)

c. Date disenrolled

d. Date reported to training command

e. Type of orders under which member was directed to attend school (PCS/TEMDUINS, PCS/DUINS, or TEMADDINS)

f. Number of dependent(s)

g. Location of dependent(s)

h. At least four assignment choices

2. Commander, (CGPC-epm-2) will utilize the following guidelines when responding to a disenrollment message:

3. For a no-fault disenrollment, which includes academic failure despite member's best efforts to succeed, injuries in the line of duty, or bona fide family emergencies, Commander, (CGPC-epm-2) will normally transfer the member to a unit near the training center based on Service needs. The member may resubmit another Class "A" School Training Request (CG-5286) immediately upon disenrollment. After two no-fault disenrollments, the member is prohibited from reapplying to any "A" School for one year from the date of second disenrollment.

4. For a fault disenrollment, which includes cheating, misconduct, injuries not in the line of duty, non-judicial punishment, individual not petty officer material, or voluntary disenrollment, Commander, (CGPC-epm-2) will transfer the individual to meet Service needs. The member is prohibited from reapplying to any "A" School for one year from the date of disenrollment.

5. For a failure to meet eligibility requirements, which includes failure to meet the requirements of Article 4.C.1.d, weight standards (☛ Allowable Weight Standards for the Health and Well-Being of Coast Guard Military Personnel, COMDTINST M1020.8 (series)), obligated service requirements (☛ Article 4.B.6. and Training and Education Manual, COMDTINST M1500.10 (series)); or minimum training prerequisites, Commander, (CGPC-epm-2) will normally transfer the member back to his or her previous unit. **In cases where a member reports to "A" school exceeding allowable weight standards, all PCS costs associated with the member's transfer to "A" School and subsequent transfer will be charged to the previous unit's AFC 30 account**. In those cases where the member arrived directly from a completed tour aboard an afloat or OUTCONUS unit, Service needs will dictate the member's assignment.

4.C.5. Duties of Medical Personnel and Geneva Convention

4.C.5.a. Primary Duties Other than Medical

Members trained for medical duties such as Health Services Technicians who are assigned primary duties by Commander, (CGPC-epm-2) other than medical, are not considered medical personnel for the purposes of the Geneva Convention. These primary duties may include, but are not limited to, Special Agent, Recruit Company Commander, and Ceremonial Honor Guard. Members so assigned will not have any exemptions or protections provided for medical personnel by the Geneva Convention.

4.C.5.b. Utilization of Medical Personnel

Commanding officers are authorized to assign medical personnel whose primary duties are health care, to general duties, except as noted below:

1. Medical personnel are not to be utilized for duties that require the bearing of arms (except for the limited purposes allowed by the Geneva Conventions for their own defense or protection of the wounded and sick in their charge), even though the bearing of arms may be purely ceremonial.

2. Medical personnel are not to be utilized for combat duties that are not related to medical care or administration.

4.C.6 Assignment as Officer In Charge (OIC)

4.C.6.a. General

Currently, OIC billets exist in the boatswain's mate (BM), quartermaster (QM), telephone technician (TT), and electronics technician (ET) ratings. All members assigned to OIC billets require certification that they are OIC qualified. BMs and QMs must be certified by a District Review Board. TTs and ETs are certified by a Headquarters screening of Personnel Data Records (PDRs) and command recommendations conducted by Commander, (CGPC-epm-2) and appropriate program managers. For information purposes, all OIC billets are published and annotated in the Enlisted Billet Manual, COMDTINST M5320.6 (series). Boards may ask questions to determine if a candidate is suitable for an OIC assignment Coast Guard wide. Questions should be based on Coast Guard wide operations and not limited to particular district’s procedures. Written tests and questions which are graded elsewhere are discouraged. Boards should ask open-ended questions to determine a candidate's leadership, ethics, and professionalism. Topics covered should include, but not be limited to:

1. Professional or technical knowledge for the certification desired
2. Fraternization and unprofessional relationships
3. Personal ethics
4. Command ethics
5. Safety
6. Welfare and support of dependents
7. Minorities and women in the Coast Guard
8. Drug or alcohol use and symptoms of alcohol abuse
9. Knowledge of family programs and abuse
10. Financial management practices
11. Small unit budgeting
12. General mess operations
13. Small unit training programs

Note 1. BMs are required to be certified ashore and afloat, multi-mission or ATON for advancement to BMCS and BMCM. QMs, ETs, and TTs currently have no requirement to be OIC certified for advancement to E-8 or E-9.

Note 2. BMs, unless previously certified for both ashore and afloat OIC, should request to be scheduled for an OIC review board within one year of advancement to BMC. BM1s with over two years time in grade, and QMCs, QMCSs, and QMCMs may be scheduled for the review board. BM1's who have less than two years' time in grade but who have served satisfactorily for 12 consecutive months in a designated XPO billet may also be scheduled for the review board. QMs in **paygrades, E-6 thru E-9,** may be certified for command afloat **for both ATON and** multi-mission. **QM1 candidates must meet the same time grade criteria as BM1's.** Board certification of a BM's capability to serve as OIC ashore and afloat will be mandatory prior to participation in the BMCS SWE. No waivers will be given. BMs

who are already in pay grade E-8 and do not hold an OIC ashore and afloat certification; i.e., certification rescinded after advancement to E-8, may not compete in the BMCM SWE until they receive certification. BMCs or BMCSs who lose certification because of a relief for cause may not compete in the SWE for the next pay grade until they are recertified.

Note 3. All members who have had their certification removed for cause must wait a minimum of two years after removal to be eligible for recertification

4.C.6.b. Request to Appear Before the District OIC Review Board

1. Prior to 15 March and 15 September of each year, the area, district, and maintenance and logistic commanders (MLCs) or Headquarters' unit commanding officers shall direct their respective units to submit a list of qualified BM and QM candidates to appear before the Board. Candidates assigned to Headquarters, area or MLC units shall be considered by Review Boards convened at the district in which their unit is geographically located.

2. Commanding officers and OICs shall submit by letter their evaluations of candidates via the OIC Review Board. The evaluation shall consist of Performance Evaluation Forms (CG-3788C), along with command recommendations and comments. For candidates attempting to recertify after a relief for cause, command endorsements should specifically address improvements in the areas identified as problems at the time of relief.

3. Overweight candidates or those on probation for weight in accordance with Allowable Weight Standards for the Health and Well-Being of Coast Guard Military Personnel, COMDTINST 1020.8 (series) will not be permitted to appear before the Board.

4.C.6.c. District OIC Review Board Procedures

1. District commanders, except Commanders, Fourteenth and Seventeenth Coast Guard Districts, shall convene a District Review Board semiannually during April and October to consider enlisted members for OIC certification. Fourteenth and Seventeenth Coast Guard Districts shall convene a Review Board as deemed necessary. The Board shall consist of:

   a. A senior officer with prior command experience

b. A CWO (ENG) either currently serving or with recent experience as a group engineer

c. CWO, BMCM, BMCS, QMCM or QMCS either currently serving or with recent command afloat multi-mission experience

d. District Command Enlisted Advisor

e. CWO or BMCM or BMCS either currently serving or with recent command ashore multi-mission experience

f. A family program advocate (FPA)

g. A CWO or BMCM or BMCS either currently serving or with recent ATON command afloat experience (for candidates screening for ATON)

2. In screening OIC candidates, the Board shall:

a. Require the candidate to appear before the Board.

NOTE: Members should be advised to review materials listed in subparagraph (e) pertaining to the professional knowledge of the BM and QM ratings prior to appearance before the Review Board.

b. Ensure that records available to the Board include the candidate's PDR, health record, training record, and the command's recommendation. Candidates may submit a letter to the President of the Board and include any attachments they feel the Board should consider.

c. Ensure candidate's PDR is carefully reviewed to evaluate his or her capabilities and that the candidate has no enlisted evaluation characteristic average below four for any factor in each marking period for the previous two years, and has no marks less than four on the last regular evaluation.

d. Ensure the candidate has met current Rules of the Road requirements in accordance with the Cutter Training and Qualification Manual, COMDTINST M3502.4 (series). Those not in compliance will not receive OIC certification of any type until this requirement is met.

e. Review and utilize the following publications, manuals, or directives as references in the evaluation of the selectees:

(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.

4.C.9.b. Qualifications

1. Be in pay grade E-4 or higher having completed at least one rated tour afloat and have at least three years', or if on an overseas without dependents tour, at least two years' obligated service remaining upon reporting for VTS duty.

2. Have a current physical examination on record which must be reviewed before assignment to ensure the member meets all applicable physical standards. Pay particular attention to ensure the member possesses the following attributes:

   a. Good hearing and acceptable visual acuity (member must comply with current CG medical standards);

   b. Normal color perception;

   c. No speech impediments.

3. Not be in Medical Board status when assigned to VTS duty.

4. Have no documented drug or alcohol abuse history within one year of assignment.

5. Satisfactory performance. Members with a history of demonstrated unsatisfactory or marginal performance as defined in ☛ Articles 4.C.1., 5.C.38., and 12.B.9. within the past two years are not eligible for assignment to VTS duty.

6. Satisfactory conduct. A documented history of courts-martial, multiple nonjudicial punishments, or a civil conviction for any charge other than a minor one; e.g., traffic violations, in the past two years are not eligible for assignment to VTS duty.

7. Eligibility for a Secret security clearance.

4.C.9.c. Commanding Officer's Endorsement

1. Due to the nature of this unique assignment, the member's commanding officer must make a definitive recommendation on the member's Assignment Data Card (ADC), CG-3698A, about the member's qualifications, capabilities, and suitability for assignment to VTS duty as ☛ Article 4.C.9.b. describes.

2. A commanding officer can forward the member's ADC even if the member has not met the minimum qualifications, provided the commanding officer's remarks justify the requested exception. Commander (CGPC-epm-2) will consider all requests sent in this manner on a case-by-case basis.

4.C.10. Assignment to National Strike Force Duty

4.C.10.a. General

The Strike Teams respond to oil and hazardous material discharges and plan for integration into on-scene operations by participating in regional contingency planning. This includes establishing and maintaining liaison with personnel in all levels of government (federal, state, and local) and industry; training Coast Guard personnel and other personnel from other agencies to engage effectively in response activities; participating in the testing programs associated with Coast Guard development of pollution removal hardware. In addition to training others, Strike Team personnel undergo extensive training at formal schools and at the unit level in order to safely and effectively transport, operate, maintain, and refurbish specialized oil and hazardous chemical response equipment. Strike Teams staff must be carefully selected personnel of the highest caliber to carry out these important functions. The enlisted billet structure includes personnel in the BM, DC, EM, HS, MK, MST, YN, and SK ratings. Strike Team duty involves strenuous, hazardous work with frequent TAD, constant recall status, cross-training to perform the duties of other ratings, extensive training in the various aspects of the National Strike Force mission, frequent contact with other federal agencies, industry, and the general public.

4.C.10.b. Qualifications

1. Three years' obligated service remaining on reporting.
2. **Consistently exhibit mature judgement, even temperament, tact, diplomacy, and discretion.**
3. **Possess the ability to correspond with and address the public professionally and confidently.**
4. **Ability to speak and write clearly.**
5. **No court-martial or felony convictions (federal, state or local) in the past six years.**
6. **No non-judicial punishment or misdemeanor convictions (federal, state or local) in the past three years.**
7. **No alcohol incident during the past four years.**
8. **No unsatisfactory conduct mark or characteristic factor average less than 3 during the past three years.**
9. **No individual factor average less than 4 during the last two years.**
10. **Eligibility for the security clearance required for the assignment requested.**
11. **Qualify to operate a motor vehicle, hold a valid state operator's license, and no history of repeated traffic violations.**
12. **A history of demonstrated sound financial management; no record of excessive indebtedness or indication of non-payment of just debts.**
13. **Members may not be pregnant at the time of assignment.**

14. Members must be clean-shaven; however a neatly trimmed mustache is allowed. Those with approved waivers for folliculitus are not eligible for National Stike Force duty assignments.

15. Good health with no record of physical problems requiring frequent treatment or precluding strenuous and continuous physical activities and no record of psychological problems precluding flying, swimming, and assuming responsibility. Members must successfully meet preassignment physical qualifications outlined in the ☛ Medical Manual, COMDTINST M6000.1 (series).

16. Have sharp military bearing and a smart appearance. Must comply with weight standards contained in the ☛ Allowable Weight Standards for the Health and Well-Being of Coast Guard Military Personnel, COMDTINST M1020.8 (series).

4.C.10.c. Training

Previous attendance at any of these courses or schools is desirable:

1. Marine Safety Petty Officer course or similar training from previous marine safety schools.
2. Hazardous material and/or oil response training.
3. Instructor Training.
4. For MK's: Hydraulic Systems and Equipment Operation and Maintenance and Outboard Motor Maintenance Training (MK-23).
5. Tractor-trailer driver's training.
6. **Safety and Occupational Health Training.**
7. **Emergency Medical Technician Training.**
8. **For SK's: LUFS training, contracting warrant.**
9. For BM's: Coxswain's School.
10. **For DC's: Welding School.**

4.C.10.d. Submitting Requests

1. Submit requests via commanding officer on an Assignment Data Card, CG-3698A. Commanding officers shall interview applicants to determine they fully understand the personal impact associated with being assigned to a unit requiring a continuous recall status and frequent, unplanned TAD for extended periods. The endorsement shall include the commanding officer's statement of the applicant's understanding and whether the applicant meets the qualifications of ☛ Article 4.C.10.b. If the applicant is considered a good candidate but is not qualified in some specific requirement, the commanding officer may recommend consideration of a waiver.

2. **Each rating Assignment Officer will review requests for assignment to the National Strike Force to ensure members meets the minimum requirements described above. If the minimum requirements are met, the AO will develop a list of potential candidates for each available billet. The AO will forward this list**

to the commanding officer of the applicable strike team. The commanding officer will then prioritize this list based upon information gathered from the member, their spouse (if applicable), the member's current unit, etc. The strike team commanding officer will then forward this prioritized list to the cognizant AO to complete the assignment process.

4.C.11. Assignment to Polar Icebreaker Duty

4.C.11.a. General

Polar icebreaker duty is a unique assignment involving extended deployments, long separations from family, and operations in extremely remote areas of the world. As a result, assigned personnel and their dependents must be carefully screened.

4.C.11.b. Qualifications

When a member receives orders to icebreaker duty, his or her commanding officer shall ensure the member complies with the following:

1. Medical. Members and their dependents must be screened for any documented medical problems which would preclude or complicate assignment. The member must complete an overseas transfer/sea duty deployment physical.
2. Dental. Normally, dental defects do not preclude assignment to icebreaker duty. The member should have no dental defects that are likely to require extensive or prolonged treatment. The member must have a type 2 dental exam. Only in those extreme cases when personnel are unable to perform assigned duties due to dental conditions will they be considered unsuitable for icebreaker duty.
3. Alcohol. Personnel with a documented history of unresolved alcohol abuse are considered unsuitable for icebreaker duty. Those who successfully complete an alcohol rehabilitation program and have experienced no alcohol involvement for one year after completing the program are suitable for icebreaker duty. Those who complete the alcohol rehabilitation program while assigned to an icebreaker will be returned to icebreaker duty unless the rehabilitation facility indicates that such return would be detrimental to recovery.
4. Performance. Members with a history of demonstrated unsatisfactory or marginal performance as described in ☞ Articles 4.C.1., 5.C.38, and 12.B.9. in the previous two years are unsuitable for icebreaker duty.
5. Disciplinary. Members with a history of courts-martial, multiple nonjudicial punishments, or involvement with civil authorities in the previous two years are not qualified for icebreaker duty, nor are members with any one-time, major offense; i.e., a felony, in their current enlistment
6. Single Parents. Single parents are not disqualified from serving on icebreakers. ☞ Article 4.A.12.
7. Indebtedness. Members with serious financial problems or indebtedness which has not been reconciled with the creditor(s) or interested parties, or a documented

history of indebtedness over a three-year period are not qualified. ☛ Article 8.F. for policy on processing cases of indebtedness.

8. Defense Enrollment Eligibility Reporting System (DEERS). Members and their dependents must be enrolled in DEERS.

9. Active Obligated Service. Members must have enough active obligated service to complete the tour of duty. The receiving command shall contact the transferring command's administrative officer, executive officer, or commanding officer within 45 days after notice of the member's assignment to determine if the member and his or her dependents are qualified and advise all concerned if any problems are noted or suspected.

10. Sponsor. The receiving command must assign a sponsor for incoming members.

11. Documentation. If a member is considered suitable in all respects for icebreaker duty, his or her commanding officer shall ensure the following Administrative Remarks, CG-3307, entry is entered in the member's Personnel Data Record:

    [Date]: I have read and understand Article 4.C.11., Coast Guard Personnel Manual, relating to suitability for icebreaker duty. Neither I nor my dependents possess any physical or mental abnormalities, except as indicated, which might result in a determination that I am disqualified for such duty: [State disqualifications or indicate "None to my knowledge."] I consider myself fully qualified for icebreaker duty.

    _____

    Member's signature

    (Member's full name) has complied with Article 4.C.11, Coast Guard Personnel Manual and is considered suitable in all respects for assignment to icebreaker duty.

    _____

    Commanding officer's signature

4.C.11.c. Required Action if Member Not Qualified

The member's unit must notify Commander, (CGPC-epm-2) as soon as possible if the member does not meet the qualifications for assignment to icebreaker duty.

4.C.12. Assignment to Law Enforcement Detachment (LEDET) Duty

4.C.12.a. General

Unique in the Coast Guard, Law Enforcement Detachment (LEDET) duty is full-time law enforcement duty. LEDET personnel primarily conduct maritime law enforcement operations and training while deployed on United States and foreign naval ships. Extended deployments and frequent recalls are common. Because LEDET duty is particularly demanding , applicants must be screened carefully. Previous operational and shipboard experience, family situation, duty performance, and personal qualifications are all selection considerations.

4.C.12.b. Qualifications

To be considered for LEDET duty, petty officers must fulfill these criteria:

1. **<u>Law Enforcement Experience</u>. Have been assigned to an afloat unit or shore station as an E-4 or above or have previous civilian or DOD law enforcement experience. Exceptions may be granted for highly-motivated strikers serving afloat or at a shore station who desire LEDET duty for their first petty officer assignment.**

2. **<u>Boarding Team Qualification</u>. Should have been Boarding Team Member (BTM) or Boarding Officer (BO) qualified at his or her current unit or within the last three years. Exceptions may be granted for highly-motivated personnel serving at units not requiring BTM or BO qualification.**

3. **<u>Physical Fitness</u>. Must meet the Commandant's minimum physical fitness standards for BO/BTM.**

4. **<u>Medical</u>. Members selected for LEDET duty must successfully complete an overseas/sea duty screening examination prior to departing current assignment.**

5. **<u>Security Clearance</u>. Must be eligible for a SECRET security clearance.**

6. **<u>Indebtedness</u>. Members with serious financial problems, indebtedness they have not reconciled with creditor(s) or interested parties, or a documented history of indebtedness over a three-year period are not qualified.**

7. **<u>Documentation</u>. When a member is considered suitable in all respects for TACLET/LEDET duty, the member's commanding officer shall ensure the following statement is placed in the comments section of the their Assignment Data Card, CG-3698A:**

I have read and understand Article 4.C.12, Coast Guard Personnel Manual, relating to suitability for TACLET/LEDET duty. Neither I nor my dependents possess any physical or mental abnormalities, except as indicated, which might result in a determination that I am disqualified for such duty: (state disqualifications or indicate "None to my knowledge.") I consider myself fully qualified for TACLET/LEDET duty.

4.C.12.c. Interview

1. **Their commanding officer shall interview members requesting LEDET duty to ensure that they are fully qualified in accordance with this Article.**

2. **Members requesting LEDET duty shall also contact the TACLET commanding officer, executive officer, or specific officer-in-charge where they desire assignment, for an interview that will help determine whether there are any factors which could potentially disqualify the member for LEDET duty.**

4.C.12.d. Submission of Requests

Requests for LEDET duty may be submitted to Coast Guard Personnel Command at any time. Requests shall be submitted on form CG-3698A to CGPC via the member's commanding officer. The commanding officer's endorsement shall provide the following:

1. **A definite recommendation.**

2. **Statement that member has read and complies with article 4.C.12, Coast Guard Personnel Manual.**

3. **Comments regarding the member's performance as a Boarding Team Member or Boarding Officer, if previously qualified.**

4. **Performance.**

4.C.12.e. Training

The receiving TACLET will coordinate initial or refresher training for Boarding Team Members and Boarding Officers.

4.C.12.f. Assignment

1. ☞ **Article 4.A.5. states the general policy on tours of duty.**

2. **CGPC will inform the respective TACLETs of members desiring LEDET duty. The TACLET command representative will indicate to CGPC the members recommended for LEDET duty after their TACLET interviews.**

3. **CGPC-epm-2 assigns personnel to and from LEDET duty.**

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4.D Assignment Policies for Nonrated Members

4.D.1. General

4.D.1.a. Assignments

The Enlisted Assignments Branch, Commander (CGPC-epm-2) will make assignments for all nonrated personnel.

4.D.1.b. Issuance of Orders

Because of the fluid and steady nature of nonrate accessions and advancements, the nonrated assignment process does not lend itself to distinct phases found in the rated assignment system. Consequently, orders for nonrated personnel will be issued throughout the year.

4.D.1.c Assignment Priorities

Assignment priorities do not apply to **initial assignment of** nonrates (☛ Article 4.B.4.) Needs of the Service take precedence over all other factors. **Generally, in determining service need, CGPC-epm shall assign nonrated personnel using the following prioritized categories of unit types:**

Category 1	**All afloat units.**
Category 2	**Those ashore operational units where nonrates either deploy or stand duty (small boat stations, ANTs, LORAN Stations).**
Category 3	**Operational Support Units (Groups, Activities, MSOs).**
Category 4	**General Support Units (ISCs, Districts, COMMSTAs, Training Centers).**

4.D.2. Recruit Assignment Policy

4.D.2.a. Initial Assignment

Upon successful completion of recruit training, or upon initial entry into the Service, nonrated members can expect assignment to various types of units located both INCONUS and OUTCONUS. Commander (CGPC-epm-2) assigns all nonrated members based on Service needs and the member's Assignment Data Card (ADC), Form CG-3698A. Recruits should list at least four desired districts on their ADC and Commander (CGPC-epm-2) will attempt to match their geographical desires with Service needs.

4.D.2.b. Successful Completion of Recruit Training

Commander (CGPC-epm-2) is responsible for the distribution and assignment of all nonrated members who successfully complete recruit training. The needs of the Service will determine the types of units or billets that will be filled by each graduating company.

1. To meet seaman or seaman apprentice (SN/SA) and fireman or fireman apprentice (FN/FA) levels, Commander, (CGPC-epm-2) will designate approximately 30 percent of all members from each recruit graduating class as FAs. Recruits ordered to fill FN billets shall be designated as FAs upon graduation.
2. Training Center (TRACEN) Cape May will provide an ADC in accordance with instructions in the Personnel and Pay Procedures Manual, **HRSIC**INST M1000.2 (series) to Commander (CGPC-epm-2) not later than four weeks prior to recruit graduation. TRACEN will ensure that a unit POC is designated at the training center for recruits. Recruits are not authorized to contact their Assignment Officer (AO).
3. For members entering the Service from the open rate list, recruiting offices will fax an ADC or E-mail the member's ADC, to Commander (CGPC-epm-2). The Recruiter in Charge will act as the member's POC. Prospective members are not authorized to call their AO.
4. Members who, upon enlistment in the Coast Guard, are guaranteed a geographic district will be assigned to that district upon successful completion of recruit training. Members who have a guaranteed district, but desire a different district may waive their guarantee by signing the following statement on an Administrative Remarks, CG-3307:

   > I hereby waive my guaranteed district as shown on my Enlistment Contract, CG-3301. I understand this will enable me to select orders in conjunction with normal recruit order selection procedures. I fully understand this cancellation of my guaranteed assignment is final.

5. Members who, upon enlistment in the Coast Guard, are guaranteed a Class “A” School will be assigned to the appropriate training center awaiting training upon successful completion of recruit training. The actual location of the assignment depends on both Service need and on the length of time between the recruit’s graduation and the convening date of his or her guaranteed school.
6. Only nonrated members who possess normal color vision will be assigned to small boat stations.
7. In those cases when a recruit is reverted, TRACEN will notify Commander (CGPC-epm-2) to determine if a delay in reporting or cancellation of orders is warranted. When recruit orders are canceled, the unit to which that recruit was ordered will receive a replacement from the next graduating recruit company.

8. Units receiving recruits will comply with the sponsor responsibilities outlined in ☛ Article 4.A.15.
9. Advance notice of transfers does not apply to recruits (☛ Article 4.B.2).

4.D.3 Nonrated Tours of Duty

Nonrate tours of duty shall be as per ☛ Article 4.A.5.b.

4.D.4. Communications Between Nonrated Members and Assignment Officers

4.D.4.a. Assignment Data Card (ADC)

The Assignment Data Card (**CG HRSIC-2002**) is the primary method by which members communicate their assignment desires to Commander, (CGPC-epm-2). Commands will ensure each member submits an ADC in accordance with instructions in the ☛ Personnel and Pay Procedures Manual, **HRSIC**INST M1000.2 (series). It is very important that each member maintains a current ADC on file with Commander, (CGPC-epm-2). Members should submit a new ADC anytime to communicate new or changed information. Accurate and timely submission of this data provides Commander, (CGPC-epm-2) with important information when considering assignments.

1. Nonrated members should submit an ADC upon advancement to E-3 to ensure all personal data is updated. In addition, members should specifically note their career intentions, including "A" School or striking intentions, etc., on the ADC.
2. Nonrated members must submit an ADC within six months of their normal tour completion date if OUTCONUS and within four months if INCONUS. This ADC serves primarily to communicate the member's next desired assignment or type of duty.
3. Command endorsements on ADCs are critical to the efficient, effective reassignment of our personnel. Individual qualities and traits should be addressed in command endorsements in order to provide the AO with a larger perspective of assignment issues particular to the member.

4.D.4.b. Telephone Calls

Telephone calls from nonrated members directly to AOs are prohibited. In most cases, a nonrated member's questions or concerns can be adequately addressed at the unit POC level. ☛ Article 4.C.2.f.

4.D.4.c. Other Communication Methods

☛ Article 4.C.2.

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4.E.1. General Policy

4.E.1.a. Overview

This chapter describes types of Special Duty assignment, screening, and relief procedures. The Special Duty assignment screening process requires the member to meet standard minimum qualifications, submit an application with command endorsement, be reviewed by the rating and special duty assignment officers and the command or program manager, and be selected for the specific special duties desired. As explained below, many of the policies described in this chapter are waived or do not apply to this type of duty and assignment. All members are expected to remain current in their rating.

4.E.1.b. Assignment Priority

In recognition of the arduous duty that some of our members must serve based on Service needs, assignment priority is a primary factor in routine enlisted assignments for rated personnel. However, it is not a major factor in Special Duty assignments which are driven primarily by Service need for individuals with special skills, knowledge or abilities outside those expected of members of the same rate and rating.

4.E.1.c. Geographic Stability

Members requesting Special Duty assignments must be aware that assignments are based on the qualifications of the member for the particular Special Duty requested, not on the specific location of that duty. Geographic stability should not be the primary reason for requesting such duty. If selected for Special Duty, members must be available for assignment to that duty regardless of geographic location.

4.E.1.d. Tour Length

The tour lengths for various Special Duty assignments are included elsewhere in this chapter under the appropriate heading for specific assignments. Members in Special Duty assignments can expect to serve one full tour. On completing a full tour, members normally are reassigned to duties in rating. Assignment officers will consider granting requests for a one-year tour extension if the command favorably endorses the request and Service has no need for the member to return to duty in his or her rating. Additional extensions may be approved; however, the maximum time served at one unit or in the same billet is six years. Under unusual situations; e.g., Special Agents, additional tours may be permitted. Members who request additional tours must repeat the Special Duty Assignment Screening Process.

4.E.1.e. Collateral Duties

Commanding officers (COs) have the authority to assign such collateral duties as appropriate to members assigned to their command. COs further have the authority to assign or reassign duties within their command as appropriate. Procedure for reassignment of members unsuited for special duty are specified in ☛ Article 4.E.4.

4.E.2. Qualifications

4.E.2.a. Minimum Standards For All Special Duty Assignments

Members must possess standard minimum qualifications for all Special Duty assignments. Additional requirements which may apply are included elsewhere in this chapter under the appropriate heading for the specific type of assignment. Commands will ensure the member, during the application process and also before executing his or her orders, meets the standard minimum qualifications. Commander (CGPC-epm) will review the Discriminator Identification and Tracking System (☛ Chapter 8.O) to determine the candidate's eligibility. If an applicant becomes ineligible anytime after applying for a Special Duty assignment, his or her command shall send a message to Commander, (CGPC-epm).

The standard minimum qualifications are as follows:

1. Must consistently exhibit mature judgment, even temperament, tact, diplomacy, and discretion.

2. Have the abilities to correspond with and address the public pleasantly and confidently and to speak and write clearly.

3. No court-martial or felony convictions (federal, state or local) in the past six years.

4. No non-judicial punishment or misdemeanor convictions (federal, state or local) in the past four years.

5. No alcohol incident during the past four years.

6. No unsatisfactory conduct mark or characteristic factor average less than three during the past four years.

7. No individual factor average less than four during the last two years.

8. Must be eligible for the security clearance required for the assignment requested.

9. Have more than four years' active duty in the Coast Guard.

10. Qualify to operate a motor vehicle, hold a valid state-operating license, and have no history of repeated traffic violations.

11. A history of demonstrated financial responsibility; no record of excessive indebtedness or indication of non-payment of just debts

12. Men must be clean-shaven; however, a neatly trimmed mustache is allowed. Those with approved waivers for folliculitis are not eligible for Special Duty assignments.

13. Have sharp military bearing and a smart appearance. Must comply with weight standards contained in ☛ Allowable Weight Standards for the Health and Well-Being of Coast Guard Military Personnel, COMDTINST M1020.8 (series). Must not have been on probation for exceeding maximum allowable weight or body fat standards anytime in the past two years.

14. Must obligate service for a full tour in billet assigned.

15. Must serve at least 2 years in billet commencing on the reporting date prior to voluntary retirement.

4.E.2.b. Career Pattern

Although not considered mandatory, a good career pattern is very desirable. Special Duty Assignments members should have a wide knowledge of the many duties and activities of the entire Coast Guard. A recent tour of sea or restricted duty also is desirable, but is not required.

4.E.2.c. Applications and Command Endorsement

Members should use the Assignment Data Card, CG 3698A, to request a special duty assignment. COs shall use discretion in recommending applicants for Special Duty assignments. Before endorsing a candidate's request, the CO shall interview an applicant to determine if he or she fully meets the standard qualifications in ☛ Article 4.E.2.a. and any special requirements listed elsewhere in this chapter. Besides a statement of opinion of the applicant's potential to perform the duties of the requested Special Duty assignment, the CO's endorsement also shall include:

1. A definite recommendation stating the member meets the qualification requirements and addressing the member's potential to perform the duties required of the assignment requested.

2. A statement on any request for waiver if the member does not meet all qualification requirements,

3. A statement on any pronounced accent or speech defect.

4. The member's Navy Battery test scores.

4.E.3. Rating Assignment Officer Application Review for Members Desiring Out of Rate Assignments

1. Each rating AO will review the applications for Special Duty assignment to determine the following:

   a. Is the member tour complete or available for transfer?

   b. Has the member met or will this assignment lead to difficulties in meeting rating and career requirements; e.g., sea duty requirements for advancement, High Year Tenure, etc.?

   c. Is the rating staffed sufficiently to support the member being assigned out of rate? The AO will consult with the Workforce Forecasting and Analysis Staff, Commandant (G-WP-1), for this determination.

2. If the applicant does not meet these criteria, the rating AO will send the application to the Special Duty AO, who will retain the application for one year and if a special or critical Service need arises, the member's application may be reconsidered.

3. Once the member is released by their rating AO for a special duty assignment, the Special Duty AO will ensure the applicant meets the minimum requirements for the desired assignment as specified in this chapter.

4. If the member meets the minimum requirements, the Special Duty AO will give the program manager or receiving command the member's application, the command endorsement, and review of the member's assignment and evaluation history.

5. The program manager or receiving command will review the application package and in some instances may decide to convene an informal, special screening panel to rank the applications to assist the Special Duty AO in identifying the best-qualified members.

6. If the program manager or receiving command chooses to interview the applicant, they will follow these procedures:

   a. They will document the interview on Recruiter Interview Sheet, CG-5115, regardless of the assignment for which the member applied. Interviewers should not ask questions outside the areas listed on this form. Interviewers do not have to write the questions and answers verbatim; however, they should summarize the questions and answers.

b. The program manager or receiving command conducting the interview will specify the interview location and method and bear the expense and any travel in connection with the interview.

c. The interview should be conducted by at least two people, one of which should be a chief petty officer or higher.

d. The interviewers will make a definite recommendation on the applicant's selection for assignment to Special Duty. All interviewers will sign the form.

e. The interview form will be distributed by the program manager or receiving command as follows:

f. Original to Commander, (CGPC-epm-2), Attn: Special Duty AO.

g. Copy to member to serve as his or her official notice of recommendation for Special Duty assignment.

h. Copy to member's command.

i. During the interview process the program manager or receiving command conducting the interview will not comment or indicate assignment to specific duty stations and ensure the applicant understands Commander, (CGPC-epm-2) will make the final decision on his or her assignment

7. If the command and program manager decide not to conduct an interview, they will review the information provided by Commander, (CGPC-epm-2) and definitely decide whether or not to recommend a member for assignment to Special Duty. Commander, (CGPC-epm-2) will neither solicit nor accept unofficial information about the applicant. Only official, documented information will be exchanged and used in the decision making process.

8. Normally, the "best qualified" member, as determined by the AO, including input from the program manager or receiving command, is assigned to the available billet. If more than one member of similar qualifications applies for the assignment then the following factors are considered:

a. Command endorsement

b. Assignment priority

c. Geographic stability

d. Performance evaluations

4.E.4. Reassigning Members Unsuited for Special Duty

4.E.4.a. Screening Procedures

Screening procedures for Special Duty assignment selection are designed to select only the highest caliber of individuals. Despite the most stringent screening process, isolated cases of assignment of individuals who are unsuited for such duty will occur. Members considered unsuitable (as identified and determined by the command, program manager or CGPC-epm-2) for such duty fall into one of two distinct categories indicated below:

1. Those members considered unsuitable for continued duty through no fault of their own; e.g., a physical defect or speech impediment, lack of confidence or inability to project in front of audiences, or other deficiencies which would hamper effective performance.

2. Those members considered unsuitable for continued duty as a result of their own actions; e.g., poor performance, lack of leadership, misconduct, lack of interest, poor attitude, or other similar reasons.

4.E.4.b. Recommendation for Reassignment

When a member is considered unsuitable for Special Duty, he or she shall be advised and required to sign an CG-3307, “Administrative Remarks” entry. A recommendation letter (or message in time-critical, operational situations) for reassignment from such duty shall be submitted to Commander, CGPC via the chain of command, and must include this information:

1. Name, rating, and pay grade

2. Expiration of active obligated service

3. Reporting date to current unit

4. Number of and location of dependents and household effects

5. Specific, detailed reasons, to include all documentation; e.g., command counseling remarks on CG-3307, a special performance evaluation on Form CG-3788 indicating in which category the member is considered unsuitable, along with any other useful information to determine the next assignment.

6. For members judged unsuitable through no fault of their own, in addition to documentation required above, also comment on the member’s ability to perform in another capacity; e.g., professional knowledge, ability, and initiative.

7. When the reason for reassignment is due to the member's own action, report any disciplinary or administrative action taken or pending. ☛ Articles 5.C.38., 12.B.9., 12.B.12., and 12.B.18.
8. When members are considered unsuitable for continued duty due to their own actions, a statement of rebuttal from the individual concerned is required. If the member desires not to make a statement, so indicate in writing.
9. Member's duty preferences listed on an ADC.

4.E.4.c. Reassignment Procedures

Reassignment as a result of unsuitability shall be made in consideration of the following factors:

1. The availability of billets for member's rating at the current unit or at other nearby units.
2. The amount of time remaining on member's current assignment.

4.E.4.d. Commanding Officer Responsibilities

If reassignment is directed, the CO shall:

1. Complete the appropriate performance evaluation on CG-3788.
2. Complete a CG-3307 entry to indicate reassignment from the specific duty and a brief explanation of the circumstances.
3. Revoke qualification codes if applicable.
4. Advise the member that he or she may be ordered to an interim unit for a special evaluation prior to reassignment. ☛ Article 4.E.4.
5. Advise members that upon reassignment, the member may be ordered to another unit for a special evaluation in accordance with ☛ Article 4.E.5.

4.E.5. Special Evaluation Resulting from Reassigning Members Unsuited for Special Duty

4.E.5.a. General

This article establishes guidelines for conducting special evaluations for enlisted personnel who have been reassigned due to unsuitability for special duty under the provisions of ☛ Article 4.E.5.

1. When directed by Commander, (CGPC-epm-2), enlisted members may undergo a special evaluation to determine suitability for rate retention, retention in the

Service, and for future independent duty after being relieved under ☛ Article 4.E.5.

2. Commander, (CGPC-epm-2) will determine the type and duration of the evaluation and will include such information in the member's original message orders. Members will be assigned in excess of the units normal complement pending reassignment.

4.E.5.b. Conducting the Evaluation

When the member reports for special evaluation, he or she should sign a CG-3307 entry acknowledging he or she understands the scope and nature of the evaluation and has read and understands this article, Article 5.C.38.c., Article 12.B.9., and any other articles specified by Commander, (CGPC-epm-2).

1. Rate Retention Evaluation. Except for the three-month period, ☛ Article 5.C.38. provisions and these additional provisions apply.

   a. Review the Enlisted Qualifications Manual, COMDTINST M1414.8 (series), to determine those specific qualifications the unit is capable of accomplishing. Devise a schedule to complete all the practical factors for the individual's rate within the time frame prescribed, give a copy to the evaluee, and file one in his or her PDR. Use this schedule to document the evaluee's progress. Requiring demonstration of lower rate practical factors is authorized should the unit determine it is warranted.

   b. In addition, assign normal work tasks consistent with the member's rate and rating.

   c. Counsel the member every 30 days, and document the content of these sessions on a CG-3307 entry.

   d. Submit a performance evaluation on Form CG-3788 a minimum of three times during the evaluation period.

2. Retention in the Service. The procedures to discharge unsatisfactory performers in ☛ Article 12.B.9. apply here except for the 180-day period. These additional procedures apply:

   a. Counsel the member every 30 days, and document the content of these sessions on a CG-3307 entry.

   b. Submit a performance evaluation on Form CG-3788 a minimum of three times during the evaluation period.

3. Suitability for Future Leadership or Independent Duty Assignments. Since certain assignments require special qualities, this evaluation must focus on those qualities, not solely rate specific knowledge.

   a. Perform regular interval counseling sessions outlined in ☛ Article 4.E.5.b. and be sure to address and comment on these areas when conducting scheduled counseling:

      (1) Leadership qualities.

      (2) Performance and overall knowledge of rating.

      (3) Professionalism.

      (4) Conduct.

      (5) Ability to get along with others.

      (6) Motivation.

      (7) Stamina.

      (8) Attitude.

   b. On completing the member's evaluation , the commanding officer must execute a statement addressing whether the member is capable of serving in the type of assignment from which previously removed for cause.

4.E.5.c. Final Disposition

Send copies of all CG-3307 entries and the final performance evaluation, CG-3788, to Commander, (CGPC-epm-2) within 15 working days after the evaluation period. The command must attach a command recommendation clearly stating whether the member is suitable for retention in rating, retention in the Service, or future leadership positions. Additionally, the command should attach the member's rebuttal statement, if applicable, and updated Assignment Data Card (ADC).

4.E.6. Instructor Duty

4.E.6.a. Billet Locations

Personnel are assigned to **in rate and out of rate** instructor duty in accordance with authorized allowances. Instructor duty billets are located at these types of activities:

1. U.S. Coast Guard Class "A" and "C" Schools
2. U.S. Navy Class "A" and "C" Schools
3. Training Center Cape May**, Training Center Petaluma, Reserve Training Center Yorktown**
4. Atlantic and Pacific Area Training Teams

5. District Training Teams
6. U.S. Navy Fleet Training Groups and Units
7. Miscellaneous training activities which have billets designated as Instructor Duty by the Personnel Allowance System

4.E.6.b. Additional Qualifications

In addition to the minimum standards outlined in ☛ Article 4.E.2.a., a member applying for instructor duty **(in-rate and out-of-rate)** should:

1. Demonstrate an interest in teaching.
2. Be able to work harmoniously with others.
3. Possess sound judgment.
4. **Possess relevant expertise in the training field to which applying.**

If the member is considered a good candidate but is not qualified in some specific requirement, the commanding officer may recommend a consideration for waiver.

4.E.6.c. Instructor Training

The CO will indicate whether a candidate who has not previously attended instructor training school will be available to attend training before reporting for duty.

4.E.6.d. Evaluating Instructors

Instructors shall be evaluated as early as possible. Those who are found unsuitable shall be reassigned, as necessary, under ☛ Article 4.E.4.

4.E.6.e. Qualification Codes

After a member has served satisfactorily as an instructor for one year, the training command's commanding officer shall assign the appropriate qualification code following the Enlisted Qualifications Manual, COMDTINST M1414.8 (series).

4.E.7. Recruiting Duty

4.E.7.a. Recruiting Mission

The Coast Guard's recruiting mission is "To meet the Commandant's military recruiting goals by enhancing public awareness and maintaining the best qualified, diverse applicant pool with an innovative trustworthy team of professionals." Recruiting qualified personnel for the Coast Guard is a complex, highly competitive

task. The Coast Guard competes directly with the Department of Defense Services and private industry for the new personnel resources required each year.

4.E.7.b. Key Element to Providing Human Resources

The recruiter is the key element in providing human resources for the Coast Guard. The recruiter is the first contact with the Service for the vast majority of Coast Guard military members. The selection, motivation, and training of a recruiter is a top priority to the success of the Coast Guard's mission.

4.E.7.c. Additional Qualifications

In addition to the minimum standards outlined in ☛ Article 4.E.2.a., a member applying for recruiting duty should:

1. Have served at least one enlistment.

2. Although not considered mandatory, a good career pattern of general duty is very desirable because a recruiter should have a wide knowledge of the Coast Guard's many duties and activities. A recent afloat or isolated duty assignment also is desirable.

4.E.7.d. Submitting Requests

1. Applications for recruiting duty shall not be made earlier than one year prior to completion of member's present tour of duty. Requests shall be submitted on an ADC to Commander, (CGPC-epm-2) via the CO.

2. In addition to the requirements of ☛ Article 4.E.2.c., the CO's endorsement shall include the member's Navy Battery Test scores.

4.E.7.e. Training

Personnel selected for their first and subsequent tours in recruiting duty will attend formal indoctrination at Recruiter's School.

4.E.7.f. Assignment

After a recruiting assignment, members normally transfer to duties within their rating. On completing duty in their rating, members may be considered for another recruiting tour depending on Service needs. Members with more than 10 years of service may request consecutive recruiting assignment. Commander, (CGPC-epm-2) controls assigning personnel to and from recruiting duties.

4.E.8. Recruit Regimental Duty (Including Company Commander)

4.E.8.a. Battalion Commander and Company Commander Duties

Battalion **Commander (BC)** and Company Commander (CC) duties are some of the most important, demanding in the Coast Guard, requiring the highest degree of leadership **and exemplification of our core values of honor, respect, and devotion to duty.** The **BC** is in charge of the CCs, whose impact on recruits at this initial stage in their career is critical. **Senior CCs share in supervising junior CCs**. Members assigned to **BC** and CC duty must be physically and emotionally qualified to train recruits, capable of maintaining control of their emotions in stressful situations and ready to handle the job's physical demands.. The normal tour of duty is three years.

4.E.8.b. Additional Qualifications

In addition to meeting the minimum standards outlined in ☛ Article 4.E.2.a. **and completing the Company Commander qualification process**, a member applying for recruiting regimental duty must:

1. Be an E-8 **or E-9** for assignment to **BC**.

2. Be an E-7 with at least six years of Coast Guard service for assignment as a Lead Company Commander.

3. Be an E-4, E-5, **or E-6** with at least three years of Coast Guard service for assignment as a Company Commander.

4. Have a high level of maturity and even temperament. **A staff psychologist will conduct psychological and personality screening of prospective CC's.**

5. Have no physical limitations which would preclude progressive participation in a physical fitness program including among other activities, running, swimming, push-ups, and sit-ups, culminating in a physical fitness test administered by the Training Center staff on reporting and semi-annually thereafter.

6. Have an exceptional personal appearance.

7. Have demonstrated an interest in teaching.

8. Although not considered mandatory, a good career pattern of general duty is very desirable for all of these assignments. **A recent tour of sea duty is also desirable.**

4.E.8.c. Submitting Requests

Members desiring assignment to duty as a BC or CC should submit an Assignment Data Card, **CG HRSIC-2002, in accordance with instructions in the ☛ Personnel and Pay Procedures Manual, HRSICINST M1000.2 (series).** The required commanding officer's endorsement should include the following information:

1. A definite recommendation.
2. Comments on any pronounced accent or speech defects.
3. Comments on the member's ability to lead and train junior personnel.
4. Comments on the member's performance.
5. Marital status and number of dependents.

4.E.8.d. Interview

1. When a member requests assignment to BC or CC duty, his or her commanding officer shall interview the member to determine if the candidate is fully qualified as described in this article.

2. Once Commander, (CGPC-epm) has screened a member as meeting the profile desired for such assignment, the member will normally be issued TAD orders to Training Center Cape May for assessment. When the member is being considered for assignment to CC duty upon rotation from a remote area, the assessment may be conducted at another location as determined by the Training Center staff.

3. Commanding Officer, Training Center Cape May shall designate appropriate personnel to coordinate with Commander, (CGPC-epm) to assess each application. The assessment results will be used to determine if the applicant possesses the high standards of personal conduct, moral integrity, and professional skills necessary to serve as a role model for recruit trainees. The assessment process will include, at a minimum, a psychological screening test, physical fitness assessment, personal interview, and the member's brief (five minute) oral presentation. The Training Center staff will make recommendations for assignment to Commander, (CGPC-epm) based on the results of the assessment.

4. Training Center Cape May will provide funding to cover the TAD costs associated with the assessment.

4.E.8.e. Training

Members selected for CC duty will receive formal training at the Training Center Cape May CC School upon reporting for PCS assignment.

4.E.9. Special Agent

4.E.9.a. Coast Guard Investigative Service (CGIS)

Coast Guard Investigative Service (CGIS) is comprised of carefully selected, professionally trained and educated Special Agents who assist Coast Guard commands in maintaining internal security, integrity, and good order and discipline. In addition, Special Agents conduct investigations external to the Coast Guard, addressing issues such as drug and alien smuggling, environmental crimes, and crimes against the government in general. Special Agents also conduct background investigations and national agency checks to ensure the national security and the security of the Coast Guard. Special agents receive their initial training at Federal Law Enforcement Training Center, Glynco, GA, and receive further training at various colleges, institutions, and schools. **Applicants are carefully screened and evaluated at their local command as well as by the Regional CGIS office. The final selection is made by the Director, Coast Guard Investigative Service based on all information available regarding the applicants. The selections are on a "best qualified" basis. The following qualifications are the minimum qualifications to be eligible for Special Agent duty.** The initial tour of duty is four years, with subsequent assignments dependent upon program and Service needs; however, there is no guarantee of subsequent assignments.

4.E.9.b. Minimum Qualifications

1. Be in pay grade E-6 or higher.

2. Have completed a minimum of one year of college (30 credit hours), verified by college transcript. **A waiver to this requirement will be considered if special circumstances warrant a waiver.**

3. Be serving on active duty in the regular Coast Guard with at least six years active military service, two of which must be Coast Guard service, before selection for training. Before transferring for training, members must agree to reenlist or voluntarily extend for a period of at least four years from the convening date of the class.

4. Be at least 21 years old.

5. Have completed at least one year of sea duty. Commander, (CGPC-epm) may waive this requirement.

6. Be a United States citizen.

7. Have no record of mental illness, alcoholism, or offenses involving moral turpitude.

8. Possess a valid state motor vehicle operator's license.

9. On application be in excellent physical condition.

10. **Be eligible for a Top Secret Security Clearance and maintain eligibility throughout assignment to CGIS.**

4.E.9.c. Submitting Requests

Prior to 1 July each year, Commander (CGPC-epm-2), in coordination with CGIS, will solicit applications by ALCGENL message for the upcoming SPEAR season. This message will contain submission criteria.

4.E.10. Intelligence Duties

4.E.10.a. Intelligence Team

Intelligence Team (Analyst and Watchstander): The Coast Guard Intelligence Program needs experienced, trained members in many billets. Members selected for these HK-designated Intelligence Specialists billets must be able to perform a number of duties, including composing detailed intelligence documents; assisting in intelligence analysis; assessing, preparing and presenting briefs; familiarity with and interacting with members of the National Intelligence Community; and using various clerical and computer skills in preparing intelligence products.

4.E.10.b. Additional Qualifications

In addition to the minimum standards outlined in ☞ Article 4.E.2.a, to qualify for an HK-designated billet, a member should:

1. Have completed at least one year's Coast Guard service on active duty or in the Selected Reserve at any of the following Coast Guard intelligence activities:

   a. Commandant (G-OCI)

   b. Area (Ai/Pi)

   c. District (ole), when assigned to operational intelligence duties as determined by Commandant (G-OCI)

   d. Intelligence Coordination Center (ICC)

   e. Joint Task Force (JTF) Fusion Center or J2

   f. Law Enforcement Support (LESUP) Team Miami

g. Pacific Intelligence Team (PIT)

h. C3I Centers East and West, when assigned to intelligence duties

i. El Paso Intelligence Center (EPIC)

2. Or have completed one of these courses:

a. USCG Basic Intelligence Course, Reserve Training Center, Yorktown, VA

b. Joint Military Intelligence Course, Defense Intelligence College, Washington, DC

c. Appropriate course at the Navy and Marine Corps Intelligence Training Center, Dam Neck, VA

d. Equivalent training as approved by Commandant (G-OCI)

3. Be eligible for a Top Secret security clearance.

4.E.10.c. Assignment

Although there is no intelligence rating, enlisted members E-6 and above with more than 10 years of service may request consecutive assignments to intelligence duty. Commander, (CGPC-epm-2) controls intelligence duty assignments.

4.E.11. Ceremonial Honor Guard

4.E.11.a. General

Located at the Telecommunication and Information Systems Command (TISCOM) in Alexandria, VA, the U. S. Coast Guard Ceremonial Honor Guard is the official Coast Guard representative at various Armed Forces events and functions. In

addition to performing Presidential support duty, the Ceremonial Honor Guard performs hundreds of ceremonies annually for many international leaders and other dignitaries.

4.E.11.b. Additional Qualifications

In addition to the minimum standards outlined in ☛ Article 4.E.2.a, a member applying for Ceremonial Honor Guard duty should:

1. Background Investigation. Must have a favorable Single Scope Background Investigation (SSBI) completed within the last two years and been serving on continuous active duty with the Coast Guard since completion of the SSBI. Members will not perform Presidential support duty until the completed SSBI has been received and screened. A denial or revocation of a security clearance disqualifies a member for assignment to the Ceremonial Honor Guard.

2. Personal Qualities. Must be stable, of excellent character and discretion, and unquestioned loyalty to the United States.

3. Family Requirements. The member and adult, living members of his or her immediate family must be either native born or naturalized citizens of the United States. ("Immediate family" includes the current spouse; natural or foster parents or guardians; sisters and brothers by birth, adoption, or marriage of the parents; and children by birth, adoption, or marriage.) The Secret Service may grant waivers, through Commandant (G-OCI), on a case-by-case basis.

4. Loyalty to the United States. The individual's family members and those persons to whom he or she is bound by affection or obligation should neither be subject to physical, mental, or other forms of duress by a foreign power nor advocate using force or violence to overthrow the government of the United States or altering the form of government of the United States by unconstitutional means.

5. Commandant (G-OCI) will make a name check on member's spouse through the Federal Bureau of Investigation General Indices.

6. Interaction with High Government Officials. Since this duty may involve contact with the President of the United States, the First Family, and other individuals in high government positions, applicants must present a clean-cut, smart, pleasant appearance and possess a sufficient degree of intelligence, maturity, and literacy to respond to casual conversation with these officials.

7. Characteristics Evaluated for Selection. Applicants must be aware assignment to this Special Duty involves more than ceremonial or glamorous duty. If selected, members must not only maintain a flawless appearance, but also expect arduous work, long hours, and demands for expertise. Applicants should possess an

enthusiastic attitude with confidence and motivation to meet the challenge of the assignment. Characteristics which will be evaluated during the selection process include maturity; self-control; objectivity; forthrightness; sincerity; attitude toward the Service, others, and themselves; cooperation; and motivation.

8. Physical Requirements. The following additional physical requirements apply:

   a. Men must be 6 feet 0 inches to 6 feet 4 inches and women 5 feet 10 inches to 6 feet 4 inches.

   b. Must be proficient in basic drill requirements.

   c. Must have visual acuity not requiring glasses (contact lenses may be worn).

   d. Must not have visible tattoos, unsightly scars, birthmarks, or severe acne.

   e. Must not have a history of serious back or knee injuries.

   f. No beards or mustaches are permitted; the face must be clean shaven at all times. Those with approved waivers for folliculitis are not eligible for assignment to the Ceremonial Honor Guard.

4.E.11.c. Unsuitability for Assignment

Members with any serious derogatory information in the following categories are not suitable for assignment to the Ceremonial Honor Guard:

1. Criteria set forth in the Personnel Security Program, COMDTINST M5520.12 (series).

2. Record of courts-martial or indication of consideration for administrative separation in lieu of courts-martial.

3. A history of serious involvement with civil or military law enforcement agencies. Records of frequent minor involvement with law enforcement agencies shall be assessed to determine whether the individual has a tendency toward irresponsibility.

4. Record of neglect or substandard performance of duty or evidence of poor attitude or lack of motivation toward responsibilities.

5. Evidence of any other personal habits, characteristics, activities, or associations which would reasonably place doubt on the member's reliability or which would warrant a determination that a member is not suitable for assignment to Presidential support duties. Activities which may be considered as disqualifying under this paragraph include, among others, any record of:

a. Recent serious indebtedness.

b. Drunkenness or alcoholism.

c. Serious family or marital problems.

d. Mental ailments or psychological disorders.

e. Involvement with narcotics, marijuana, or dangerous drugs.

f. Aggressive tendencies or record of illegal use or possession of weapons.

4.E.11.d. Submitting Requests

1. Applicants must attach these items to the Assignment Data Card (Form 3698A) when requesting assignment to the Ceremonial Honor Guard:

   a. Two photographs (full length and side views)

   b. Statement of Personal History (DD-398) (four copies)

   c. CG Intelligence Agency Check Request (CG-2765)

   d. Police Record Check (DD-369)

   e. Request for Personnel Security Investigation (CG-6\5044)

2. The CO's endorsement shall evaluate the member in detail and state the member's Personal Data Record and Health Record have been checked and show no derogatory information in any category in ☛Article 4.E.11.c. above.

3. On receiving the request, district commander (ap) will carefully review the supporting papers for completion and accuracy and arrange for district commander (ole) to interview the applicant. The officer conducting the interview shall set forth in detail an estimate of the applicant's potential for assignment to the Ceremonial Honor Guard. Any adverse information discovered during the interview or in reviewing the applicant's record must be included and fully explained. On completing the interview, district commander (ole) will complete an Evaluation Form (Exhibit 4.E.1.) and send it, the completed interview, and member's application procedures to district commander (ap).

4.E.11.e. Assignment Procedures

1. On receiving applications, Commander, (CGPC-epm) will check to ensure all required forms and supporting documentation are in order. If so, Commandant (G-OCI) will be requested to initiate a background investigation, which takes 60 to 90 days. Commandant (G-OCI) is the final screening authority in all cases.

2. When the background investigation has been completed, Commander, (CGPC-epm) will advise district commander (ap) or the commanding officer of a Headquarters unit concerned whether the member meets the criteria for this special duty.

3. Commanding officers shall ensure that all travel orders assigning personnel to duty with the Ceremonial Honor Guard indicate transfer to the basic receiving unit and annotate them:

   For duty in accordance with Article 4.E.11., Personnel Manual, COMDTINST M1000.6A (series).

4. Commanding Officer, Telecommunications and Information Systems Command (TISCOM), shall ensure that personnel are not assigned to Presidential support duties until their final clearance has been received.

5. The Commandant will assign quotas to Training Center Cape May for selecting qualified recruits for assignment to the Ceremonial Honor Guard. While desired, volunteers are not mandatory to fill assigned quotas. Commanding Officer, Training Center Cape May, shall ensure strict compliance with the screening requirements outlined in this chapter, including all applicable enclosures. All supporting documents shall be reviewed carefully for completion and accuracy before sending directly to Commandant (G-OCI). Since selection quotas will be issued to the training center, Commander, (CGPC-epm) need not receive the applications for recruit personnel.

4.E.11.f. Assignment to Class “A” School

In view of the special training and security requirements necessary for assignment to the Honor Guard, non-rated personnel assigned will not be eligible for assignment to Class “A” School until they complete a two-year tour.

4.E.12. Command Enlisted Advisor

4.E.12.a. General

The Command Enlisted Advisor (CEA) functions as an intermediate communication link between the command and its enlisted personnel. To stimulate communication among all levels of command and enhance sensitivity to the goals and needs of all personnel, CEA billets have been established at all Area, MLC, and district offices, training centers, and some other major commands. Assignment to CEA duties is reserved for those truly outstanding master chief petty officers who can accomplish the goals enumerated above and are genuinely motivated to serve in such a billet regardless of geographic location. The tour of duty depends on the flag officer’s or training command CO’s tour of duty.

4.E.12.b. Eligibility Criteria

1. Must serve in pay grade E-9 or pay grade E-8 if above the cutoff on the E-9 Advancement Eligibility List or number one on the E-9 Advancement Eligibility List where the cutoff is zero. ☛ Article 4.C.3.d.

2. Must be within two years of normal tour rotation. A member currently serving in a CEA billet who desires consideration for another similar assignment must be within one year of normal tour rotation.

3. Must have completed one of the Senior Enlisted Academies.

4. Must possess the highest standards of personal integrity, devotion to duty, and financial responsibility.

4.E.12.c. Duties and Responsibilities

The duties and responsibilities listed below are not intended to be all-inclusive or compulsory, but are furnished as a medium by which to communicate ideas and recommendations between enlisted personnel and the command. Generally, the CEA shall:

1. Assist and advise the district commander or commanding officer of existing or potential situations pertinent to the morale and general well-being of enlisted personnel and their dependents.

2. Remain informed on current personnel policies, including pay and allowances, morale, welfare, housing, and incentive programs and serve as a source of information about them to individual Coast Guard enlisted personnel, thus fostering a mutual appreciation of their joint interests on the part of the individual and the command.

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

4. Provide articles of interest to enlisted members via district bulletins or newsletters addressing current enlisted programs, opportunities, and policies.

5. On invitation, act as the district commander's or commanding officer's enlisted representative in community and civic functions, and accompany either officer to official functions, inspections, and ceremonies in which enlisted members participate.

6. Endeavor to frequently visit units within the district and meet informally with enlisted personnel to exchange ideas and disseminate information affecting the enlisted community.

7. Assist in ensuring that lines of communication, both written and oral, are available to all enlisted personnel of the command.

8. Provide the district commander or commanding officer with an evaluation of the impact on enlisted personnel of proposed policy changes.

9. Assist in receiving official enlisted visitors to the command.

10. Attempt to increase the desirability of a Coast Guard career by recommending action to correct adverse conditions and improve the lot of Coast Guard enlisted personnel within the assigned area of responsibility.

4.E.12.d. Authority

The CEA will not be in the chain of command, and authority shall not extend beyond that of the CEA's pay grade. The CEA will be authorized unrestricted contact with all members of the district commander's or commanding officer's staff and with field commanding officers in performing duty and report to the district commander, chief of staff, or commanding officer as applicable.

1. Enlisted personnel and their dependents may direct correspondence on personal matters to the CEA. The CEA will reply personally and directly to the person who made the inquiry.

2. Individual official correspondence nature on matters requiring the traditional, appropriate mode of redress shall continue to be processed normally via the chain of command. The CEA's existence shall not be permitted to derogate the effective, necessary communication between enlisted personnel and their respective superior officers.

3. When visiting a command, the commanding officer shall provide assistance to facilitate the visit and accomplish its purpose. In this connection, individual members of the command wishing private consultation with the CEA shall be afforded the appropriate time and place for such an interview.

4.E.12.e. Application Procedures

Qualified members desiring assignment as a CEA must submit an application package to Commander, (CGPC-epm-2) for consideration. The package should include at least these items:

1. ADC requesting desire for assignment to CEA duty.

2. The member's statement agreeing to an active duty commitment for three years if selected.

3. Command endorsement indicating the member's current security status and comments on his or her ability to perform a CEA's duties.

4. Two 8" x 10" color photos, one front view (with combination cap) and one profile view (without cover) showing left sleeve with rating badge and hash marks. Photos must be full length with member in Service Dress Blue Bravo.

5. Any additional information appropriate to help in the selection process.

4.E.12.f. Selection Procedures

On receiving the application package, Commander, (CGPC-epm-2) will:

1. Determine the applicant's eligibility.

2. Review eadquarters records to screen for overall career performance, variety of unit assignments, educational or civic achievements, and any other information which may be used to determine suitability for assignment as a CEA.

3. Obtain comments from the candidate's respective assignment officer on availability for release from his or her rating and any overall impact such release would have.

4. On successful screening, the applicant's package will be included in the CEA pool maintained by Commander, (CGPC-epm-2). At least four months before an upcoming vacancy, CGPC-epm-2 will send all packages for review to the area or district commander or commanding officer of the unit where the vacancy will occur. They may consider only those packages CGPC-epm-2 provides. After final review, the area or district commander or commanding officer will notify CGPC-epm in writing of the top three recommended candidates and return all packages to CGPC-epm-2. On receiving the recommendations, CGPC-epm-2 will issue orders to the selected candidate. Selection will be based on the candidates' assignment preference as outlined in this chapter and the recommendations and desires of the area or district commander or commanding officer of the unit where the vacancy will occur.

4.E.13. Collateral Duty Command Enlisted Advisor

1. District and MLC commanders may designate specific units under their jurisdiction which are not covered in Article 4.E.12 above but which may assign collateral duty CEAs.

2. Each MLC or district commander shall promulgate guidelines for authority, duties, and responsibilities of authorized collateral duty CEAs as prescribed in Articles 4.E.12. above.

3. Designated collateral duty CEAs normally serve in pay grade E-7 or higher. Written designation of assignment as a collateral duty CEA is required. Place a copy of the written designation in the member's permanent and unit PDR.

4. Those serving as collateral duty CEA may wear the CEA badge only while serving in such capacity. The Uniform Regulations, COMDTINST M1020.6 (series), describes how to wear this badge.

4.E.14. Drug and Alcohol Abuse Representative

4.E.14.a. Selection Factors

To ensure Drug and Alcohol Abuse Program objectives are implemented, qualified members are encouraged to submit requests for assignment to Drug and Alcohol Abuse Representative (D&A Rep) duty. Submit requests on CG-3698A, "Assignment Data Card (ADC)," with a copy to Commandant (G-WK). This duty's importance and sensitivity demand a mature individual knowledgeable about situations common to Coast Guard personnel. Selection factors of prime importance are motivation and ability to effectively communicate with a wide variety of people. ☛ Chapter 20 of this Manual contains further information on D&A Rep billet responsibilities.

4.E.14.b. Additional Qualifications

In addition to the minimum standards outlined in ☛ Article 4.E.2.a, a member applying for D&A Rep duty should:

1. Be in pay grade E-6 or above serving on second or subsequent enlistment.
2. Have a minimum GCT or VE of 55.
3. Be mature and possess sound judgment.
4. Be able to work with minimal supervision.

5. Have a broad career pattern.
6. If a recovering alcoholic, have at least two years of continuous sobriety.

4.E.14.c. Interview

1. Commanding officers shall interview members who request duty as a D&A Rep to ensure they meet all qualifications. If not completely satisfied a member does so, the commanding officer shall state the reasons in the endorsement to the member's ADC. If the member is considered to have some outstanding qualities for assignment but is not qualified in some specific requirement, the commanding officer may recommend the consideration of a waiver; however, waivers will not be considered for GCT/VE scores, performance marks, or length of sobriety.

2. CGPC-epm-2 normally assigns individuals being considered for assignment to D&A Rep duty TAD to a district office for an interview by the district commander (ap) and the district D&A Rep. The interviewers will evaluate the member and comment on the member's sincerity, motive for seeking D&A Rep assignment, and potential as a dependable, responsible representative of the Drug and Alcohol Abuse Program. Also required is an interview by an Alcohol Treatment Specialist (ATS) at a U. S. Navy Alcohol Rehabilitation Center (ARC), Alcohol Rehabilitation Service (ARS), or Counseling and Assistance Center (CAAC). The interviews and recommendations are to be sent to Commandant (G-WK).

4.E.14.d. Training

Personnel selected for D&A Rep duty attend training as required by Commandant (G-WK). This normally consists of the Navy Alcohol Administration, Training, and Advisor School (ATA) followed by other specialized training as deemed necessary by Commandant (G-WK). After completing all required training, personnel assigned to this duty are encouraged to update their training annually.

4.E.15. Alcoholism Treatment Specialist and Drug and Alcohol Abuse Counselor Duty

4.E.15.a. General

In accordance with current Memorandums of Agreement with the U. S. Navy, the Coast Guard coordinates with the Navy on those personnel to be trained and assigned to duty as Alcohol Treatment Specialists (ATS) and Drug and Alcohol Abuse Counselors (DAC). The importance and sensitivity of these duties require mature, non-judgmental individuals. Motivation and communication skills are prime factors for selection. The normal tour of duty is four years.

4.E.15.b. Additional Qualifications

In addition to the minimum standards outlined in Article 4.E.2.a, a member applying for ATS or DAC duty should:

1. Be in pay grade E-5 or above serving in second or subsequent enlistment
2. Have a minimum combined VE/AR score of 105 or a previous GCT/ARI score of 105.
3. Be mature and possess sound judgment
4. If a recovering alcoholic, have at least two years of continuous sobriety

4.E.15.c. Interview

1. Commanding officers shall interview members who request duty as an AST or DAC to ensure they meet all qualifications. If not completely satisfied a member meets all qualifications, the commanding officer shall state the reasons in the endorsement to the member's ADC. If the member is considered to have some outstanding qualities for assignment but is not qualified in some specific requirement, the commanding officer may recommend considering a waiver.

2. CGPC-epm-2 normally assigns individuals being considered for assignment to AST or DAC duty TAD to a district office for an interview by the district commander (ap) and the district D&A Rep. The interviewers will evaluate the member and comment on his or her sincerity, motives for seeking D&A Rep assignment, and potential as a dependable, responsible representative of the Drug and Alcohol Abuse Program. An ATS or DAC also must interview the member at a U. S. Navy Alcohol Rehabilitation Center (ARC), Alcohol Rehabilitation Service (ARS), Counseling and Assistance Center (CAAC), or Navy Drug Rehabilitation Center (NDRC). Send the interviews and recommendations to Commandant (G-WK).

4.E.15.d. Training

1. Before receiving PCS orders to ATS duty, the selected applicant must satisfactorily complete the Institute in Alcoholism (IAS) Course at the Naval Alcohol Rehabilitation, San Diego, CA. Commandant (G-WK) will obtain the quota for this 10-week course.

2. Before receiving PCS orders to DAC duty, the selected applicant must satisfactorily complete the Naval Drug and Alcohol Abuse Counselor School, Naval Drug Rehabilitation Center, NAS Miramar, San Diego, CA. Commandant (G-WK) will obtain the quota for this 10-week course.

3. After completing all required training, personnel assigned to this duty are encouraged to update their training annually.

4.E.15.e. Duties

Personnel assigned to an ATS or DAC perform these duties:

1. Counseling duties as assigned by the Navy Treatment Facility.

2. Liaison between the Coast Guard and the Treatment Facility. Direct liaison with Commandant (G-WK) on Coast Guard issues is authorized.

3. Assist Coast Guard personnel assigned to the Treatment Facility as patients or in solving any problems that may be unique to the Coast Guard.

4.E.16. Military Entrance Processing Station (MEPS)

4.E.16.a. General

Personnel selected for assignment to U.S. Military Entrance Processing Stations (MEPS) billets must be mature individuals with sufficient military experience and personal stability to perform independently with a minimum of supervision and leadership. The normal tour of duty is **three** years

4.E.16.b. Additional Qualifications

In addition to the minimum standards outlined in ☛ Article 4.E.2.a., a member applying for MEPS duty should:

1. Be in pay grade E-5 or above with at least three years' time in service.
2. Be able to read and speak English clearly.
3. Possess a valid state motor vehicle operator's license.

4.E.17. Military Civil Rights Counselor/Facilitator Duty

4.E.17.a. Civil Rights Mission

The Coast Guard's civil rights mission is to ensure that all in the Service are treated fairly with dignity and compassion. The military civil rights program serves to ensure the equal and just treatment of all personnel; to identify, correct and eliminate illegal discrimination. The Military Civil Rights Counselor/Facilitator's (MCRC/F) efforts directly affect the adequacy, effectiveness and efficiency of the Coast Guard's military Equal Opportunity (EO) programs and civil rights for all military personnel.

4.E.17.b. MCRC/F Duties

The MCRC/F trains, administers and advises superiors, peers and subordinates regarding the Coast Guard's Military Civil Rights program. The position requires thorough knowledge of Coast Guard civil rights policies and programs; instructive, administrative, management and consulting skills, and knowledge of Coast Guard military personnel policies and regulations. The MCRC/F independently coordinates and conducts military human relations training, conducts inquiries into informal complaints of discrimination, counsels complainants, and facilitates mediation and resolution of informal complaints. He or she also assists complainants with formal complaints of discrimination; advises individuals and commands on military civil rights issues; provides information on cultural programs, and manages a human relations training and travel budget. The MCRC/F serves as the field-level expert for military civil rights and equal opportunity for a geographically dispersed military workforce. He or she is responsible for military equal opportunity and civil rights within the same Coast Guard area of responsibility (AOR) established for his or her commander or Commanding Officer. MCRC/F duty requires frequent travel by car and Coast Guard vessels and/or aircraft throughout the assigned AOR to all work sites for training and counseling and travel outside the AOR as a certified mediator. MCRC/F duty is complex and demanding, requiring the member's full-time commitment. Therefore, collateral duties will not be assigned to the MCRC/F unless those extra duties are approved by Commandant (G-HI). The normal tour of duty is four years.

4.E.17.c. Additional Qualifications

In addition to the minimum standards outlined in Article 4.E.2.a, a member applying for MCRC/F duty:

1. Must be in pay grade E-6 or above.

2. Must be interviewed and approved for MCRC/F duty by Commandant (G-HI), or designee. Commandant (G-HI) is the Director of the Military and Civilian Internal Programs Directorate, Civil Rights Directorate, Coast Guard Headquarters.

3. Must be sponsored by a current MCRC/F prior to the Commandant, (G-HI) interview. Ideally, the MCRC/F's AOR should include the applicant's unit. The primary purpose of the sponsorship is to ensure applicants are capable and know the requirements of the job.

4. Must be a graduate of the Defense Equal Opportunity Management Institute (DEOMI) Equal Opportunity Advisor Course prior to assuming full-time MCRC/F responsibilities.

5. Should have a thorough knowledge of Coast Guard mission responsibilities, organization and management structure, chain of command and workforce composition.
6. Must have demonstrated public speaking skills. The MCRC/F briefs all levels of the chain of command on vital Civil Rights issues.
7. Must have demonstrated written communications skills. Experience writing letters, point papers and decision briefs is highly desirable and recommended. Must also be skilled in fact finding and negotiation.

4.E.17.d. Submitting Requests

Members desiring MCRC/F duty should submit their request on an Assignment Data Card (CG-3698A) to Commander (CGPC-epm-2) via their commanding officer no earlier than one year prior to completion of their present tour of duty.

4.E.17.e. Training

1. Members selected for their first tour in MCRC/F duty will attend the Defense Equal Opportunity Management Institute (DEOMI) 15-week Equal Opportunity Advisor Course prior to assuming full-time MCRC/F duties.
2. Members who have not completed the Coast Guard Basic Instructor and Course Design courses should anticipate attending these courses. Members should also anticipate attending Equal Employment Opportunity, Alternate Dispute Resolution and Mediation training.

4.E.17.f. Assignment

Commander (CGPC-epm-2) controls the assignment of enlisted personnel to and from MCRC/F duties. After an MCRC/F assignment, members may transfer to duties within their rating or to another MCRC/F assignment upon re-release from their assignment officer. On completing duty in their rating, members may be considered for another MCRC/F tour depending on Service needs.

4.E.18. Standard Boat Standardization Team (STANTEAM) Duty

4.E.18.a. General

Standard Boat STANTEAMs travel throughout the Coast Guard to assess the operational readiness of standard boats & crews. These STANTEAMS provide valuable procedural and technical information to station and group staff; track boat and crew performance trends; provide data and policy recommendations to COMDT; and evaluate prototype equipment for standard boats. Assignment to STANTEAM duties is reserved for those individuals who have intimate knowledge and experience with a specific standard boat, i.e., 41’ UTB, 47’ MLB, etc., and who exhibit the

maturity and confidence to professionally converse with personnel of all paygrades (E-1 to O-6). Those assigned to the STANTEAM staff should expect an extensive travel schedule with frequent family separations.

4.E.18.b. Assignment

Personnel are assigned to STANTEAM duty in accordance with authorized allowances. STANTEAM billets are currently located in Ilwaco, WA (MLB) and Yorktown, VA (UTB).

4.E.18.c. Additional Qualifications

In addition to the minimum standards outlined in ☛ Article 4.E.2.a., a member applying for standard boat STANTEAM duty must:

1. Hold certification as boat coxswain (for Boatswain's Mates) or boat engineer (for Machinery Technicians) on the applicable standard boat type within the previous 4 years.
2. Have a minimum of 4 years experience with the applicable standard boat type.
3. Be able to interpret boat drawings and blueprints (MKs).
4. Have a qualification code "01" (MKs).
5. Meet the requirements for Instructors per ☛ Article 4.E.6.
6. BMs requesting assignment to the MLB STANTEAM must hold qualification as SK or SM (Surfman) of MLBs.

4.E.18.d. STANTEAM Member Training

New STANTEAM members will receive On the Job Training (OJT).

4.E.18.e. Evaluating STANTEAM Members

New STANTEAM members will be evaluated for suitability as STANTEAM members as early as possible. Those who are found unsuitable shall be reassigned, as necessary, under the provisions of ☛ Article 4.E.4.

4.E.19. Surfman Instructor Duty, National Motor Lifeboat School

4.E.19.a. General

Duty as a Surfman Instructor at the National Motor Lifeboat School is extremely unique. Instructors must be highly proficient in all aspects of MLB heavy weather operations, present a physically fit and smart military appearance, and be able to work with others under the most demanding and dangerous conditions. Instructors

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.c. Surfman Instructor Training

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

4.E.19.d. 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.**

EVALUATION OF APPLICANT FOR SPECIAL DETAILS

DATE _____

NAME _____ RATE _____

YES	NO		
❒	❒	1.	Creates favorable impression in appearance, bearing and manner. Dresses neatly and cleanly.
❒	❒	2.	Verbal expression is adequate for public contact work. Education is sufficient.
❒	❒	3.	Character consistent with Coast Guard Standards.
❒	❒	4.	Self-confident, but not overbearing.
❒	❒	5.	Possesses maturity required for assignment.
❒	❒	6.	Has unquestionable loyalty to the United States.
❒	❒	7.	Free of any foreign connections. Applicant and his or her immediate family are U.S. citizens.
❒	❒	8.	Member appears to control his or her personal affairs. No record of indebtedness or domestic problems were revealed.
❒	❒	9.	Disclaims any incidents which would reflect adversely on him- or herself. Denies any use and/or possession of narcotics or dangerous drugs. Indicates no arrests or detention by law enforcement officials, except for minor traffic violations.
❒	❒	10.	Medical records reveal no record of immaturity, emotional instability, neurotic tendencies, or other disqualifying medical history. Appears to be physically qualified for assignment.
❒	❒	11.	Reviewed military personnel records reveal no unfavorable information. All forms for BI have been reviewed for accuracy and completeness.

REMARKS (use additional sheets if necessary)

RECOMMENDATION

_____ _____

Chief, Intelligence and Law Enforcement Branch Special Agent

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4.F. Relief for Cause of Commanding Officer and Officer-in-Charge

4.F.1. General

4.F.1.a. Definition

Relief for Cause (RFC), the administrative removal of a commanding officer (CO) or officer in charge (OIC) from his or her current duty assignment before the planned rotation date, normally consists of a two-step process:

1. The flag officer in the unit's chain of command orders a temporary RFC; and

2. Commandant (G-WP, G-W, G-CCS, G-CV, or G-C) orders a permanent RFC after reviewing the case.

4.F.1.b. Discussion

1. The need to Relieve for Cause may arise when a CO's or OIC's performance or conduct adversely affects his or her unit's morale, good order and discipline, and/or mission performance. One of the most severe administrative measures taken against a member in command, an RFC usually has a significant adverse impact on the member's future Coast Guard career, particularly on his or her promotion, advancement, duty and special assignments, and selection for schools. Therefore, the relieving officer must carefully consider the circumstances' gravity and the potential outcome's total implications before initiating the process.

2. Relieving authorities must perform a temporary RFC and required follow-up actions as expeditiously as possible, so the Commandant can quickly determine if permanent RFC is warranted.

3. It is not mandatory to temporarily relieve a member for cause if he or she is under investigation. The command has three options: maintain the status quo during the investigation, reassign the CO or OIC in a temporary duty status, and/or temporary RFC while the investigation continues. The command should carefully consider and affirmatively exclude the first and second options before exercising the third. Factors to consider in reaching this decision include: the severity of the alleged misconduct or unsatisfactory performance, the allegations' credibility, and their impact on the unit's morale, good order and discipline, and mission performance. A CO or OIC subject to a temporary RFC normally does not return to his or her command.

4.F.2. Authority for Relief for Cause

4.F.2.a. Temporary Relief

Director chiefs (for Headquarters units under their program), area commanders, district commanders, and commanders of maintenance and logistics commands have the authority to temporarily relieve a CO or OIC in their chain of command for cause. This RFC authority is personal to these officers' positions; it does not delegate to those who serve as acting office chief or commander. A temporary RFC normally does not exceed 90 days.

4.F.2.b. Permanent Relief

Only Commandant, (G-C), (G-CV), (G-CCS), (G-W), and (G-WP) can order permanent Relief for Cause.

4.F.3. Basis for relief

4.F.3.a. Misconduct

Any act of civil or military misconduct may form the basis for RFC. Only in unusual instances will the Commandant approve RFC by reason of misconduct without disciplinary action taken or in progress. If the command takes none, he or she must attach an explanation of why disciplinary action is not warranted to the required documents accompanying the recommendation for permanent RFC action.

4.F.3.b. Unsatisfactory Performance

One or more significant incidents resulting from gross negligence or substantial disregard of duty may provide the basis for RFC. Substandard performance of duty over an extended period of time may also provide the basis for RFC, but only after the command has taken corrective action such as command counseling, guidance, training and appropriate use of performance evaluations which have proved unsuccessful.

4.F.3.c. Loss of Confidence

It is imperative his or her immediate superiors have full confidence in a member's judgment and ability to command due to the unique position of trust and responsibility he or she occupies; his or her role in shaping morale, good order, and discipline in the command; and his or her influence on mission requirements and command readiness. An articulated, fact-supported loss of confidence is a sufficient basis for RFC.

4.F.3.d. Inappropriate Personal Relationships

The existence of inappropriate relationships, including fraternization, that adversely affect the unit's morale, good order and discipline, and its mission performance may provide the basis for an RFC. ☛ Chapter 8.H. contains further guidance.

4.F.4. Procedures to Effect Relief for Cause (RFC)

Office chiefs, area commanders, district commanders, and commanders of maintenance and logistics commands have these responsibilities when initiating RFC action. Before doing so, they must take care to ensure they have not set expectations and standards unreasonably high. When instituting these procedures, they must make every effort to maintain the member's self-worth. The Coast Guard must do everything possible to ensure that, whether or not the member returns to his or her command, the RFC process does not excessively undermine his or her effectiveness and future contributions to the Service. After deciding to institute the temporary RFC process, the relieving authority must:

1. Notify the member in writing of:

   a. The RFC action being taken and the reason for it;

   b. His or her right to submit a statement in writing on his or her behalf within five working days of the temporary RFC action;

   c. The temporary duty station where the relieving authority will assign the member while the RFC action pends.

2. Remove the CO or OIC from the unit's rating chain of all members and determine an interim rating chain for those crew members affected by this action.

3. Notify Commander, (CGPC-epm) or (CGPC-opm) and Commandant (G-WP), (G-W), (G-CCS), (G-CV), or (G-C) as appropriate, of the action taken, the events that caused it, the circumstances of any current or proposed investigation, and the expected completion date of any further action.

4. After reviewing the case's circumstances, the relieving authority may take these actions.

   a. If grounds for permanent RFC are not substantiated, terminate the temporary RFC process, return the CO or OIC to command, and notify Commander, (CGPC-epm/opm), Commandant (G-WP), (G-W), (G-CCS), (G-CV), or (G-C) as appropriate, of action taken; or

b. If grounds for permanent RFC are not substantiated, but as a result of the temporary RFC process the CO's or OIC's reinstatement would not be in the Service's and/or his or her best interest, terminate the temporary RFC process but recommend to Commandant (G-WP), via Commander, (CGPC-epm) or (CGPC-opm), the CO's or OIC's PCS transfer, and fully document the circumstances surrounding the initiation of the temporary RFC process; or

c. Where grounds for permanent RFC appear substantiated, recommend the CO's or OIC's permanent RFC and send appropriate documentation to the Commandant and Commander (CGPC-epm) or (CGPC-opm), as appropriate..

4.F.5. Documentation Accompanying Permanent RFC Request

1. Name, rating/rank/rate, social security number
2. Expiration of active obligated service
3. Retirement eligibility date
4. Date reported to current assignment
5. Detailed statement describing the facts and circumstances surrounding the request
6. All completed investigations
7. UCMJ action taken or proposed, or reasons no action is warranted
8. Police reports (if applicable)
9. Copy of member's acknowledgment of receiving the permanent RFC request per Exhibit 4.F.1.
10. Identity of attorney who provided counsel or member's statement declining the advice of counsel
11. Original of member's statement or member's statement he or she declined to submit a statement

4.F.6. Miscellaneous

1. The command must send all permanent RFC requests to Commandant (G-WP) via Commander, (CGPC-epm) or (CGPC-opm).

2. Do not send a request for permanent RFC to the Commandant until the member has had the opportunity to make a statement on his or her behalf (normally five working days). If the member fails to submit a statement within the allowed time, he or she waives the right to make such a statement.

3. The command must afford the member the advice of counsel within the meaning of UCMJ Article 27(b)(1) during the temporary RFC process and in preparing any statement he or she submits about the permanent RFC request. If he or she declines counsel, the permanent RFC request must note the member so declined.

4. The command should encourage the member to submit an Assignment Data Card (CG-3698A).

5. The command should promptly complete a performance evaluation (CG-5311, 5312, 5313 for officers or CG-3788 for enlisted members) of the member and submit it within 30 days of the Commandant's final action on the permanent RFC request.

6. Do not include administrative letters of censure or reprimand when submitting the RFC request to the Commandant. The command may use the facts on which an administrative letter is based to justify adverse marking or comments in the next evaluation.

Exhibit 4.F.1.

1001
(date)

From: (Member)
To: (Relieving Authority)

Subj: ACKNOWLEDGEMENT OF RECEIVING A COPY OF THE LETTER REQUESTING PERMANENT RELIEF FOR CAUSE

1. I have received the letter requesting my permanent relief for cause. I (do/do not) desire to make a written statement. I further understand I have five (5) working days from this date to submit my statement. If I so elect, the statement I submit in response will describe only the pertinent facts and not impugn others' motives or make countercharges.

_____
(Member's signature)

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4.G. Travel Orders; Proceed and Travel Time

4.G.1. General Information

4.G.1.a. General

Commands authorize sufficient time to perform the travel involved to every member directed to perform travel under orders. In addition, the traveler may be entitled to proceed time and delay to count as leave before the reporting date directed. The order writing authority determines whether the traveler is entitled to leave, proceed time, and/or travel time and must correctly state in the orders the time and date the traveler is due to report at the new unit.

4.G.1.b. Financial Limitations

Under no circumstances may commands authorize travel which will result in expending an excess of allotted funds. As a necessary economy measure, officers issuing travel orders as a function of command must determine the travel is not only desirable but necessary.

1. Competent Orders. A competent travel order is a written instrument issued or approved by the Secretary of the department concerned, or such person or persons to whom authority has delegated or redelegated to issue travel orders, directing a member or group of members to travel between designated points.

   a. Verbal Orders. A verbal order given before travel and subsequently confirmed in writing giving date of verbal orders and approved by competent authority meets the requirement for written orders.

   b. Telephonic Orders. A competent authority who issues travel orders by telephone subsequently must confirm in writing orders written in the field which quote or refer to orders received by telephone from him or her.

   c. Reimbursement for travel expenses under verbal or telephonic orders may not be made until such confirmation is obtained.

2. Wording and Phraseology. Ordinarily a command should not direct members to perform official travel unless it furnishes necessary transportation and words the orders to provide reimbursement of transportation expenses. Using restrictive statements when describing only the member's travel and not dependents' travel or household goods transportation has resulted in hardships since individuals may be entitled to transportation of dependents and household goods.

3. Restrictive statements for authorization to travel are prescribed for:

   a. Permissive orders. ☛ Article 4.G.2.e.

   b. Mutual exchanges of station and unilateral transfers. ☛ Article 4.B.10.

   c. Humanitarian transfers. ☛ Article 4.B.11.

4. Authorization for Excess Baggage on Aircraft. In all airlift services (military or commercial) using a weight rate, the normal free baggage allowance for all passengers is 66 pounds. All other commercial service is on a piece rate. If the officer issuing the travel order believes authorizing excess baggage is warranted, include such authority in the original basic order or an endorsement to it, stating the number of pounds or pieces in excess of that normally authorized.

4.G.2. Types of Travel

4.G.2.a. Permanent Change of Station (PCS)

Orders that are silent about the permanency of the assignment, i.e., do not specify further assignment or return to the old duty station, also are permanent change of station (PCS) orders. Consequently, exercise caution in issuing orders of that type in view of entitlements that accrue.

1. An order which directs a member to "report to (appropriate command) for duty: and is silent as to any further disposition of the member concerned constitutes a permanent change of station.

2. An order which directs a member to "report to (appropriate command) for further assignment." even though the final destination is not stated places the member in a temporary duty status en route to an ultimate permanent duty station.

4.G.2.b. Temporary Additional Duty (TAD)

1. Prepare travel orders for temporary additional duty (TAD), CG-5131, so they do not penalize the traveler by requiring him or her to defray necessary, proper expenses from personal funds, but also so they prevent unnecessary expenditures of Government funds. Officers who direct performing temporary additional duty travel shall consider the following in connection with TAD:

   a. Do not issue members TAD orders that interfere-with weekly drug testing as stated in ☛ Article 20.C.2.a.

b. Direct travel by Government transportation where available, unless other transportation modes are necessary and in the Government's best interest. - Do not authorize travel by POC unless careful study shows travel by that mode actually is more advantageous to the Government and is not for the traveler's convenience.

c. If possible, prescribe a definite itinerary. Whenever practical avoid the terms "authority to visit additional places" and "authority to revisit."

d. Limit the duration of the TAD in each case to the minimum required to accomplish the mission.

e. Exercise discretion in issuing TAD orders involving travel for short distances, such as when the TAD is at a place to which a member commutes daily from permanent quarters. Local travel and/or occasional meals may be reimbursed in accordance JFTR provisions. However, if the temporary additional duty is sufficiently distant from the permanent duty station to justify reimbursement for travel, prepare orders so they assure the traveler proper reimbursement.

2. Temporary additional duty orders automatically expire when the individual returns to his or her duty station, except when such return depends on necessary changes of train or plane en route to the next temporary additional duty station and the member takes no unnecessary delay making such change or returns for personal reasons in a liberty or leave status.

4.G.2.c. Temporary Duty (TD)

Although such orders are intended for a member who normally will not return to the unit, TD as defined in exhibit 4.G.l. does not preclude such return for assignment to duty. (☛ Article 4.G.2.a.2.)

4.G.2.d. Blanket or Repeated Travel

1. Do not normally issue blanket or repeated travel orders for more than one month's duration. Process monthly orders promptly at the end of the period to achieve timely reimbursement to members while preserving command flexibility.

2. In those few instances of frequent, short-notice, recurring, or unpredictable operational travel which justify annual travel orders, district chiefs of staff, commanders of maintenance and logistics commands, commanding officers of Headquarters units, or Commandant (G-A, G-H, G-L, G-M, G-O, G-S, and G-W) for Headquarters staff may authorize them.

4.G.2.e. Administrative Absences

Commanding officers may authorize administrative absences (☛ Article 7.A.10.) to officers or enlisted members in accordance with the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series), subject to the following:

1. All orders will be routine in nature and not require discretion of higher authority.
2. The orders shall contain this paragraph:

   This authorization is issued with the understanding that you will not be entitled to reimbursement for mileage or expense in connection herewith. If you do not desire to bear this expense consider this authorization canceled.

4.G.2.f. Foreign Travel

1. Officers authorized to issue orders shall carefully assess proposed foreign travel by members of their command and consult Commandant (G-CI) to determine the advisability of the proposed travel, clearance and notification procedures, and passport and visa requirements.

2. In planning official travel to foreign countries within the jurisdiction of another command, officers authorized to issue such orders shall provide the appropriate Coast Guard command and Commandant (G-CI) with an information copy of the planned travel before executing the orders.

3. The Department of Defense has a clearance and notification procedure requiring as many as 45 days lead time for all DoD-sponsored personnel who travel to foreign countries on official business. Follow this procedure when Commandant (G-CI) determines that the Coast Guard travel in question either has a material impact on DoD programs or requires the support of or visits to DOD personnel at the destination. Commandant (G-CI) will assist TD and TAD issuing authorities in initiating these procedures when required.

4. Travel advisories to the appropriate American Embassy and DoD officials are required for foreign official travel by flag officers and for other Coast Guard officials in certain instances, depending on the nature of the visit and the foreign government parties to be contacted. Commandant (G-CI) will coordinate the issuance of these advisories.

5. Coast Guard Regulations, COMDTINST M5000.3 (series) further require Area and district commanders and commanders of maintenance and logistics commands to obtain authority from Commandant (G-C) before visiting units on foreign soil.

4.G.3. Officers Authorized to Issue and Approve Travel Orders

4.G.3.a. GENERAL

Officers listed in this article are authorized to issue and approve travel orders with travel funds available to them and subject to the limitations prescribed here.

4.G.3.b. JFTR Limitations on TD and TAD Orders

Temporary duty and temporary additional duty assignments for officers and enlisted members shall not exceed six months unless Commandant (G-WP) so authorizes under the conditions set forth in the Joint Federal Travel Regulations, Vol. 1, U2145. This authority may not be redelegated.

4.G.3.c. Commandant

The Commandant may issue and approve all types of travel orders.

4.G.3.d. Area Commanders

Area commanders are authorized to issue or approve travel orders within these limitations:

1. Temporary additional duty orders to themselves or any officer or enlisted member under their command as necessary to properly conduct official Coast Guard business, within the limitations of Article 4.G.3.b.

2. Temporary additional duty orders to officers and enlisted personnel, under these circumstances:

   a. Personnel attached to any district or Headquarters unit within their area in the course of disaster operations, including aerial support for survey in connection with disaster operations, for districts which maintain no permanent aviation establishment.

   b. Between districts within the area when their services are required to properly conduct official Coast Guard business under the cognizance or of special interest to the area commander.

3. Temporary additional duty orders for any of the reasons set forth in Article 4.G.3.e.4.a., e. through i., k., and l.

4. Permissive travel orders to officers and enlisted members under their command subject to the provisions of ☛ Article 4.G.2.e.

5. Orders to transfer enlisted members for discharge in accordance with ☛ Chapter 12.B.

6. Orders to transfer Reserve enlisted members to their homes on release from active duty.

4.G.3.e. District Commanders and Commanders of Maintenance and Logistics Commands

District commanders and commanders of maintenance and logistics commands may authorize or direct subordinate commands to issue orders to members by name or by designated number of persons, for specific assignments or for travel. For such orders to qualify for reimbursement, they must always refer to the letter or directive of the district commander or commander of the maintenance and logistics command which authorized such orders. The district commander or commander of the maintenance and logistics command is authorized to issue or approve travel orders within the limitations prescribed here.

1. For officers and enlisted members of the Coast Guard Reserve to perform active duty for training.

2. For transferring enlisted members for discharge in accordance with ☛ Chapter 12.B.

3. For transferring Reserve enlisted members to their homes on release from active duty.

4. Temporary additional duty orders as follows:

   a. Temporary additional duty assignments which are not a normal function of the permanent assignment of enlisted rated members.

   b. To himself or herself or any officer or enlisted member attached to his or her district for temporary additional duty (including repeated travel) within the limits of his or her district as necessary to properly conduct official Coast Guard business within the limitations of Article 4.G.3.b.

   c. To himself or herself or any officer or enlisted member attached to his or her district for temporary additional duty (including repeated travel) subject to the following:

      (1) All travel shall be chargeable to district travel funds.

      (2) All orders shall be routine in nature and not require discretion of higher authority.

(3) When such duty directs the members involved to report to unit(s) in another district, the other district commander(s) must approve it. Issue orders only after obtaining such approval.

(4) Copies of all orders shall be mailed to the commander of the district in which travel will be performed.

d. To officers and enlisted members to and from units temporarily absent from the district (special missions, ice patrol, cadet cruises, repairs and overhaul at the Coast Guard Yard or elsewhere, etc.).

e. To the crews of aircraft engaged in authorized operational and training flights on official Coast Guard business when the aircraft must remain overnight and not at a greater distance than that authorized in current directives.

f. To officers and enlisted members (and attendant(s), if needed) to, from, and between military or civilian health care facilities for observation, evaluation, and treatment. (☛ Article 4.A.10.)

g. For Coast Guard escorts detailed to accompany mental patients when required by ☛ Article 4.A.10.e.

h. For guards detailed to return or deliver absentees, deserters, and escaped military prisoners or deliver prisoners to brigs, correctional centers, or prisons in accordance with approved court-martial sentences.

i. For Coast Guard escorts detailed to accompany the body of a deceased officer or enlisted person who dies while on active duty in the Coast Guard to the place of interment.

j. For a member assigned to a designated Coast Guard command for disciplinary action in accordance with the Military Justice Manual, COMDTINST M5810.1 (series) using district TAD funds.

k. To officers and enlisted members (and dependents) for travel in connection with emergency leave in accordance with ☛ Article 7.A.7.

l. To family members of a seriously ill or injured member under the provisions of Joint Federal Travel Regulations, par. U5246.

5. Permissive travel orders to officers or enlisted members attached to his or her district subject to the provisions of ☛ Article 4.G.2.e.

4.G.3.f. Superintendent, U.S. Coast Guard Academy

The Superintendent, Academy, is authorized to issue or approve travel orders within these limitations:

1. Permanent change of station orders to enlisted members selected for appointment as Cadet, U.S. Coast Guard.

2. Temporary additional duty orders to himself or herself or any officer or enlisted member under his or her command as necessary for official Coast Guard business.

3. Temporary additional duty orders for any reasons set forth in Article 4.G.3.e.4. f., g., h., i., k., and l.

4. Orders to Coast Guard Academy cadets within these limitations.

   a. To proceed to, from, and between hospitals for observation and treatment.

   b. To perform temporary additional duty in connection with cadet procurement activities limited to places considered a reasonable distance from New London, Connecticut.

   c. On separation other than by commission.

5. Permissive travel orders to officers and enlisted members under his or her command subject to the provisions of ☛ Article 4.G.2.e.

6. Orders to transfer enlisted members for discharge in accordance with Chapter 12.B.

7. Orders to transfer Reserve enlisted members to their homes on release from active duty.

4.G.3.g. Commander, Coast Guard Personnel Command

Commander, Coast Guard Personnel Command, is authorized to issue or approve travel orders within these limitations:

1. Permanent change of station orders to officers and enlisted members.

2. Temporary additional duty orders to himself or herself or any officer or enlisted member under his or her command as necessary for official Coast Guard business.

3. Temporary additional duty orders for any reasons set forth in Article 4.G.3.e.4. f., g., h., i., k., and l.

4. Orders for travel of officers and enlisted members (and dependents) in connection with funded environmental and morale leave under the provisions of the JFTR, par. U7207.

5. Permissive travel orders to officers and enlisted members under his or her command subject to the provisions of ☛ Article 4.G.2.e.

6. Orders to transfer enlisted members for discharge in accordance with Chapter 12.B.

7. Orders to transfer Reserve enlisted members to their homes on release from active duty.

8. Orders for travel of student dependents under the provisions of JFTR, par. U5243.

4.G.3.h Commanding Officers of Headquarters Units

Commanding Officers of Headquarters units are authorized to issue or approve travel orders within the limits prescribed herein:

1. Temporary additional duty orders to themselves and any officer or enlisted member under their command as necessary to properly conduct official Coast Guard business.

2. Temporary additional duty orders for any reason set forth in Article 4.G.3.e.4. f., g., h., i., k., and l.

3. Permissive travel orders to officers or enlisted members attached to their commands subject to the provisions of ☛ Article 4.G.2.e.

4. Orders to transfer enlisted members to their homes on transfer to the Reserve or release from active duty.

4.G.3.I. Other

1. Convening authorities of physical evaluation boards may issue or approve travel orders for enlisted members whom a physical evaluation board has found unfit to perform their rate's duties to their home or location accepted for enlistment, as they may elect, but not beyond the CONUS to await further orders on disability retirement or separation. (☛ Physical Disability Evaluation System, COMDTINST M1850.2 (series).)

2. All commanding officers, when given a travel allocation, may issue temporary additional duty orders to themselves or any officer or enlisted member under their command as necessary to properly conduct official Coast Guard business.

3. All commanding officers are authorized to issue permissive travel orders to officers and enlisted members under his or her command subject to the provisions of ☛ Article 4.G.2.e.

4.G.4. Signing Travel Orders

Officers authorized to issue or approve travel orders and staff or subordinate officers designated in writing to sign travel orders originating within the command sign travel orders and extensions and modifications to them. Commanding officers, officers in charge, or officers acting in these officers' absence are authorized to sign or endorse orders issued to comply with an order from the Commandant or other competent authority. Facsimile signatures on travel orders are not authorized.

4.G.5. Action on Receiving Orders Indicating Detachment Without a Specific Date

When used in orders interpret these terms as indicated:

1. Hereby Detached. If possible, the commanding officer detaches the member within 24 hours after receiving the orders.

2. Detached on or About. The commanding officer has a discretionary period of 10 days on either side of the given date. The commanding officer detaches the individual concerned during these 20 days. In addition, commanding officers may, without referring to the order issuing authority, adjust an enlisted member's departure date 30 days on either side of the given date, provided the transferring and receiving commands mutually so agree and the adjusted departure date is in the same fiscal year.

3. Detached when Directed. Orders should ordinarily be endorsed to detach the member within the limits the orders specify or 10 days after his or her arrival if the orders do not specify limits.

4. Detached when Relieved. Orders should ordinarily be endorsed to detach the individual within 10 days after his or her relief reports.

5. Proceed. Report within four days, exclusive of travel time and proceed time, after detachment date.

6. Proceed Without Delay. Report within 48 hours, exclusive of travel time and proceed time, after receiving orders.

7. Proceed Immediately. Report within 12 hours, exclusive of travel time, after receiving orders.

8. Proceed on or About. Begin travel within the 10-day discretionary period on either side of a given date in the orders. This phrase applies only to temporary additional duty orders.

9. Proceed in Time to Report on a Certain Date. Begin travel and complete it in time to ensure reporting on the specified reporting date no matter whether this allows four or fewer days' proceed time or the member takes proceed time before or after travel.

4.G.6. through 4.G.9. Vacant

4.G.10. Proceed Time

4.G.10.a. General

This Article authorizes proceed time, defined in exhibit 4.G.1. for permanent change of station or temporary duty. The commanding officer should minimize the unnecessary time a member is in a transient status. Therefore authorize proceed time only to the extent the amount granted under these guidelines will ease any hardship in having to make personal arrangements either before detaching or after reporting.

1. The maximum amount of proceed time to be authorized shall be:

   a. Four days for orders indicating no haste in reporting.

   b. Two days for orders directing the traveler to "proceed without delay."

2. Do not construe proceed time as authority to miss the reporting dates and times the orders specify. A modification or cancellation of the unexecuted portion of the original orders received at any point between the old and the new permanent stations does not entitle the traveler to additional proceed time.

3. Base entitlement on the cutter's homeport, regardless of the cutter's location at time of transfer.

4.G.10.b. When Authorized

Unless otherwise prohibited as indicated in paragraph c. below, authorize proceed time to the maximum extent possible as follows (☛ exhibit 4.G.2.):

1. In connection with a permanent change of station without temporary duty en route, the member should use proceed time between detaching and reporting if any of these conditions are met:

a. Member with dependents whenever dependents are relocated or the member transfers to or from a duty station where he or she does not use Government quarters, or

b. Personnel without dependents in pay grade E-4 with over two years' service (☛ exhibit 4.G.1) and higher pay grades whenever these members transfer to or from a duty station where they have maintained or will maintain other than Government quarters, or

c. Personnel without dependents who must use non-Government quarters.

2. Authorize only one consecutive period of proceed time in executing orders directing a member to proceed to one or more temporary duty stations en route to a permanent duty station, whether or not the member uses all or part of the total authorized proceed time. If he or she elects to use proceed time before reporting to a temporary duty station, the orders shall so indicate and not authorize proceed time on detachment from the temporary duty station. If the member elects to use proceed time on detachment from the temporary duty station, enter this statement on his or her orders:

MBR ELECTED PROCEED TIME ON COMPLETING TEMDU.

4.G.10.c. When Not Authorized

Regardless of other considerations, proceed time is not authorized in conjunction with:

1. Orders issued for these assignments:

   a. First permanent duty station.

   b. Active duty for training.

   c. A training center conducting recruit training and subsequent transfer to first permanent duty station or school, or

   d. From home to temporary duty under instruction of less than 20 weeks at one location.

2. Orders to a permanent change of station when the member does not relocate his or her household and will use Government quarters permanently at the new duty station, including personnel who do not relocate their household goods on a permanent change of station and will continue to commute to the same residence after reporting to the new duty station (☛ exhibit 4.G.2.):

3. Orders for temporary additional duty.

4. Orders for unilateral or mutual transfers.

5. Orders for transfer between two units located or homeported within 25 miles of each other.

6. Orders issued for separation processing or retirement.

7. Orders expressing haste ("proceed immediately;" and the issuing authority does not authorize leave).

8. Group travel.

4.G.11. Determining Modes of Transportation

4.G.11.a. General

Determining the mode of transportation used for each travel order depends on the orders' exigency, the availability of transportation to meet mission requirements, economy, consideration of the member's needs, and the travel issuing officer's judgment. Follow these instructions for the stated circumstances in conjunction with the requirements of the CG Supplement to Joint Federal Travel Regulations, Volume 1, COMDTINST M4600.17 (series) and the local transportation officer's advice.

4.G.11.b. Travel by Government Conveyance

Direct travel by Government conveyance wherever available, particularly for travel outside CONUS except when it may be in the Government's best interest to use other transport modes. Include additional authority in the orders for travel by commercial transportation whenever Government transportation is not available or commercial transportation is more advantageous to the Government.

4.G.11.c. Travel by Commercial Carrier

When Government conveyance is not available, direct travel by commercial carrier where available. When travel orders are silent about the particular commercial transport mode (rail, bus, air, etc.) the member should travel at his or her own expense, subject to reimbursement.

4.G.11.d. Travel by Privately Owned Motor Conveyance (POC)

The officer issuing transportation requests authorizes, as distinguished from directed, travel by POC when he or she determines that mode may be in the Government's best interest and/or in consideration of the needs of the member, and where Service exigencies do not dictate otherwise. These conditions apply:

1. In the absence of instructions to the contrary in travel orders and except as prescribed in Articles 4.G.11.e. and 4.G.14., a member may elect to travel by POC in carrying out PCS orders.

2. Commanding officers shall ensure the member meets these requirements before authorizing travel by POC on PCS:

   a. The member intends to travel by that mode, rather than being authorized travel by POC as a means to obtain additional travel time.

   b. A member desiring to travel in a vehicle owned by another traveler is entitled to travel time for a POC as allowed by ☛ Article 4.G.l3.d.4.

   c. Commanding officers should interview personnel returning from overseas duty and may authorize travel by POC from the vehicle's present location to the new station, provided that such travel does not exceed the distance from the port of arrival in CONUS to the new station. Base travel from the port of entry to the vehicle's location on the travel mode the member will use for such travel.

   d. The member shall have sufficient funds to defray all travel and other expenses.

   e. The commanding officer has advised the member to plan the trip to allow ample time at safe driving speeds to ensure safe, timely arrival at the destination.

   f. The commanding officer informs the member that if on arrival at the destination it is determined the member did not perform the travel as authorized by POC, the issuing officer will charge the excess travel time to his or her leave account, since he or she is entitled to this extra travel time only if he or she performs travel as authorized (☛ Article 4.G.13.a.3.)

4.G.11.e. PCS Travel between Alaska and CONUS

1. Service needs will dictate the travel/transportation mode between Alaska and CONUS. If using commercial means, select them in accordance with the criteria in the CG Supplement to Joint Federal Travel Regulations, Volume 1, COMDTINST M4600.17 (series), normally via commercial air from Seattle direct to new duty station in Alaska with privately owned vehicle shipped commercially from Seattle.

2. The order issuing officer may authorize members eligible to ship a POC under PCS to travel overland (ALCAN Highway) by POC, provided:

   a. The member is not assigned to restricted duty.

   b. The member's orders do not indicate an urgent need to report to the assignment.

   c. The member meets requirements outlined in Article 4.G.11.d.2.

   d. The Coast Guard expects the member to have sufficient funds to defray necessary expenses. Canadian customs and immigration officials may require members traveling there to prove they have sufficient funds while transiting through Canada. This amount varies with point of departure, destination, and family size. As a guideline, however, on leaving CONUS or returning from Alaska, the member should have readily available an amount equal to his or her own and dependents' mileage for that portion of the trip, plus the amount to ship the vehicle on ferries, plus an appropriate amount for emergencies. It is suggested any such traveler have at least $1,000 in a negotiable form such as traveler's checks.

3. Personnel who meet the requirements for POC travel and desire this means may submit a request through the chain of command to the appropriate entry approval area authorized by the CG Supplement to Joint Federal Travel Regulations, Volume 1, COMDTINST M4600.17 (series): ISC Ketchikan, Air Station Sitka, or ISC Kodiak. Commander, Seventeenth Coast Guard District handles requests for all others. If the entry approval authority denies the request, the entry approval area notifies the member by message stating the reasons and furnishes the receiving command a copy of each decision. In a request to authorize POC travel include:

   a. Name, grade or rate, and social security number.

   b. TONO for officers or ETO and TONO for eligible enlisted members.

   c. Departure date from present duty station.

   d. Estimated arrival date at new duty station.

   e. Make and year of automobile.

f. Transferring command's certification that member meets POC travel requirements.

4. Travel by Alaska Marine Highway System.

a. The order preparing authority may authorize members traveling via POC to certain duty stations in Alaska to use the Alaska Marine Highway System (ocean-going car ferry). If the order preparing authority so authorizes, travel orders must specifically authorize using this ferry. The member's and dependents' reimbursement for travel is limited to what the Joint Federal Travel Regulations authorize.

b. During the summer months, reservations on the Alaska Marine Highway System are almost non-existent and commands should advise personnel requesting authority to travel by this mode of this situation.

5. Mobile Homes. Commanding officers should discourage personnel from moving mobile homes to Alaska due to the high transportation costs involved, the possibility of damage during shipment via barge, and the State of Alaska's strict requirements for construction.

4.G.12. Circuitous Travel

4.G.12.a. Circuitous Travel to PCS Station

Members may use circuitous travel (by an indirect route and/or with leave en route at other than old or new duty station) to travel to a permanent change of station, subject to these and any local regulations that may be effective in the route to be traveled. Circuitous travel costs to the Coast Guard shall not exceed those for the direct route.

4.G.12.b. Leave Policy

Time spent traveling in excess of that normally required for the direct route counts as leave. A member must request permission to visit foreign countries independently of any action which may be required for circuitous travel.

4.G.12.c. Travel Outside conus

The district commander and/or commander of the maintenance and logistics command must approve enlisted members' request for circuitous travel outside the CONUS. Commander, (CGPC-opm) approves officers' requests. Submit requests through the chain of command and:

1. Include countries to be visited and number and age of children, if applicable.

2. Certify funds are available for commercial transportation if space available transportation on government aircraft cannot be obtained.

3. Certify the member has applied for required passports or give passport numbers.

4. If circuitous travel is authorized, commands must endorse the traveler's orders to show:

   a. Points between which transportation is authorized at Government expense.

   b. Points between which transportation is authorized on space available basis.

   c. The authorized space-available travel is incident to leave granted in basic orders.

   d. Transportation which would have been available when detached to next duty station by the shortest route usually traveled. (Specify the expected arrival date in CONUS.)

4.G.13. Travel Time During Execution of Orders

4.G.13.a. General

1. The Coast Guard does not allow travel time on orders directing a change of station where both stations are located within the same corporate limits and, therefore, do not require traveling. However, in instances involving cutters, Commander, (CGPC) uses the unit(s)'s location on the member's detachment date to determine entitlement to travel time, regardless of homeport (JFTR, U5l20).

2. Use the distances determined from the Official Table of Distances (AR-55-60 for CONUS, Alaska, etc., or AR-55-61 for foreign travel) to compute travel time. If a table of distance does not contain the complete distance between duty stations or points, compute the distance as described in paragraph 6, AR-55-60 or AR-55-61, as appropriate. In determining distances, drop fractional parts of miles. Exercise caution in estimating distances. When doubt exists about the proper distance in a specific case, request information Commandant (G-WPM-2).

3. Any travel time exceeding that to which entitled, as constructed for the actual mode (Government, POC, or commercial land or air) used as excess travel time and charged it as leave unless disciplinary action is indicated. However, when commercial carrier is delayed and the traveler states the travel time allowed was insufficient, travel time may be adjusted accordingly when the member's statement of the circumstances or the transportation company certifies the

commercial carrier was delayed. Delays for personal preference or convenience do not meet the criteria to adjust travel time. When POC travel is authorized and the traveler signs a statement on the orders he or she could not travel for a specific time period due to inclement weather (snow storm, icy roads, etc.), driving was impossible and/or gas was not available, travel time shall be adjusted accordingly when his or her new commanding officer confirms the member's statement of the circumstances (JFTR, U5l60-B.2).

4. When permanent change of station orders are canceled or modified while the member is en route, travel time will be allowed between the same points used to determine travel allowances as indicated in the Joint Federal Travel Regulations and computes it as follows:

   a. If orders are canceled, travel time is allowed for a round trip to cover the distance traveled from the old duty station to the point where the member received the cancellation. This distance must not exceed the round trip distance from the old duty station to what the new station would have been, via any temporary duty station(s).

   b. If orders are modified to a new permanent duty station or temporary duty station(s), allow travel time for the distance traveled from the old duty station to the point where the member received the change and thence to the last-named new duty station. This distance must not exceed the distance from the old station to the first-named new duty station via temporary duty station(s), thence to the last-named new duty station.

5. Orders directing a member to proceed by Government transportation also may authorize the member to proceed by some other transport mode or other route of his or her own selection, but the member must arrive on or before the specified reporting date and on or before the scheduled time Government transportation would have. Though unforeseen delays may occur in using Government transportation, the person traveling by selected transportation is not permitted to include such delays in his or her own travel time.

6. In all cases, when the elapsed travel time is less than the authorized time, allow the former.

4.G.13.b. Travel in CONUS

1. When orders direct travel by government or commercial air and the member actually uses that mode for the entire travel, allow one day's travel time for travel in the continental United States.

2. When air transport is not available and the member travels partly by air and partly by another mode, compute travel time for the particular mode as prescribed in this Article for the applicable portions of travel.

4.G.13.c. Travel Outside CONUS

Travel time for transoceanic travel by aircraft or vessel shall be the actual time required for such travel by the normal direct routing. Include that portion of the embarkation or debarkation day at the port awaiting transportation in the actual time for ocean or transoceanic travel regardless of the hour of embarkation or debarkation.

4.G.13.d. Travel for Permanent Change of Station (PCS)

1. Count travel time under PCS orders including temporary duty in whole days and compute it based on travel over a usually traveled route by a transport mode affording through service when available. The day the member detaches from the permanent duty station in all cases is a day of duty and the reporting hour under orders involving travel time normally is by 2400 of the reporting date, unless the orders need to specify otherwise.

2. Travel Time When Using Government Conveyance. When executing permanent change of station orders which do not specifically direct travel by air (☛ Articles 4.G.13.b. and c.), travel time for travel by government conveyance is the actual time necessary to perform the travel over a direct route.

3. Travel Time When Government Procured Transportation Is Issued. When Government Procured Transportation is used to obtain transportation over the direct route to execute a permanent change of station, allow travel time for the actual time necessary to perform the travel including necessary delays incident to the transport mode used as follows:

   a. When using one commercial transportation mode, base travel time in full days on the allowable time used for travel.

   b. When using mixed modes of commercial transportation, base travel time in full days on the cumulative actual time used for travel.

4. Travel Time by POC. When the member travels by POC, allow one day of travel time for each 350 miles of the official distance of the ordered travel. Allow one additional travel day for any distances in excess of multiples of 350 miles, provided the excess is 51 miles or more. When the total official distance is 400 or fewer miles or less, allow one day's travel time.

5. Travel Time for Common Carrier or Mixed Transportation Modes.

a. When a member travels by common carrier or mixed transport modes or when he or she obtains a Transportation Request (TR) at a leave point and travels by mixed modes, apply these rules when determining travel time:

(1) Compute travel time in the order of POC, commercial surface, and commercial air regardless of the order in which traveled.

(2) Compute travel time for the total POC travel in whole days as Article 4.G.13.d.4. prescribes.

(3) Allow one hour of travel time for each 40 miles traveled by commercial surface (bus or rail) transportation.

(4) Allow one hour of travel time for each 500 miles traveled by commercial air transportation.

(5) For commercial transportation 18 hours total travel equals one day of authorized travel time; count any fraction over a multiple of 18 as an additional day of authorized travel time.

(6) Regardless of the transport modes used, allow only one day of travel time if the official distance between duty stations is 400 or fewer miles.

(7) The maximum allowable travel time is limited to the amount allowed had all travel been performed by POC (☛ Article 4.G.13.d.4.)

b. Follow these procedures in computing travel time by mixed modes (☛ Example 1):

(1) Determine the official distance between authorized points of travel;

(2) Compute travel time for the total number of miles traveled by POC in accordance with Article 4.G.13.d.4.;

(3) Determine the total number of miles traveled by surface common carrier and divide by 40, computed to one decimal point;

(4) Determine the total number of miles traveled by commercial air and divide by 500, computed to one decimal point;

(5) Add the number of hours required for surface common carrier and those required for air travel and divide the result by 18 hours to determine the number of days of allowable travel time by common carrier, rounding any fraction of a day to the next higher day; and

(6) Add the number of days allowed for travel by POC to the surface common carrier and/or air travel days to determine the total number of days of authorized travel time.

Example 1: Computing Actual Travel Time

Member transferred from Washington, DC to San Francisco, CA; official distance 2,812 miles.

Travel Itinerary:	Washington, DC to Detroit, Ml	522 miles (POC)
	Detroit, MI to St. Louis, MO	533 miles (rail)
	St. Louis, MO to San Diego, CA	1,855 miles (air)
	San Diego, CA to Los Angeles, CA	120 miles (bus)
	Los Angeles, CA to San Francisco, CA	379 miles (air)

Computing Travel Time:	Travel Time
Official distance	2,.812 miles
POC travel	- 522 miles; divide by 350 miles = 2 days
	2,290 miles
Commercial surface (bus and rail) travel	553 miles; divide by 40 miles = 16.3
Balance for commercial air travel	1,637 miles; divide by 500 miles

*Cumulative commercial travel time 19.6 hours, or at 18 hours per day, 2 days

	Total Travel Time Authorized:
POC	2 days
Commercial carrier	2 days
Total	4 days

c. Use this procedure to compute constructive travel time by mixed modes for that portion of the distance traveled equal to or less than the official distance between duty stations (☛ Example 2):

(1) Determine the official distance between authorized points of travel;

(2) Determine the miles traveled by POC, commercial surface, and commercial air;

(3) Compute the travel time for the maximum distance traveled by POC and commercial surface (bus or rail) (☛ subparagraph b.(2) and (3) above; then

(4) Compute the travel time for the remaining distance by commercial air (☛ subparagraph 5.b. above.

Example 2: Computing Constructive Travel Time

Member traveled 800 miles by POC; 600 miles by rail; 900 miles by air; the official distance is 1,500 miles

Travel performed by POC	800 miles; divide by 350 miles/day = 3 days
	700
Travel performed by rail	-600 miles; divide by 40 miles= 15.0 hours)'
Travel allowed by air	100 miles; divide by 500 miles = 0.2 hours*

*Cumulative commercial carrier travel time is 15.2 hours; travel allowed 18 hours per day = 1 day

d. For circuitous travel under ☛ Article 4.G.12. provisions, compute constructive travel time as indicated in subparagraph 5.c. above, based on the member's itinerary, but not to exceed the official distance authorized between the duty stations.

e. Travel Time in Connection With Temporary Additional Duty (TAD). A member ordered to TAD will use the travel mode which more nearly meets the orders' requirements and is more economical to the Government.

(1) Travel Time When Common Carrier or Government Air Used. Compute travel time on a schedule which most nearly coincides with required departure and arrival times to carry out the purpose of the ordered travel. When computing travel by air, allow up to 2 hours for each trip for the actual or estimated time required to travel to and from the air terminal(s). Consider these factors in selecting schedules:

(a) Duty requirements, duty hours, availability of lodging, onward transportation, and the traveler's personal comfort and well being.

(b) Normally, do not require a traveler to begin the travel and/or arrive at his or her destination between the hours of 2400 and 0600.

(2) Travel Time When POC Authorized. Travel by POC may be authorized when this mode is acceptable to the member and determined to be more advantageous to the Government. Do not grant such authorization unless the order issuing authority determines POC travel is clearly more advantageous to the Government: such travel would accomplish Government business more efficiently, economically, or expeditiously or involves short trips over routes where commercial transportation is non-existent or would be time-consuming and unduly delay public business.

(a) When travel orders specifically state that travel by POC is more advantageous to the Government, travel time is computed for the actual time based on the time allowable for POC in accordance with paragraph d.4. above.

(b) When travel by POC is authorized but not certified as more advantageous to the Government, travel time is computed for the constructive time over a usually traveled route by common carrier (☛ paragraph d.5. above), and any time which exceeds the authorized travel time shall be charged as leave.

(3) Travel Time on Temporary Additional Duty Without Leave En Route. Compute travel time on temporary additional duty orders, including repeat travel orders, from departure time to reporting time; the time may not exceed that based on actual schedules of available common carriers which most nearly meet the orders' requirements and would be most economical to the Government.

(4) Leave and Travel Time on Temporary Additional Duty. The departure day from the permanent duty station is a day of duty and the reporting day to the permanent duty station from leave is also a day of duty if return is at or before 0900. The departure day from the TAD station is a travel day. Do not charge leave for any day on which official travel is performed or a

per diem allowance is payable. Compute delay in conjunction with TAD as indicated below, and charge as leave any days on which a per diem allowance is not payable.

NOTE: The departure date as recorded on the orders may reflect the constructive departure and/or return dates, in accordance with the authorized transport mode, when the member either departs for and/or returns from TAD while in an authorized regular liberty status. Thus, for a member actually departing on Friday at 1600 who could have departed on Sunday at 1300, do not charge leave for Saturday. However, if the orders are endorsed as Friday at 1600, charge Saturday as leave.

(a) When the member departs from the permanent duty station for the TAD station, charge as travel time in whole days the period immediately preceding the reporting date. (☛ Examples l and 2.)

(b) When departing between TAD stations, charge as travel time the period immediately after detachment from the TAD station. (☛ Example 4.)

(c) When departing a TAD station to return to the permanent duty station, charge as travel time the period immediately after departure. (☛ Examples 2 and 5.)

Example 1. Member ordered from Washington, DC to Raleigh, NC for TAD to report not later than 0800, 16 May. He or she departs Washington, DC on 13 May. Count the period as follows:

13 May	Departed	Day of duty
14 May		Day of leave
15 May		Day of travel. Constructive schedule shows the member could have departed Washington, DC at 1945 on 15 May and complied with his or her orders. Per diem is payable from 1945 on 15 May.

Example 2. TAD at Raleigh, NC, terminated at 1500 on 30 May; the member reports for duty before 0900 on 1 June. Count the period as follows:

30 May	Day of travel. Constructive schedule shows the member could have arrived back at 1807 on 30 May. Per diem terminates 1807 on 30 May.
31 May	Day of leave
1 June	Day of duty. Member reported at or before 0900.

Example 3. Member ordered from Washington, DC to Pittsburgh, PA for a period of TAD, to report by 1100 on 12 July; on completion, member ordered to New York, NY for further TAD; and on completion, to return to Washington, DC. Orders authorize 2 days DELKEP at NY. The member departs Washington, DC on 11 July. Count the period as follows:

11 July	Departed	Day of duty
12 July		Day of travel. Constructive schedule shows the member could have departed at 0620 on 12 July and complied with his her orders. Per diem commences at 0620 on 12 July.

Example 4. TAD at Pittsburgh, PA, terminated at 1100 on 18 July. The member departs at 1200 on 18 July for TAD with 2 days' DELREP and reports before 0900, 21 July. Count the period as follows:

18 July	Day of travel. Constructive schedule shows the member could have departed at 1310 on 18 July and complied with his or her orders.
19-20 July	Days of leave.
21 July	Day of duty. Member reported before 0900.

Example 5. TAD at New York, NY, terminates at 1500 on 26 July; the member departs at 1700 on 26 July. He or she reports at 0800 on 27 July. Compute the travel time as follows:

26 July	Day of travel. Constructive schedule shows the member could have arrived back at 1755 on 26 July. Per diem terminates at 1755 on 26 July.

4.G.14. Travel Time for Coast Guard Reserve Members

4.G.14.A. General

Base travel time in reporting from or to home of record or place from which ordered to active duty to first duty station on call to active duty and from last duty station on release from active duty on actual schedules of commercial transportation, except as indicated below.

4.G.14.b. Travel Time by Privately Owned Conveyance (POC)

When a Reserve member is ordered to active duty for a period of 90 days or more, travel by POC may be specifically authorized in reporting to and release from active duty. If the member uses private conveyance, compute travel time in accordance with ☛ Article 4.G.13.d.4. When the total distance is 176 miles or less, compute travel time in accordance with subparagraph a. above. If a member reports to his or her first duty station after 0900, treat that day as a travel day; if he or she reports at or before 0900, treat that day as a duty day.

4.G.15. Delay En Route During Execution of Orders

Count as leave any authorized delay in reporting from one station to a new one, other than compensatory absence, proceed time, and travel time authorized in the orders.

1. If the person reports for duty at the new duty station before the stipulated reporting date, first deduct compensatory absence, proceed time, and/or travel time and then charge him or her with leave only for the time he or she actually used. (☛ Examples 1 through 4.)

2. When only proceed and travel time are involved (leave is not authorized or used), deduct the allowable travel time and charge the days remaining (if any) as proceed time.

3. These examples should aid in determining reporting dates, inclusive leave dates, and amount of leave used:

Example 1. Orders authorize 4 days proceed time, 3 days travel time, and 10 days leave and departure date is 1 August.

If the person reports before the maximum time allowed, treat the period as follows:

If reported 15 August (any time) the computation is:

Total time en route (2-15 August)	14 days
Travel time	1 day
Proceed time and leave	11 days (7 leave and 4 proceed time

Compute as follows:

1 August	Detached (day of duty)
2 to 8 August	Leave (7days)
9 to 12August	Proceed time
13to 15 August	Travel time (3 days)

If the member reports on the day of detachment, that day is a day of duty; treat it as though the member has used only necessary travel en route.

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).

GLOSSARY OF TERMS

This exhibit defines certain terms used in this chapter. The terms here apply unless the term in question is otherwise qualified or defined in the pertinent section where used.

Acquired Dependent. A military member's dependent acquired through marriage, adoption, or other action during the course of a member's current tour of assigned duty. The term does not include the member's dependents or children born of a marriage that existed before the current overseas tour began.

Active Duty. Full-time duty in the active service (37 USC 101(18)) of a Uniformed Service including duty on the active list, full-time training duty, annual training duty, and while in the active Service, attendance at a designated school, or a Service school, including while traveling and on authorized leave.

Active Duty for Training. Full-time training duty in the active military service for the express purpose of training Ready Reserve members to acquire or maintain required military skills, including initial basic training, advanced individual training, annual training duty, and full-time attendance at Service schools.

Command Sponsored Dependent. A dependent entitled to transportation at government expense (☛ Article 4.H.9.) and whom the appropriate military commander has approved to be present in a military dependent's status even though:

1. Actual travel to the duty station outside CONUS was performed at personal expense.

2. The member was not entitled to dependent transportation on the effective date of orders to duty outside CONUS.

3. The dependent was acquired after the effective date of orders to duty outside CONUS.

CONUS. The contiguous 48 states and the District of Columbia.

Dependency. A dependent status existing for travel outside CONUS applicable to:

1. A member's spouse who is not on active duty (☛ 9. below).

2. A member's unmarried legitimate child under 21 years of age (including an infant born after the effective date of orders when Service regulations precluded the mother's travel).

3. A member's unmarried stepchild (includes the member's spouse's illegitimate child) or adopted child under 21 years of age who in fact depends on the member if the member contributes a substantial portion of the child's support (residence in the member's household does not of itself establish dependency).

4. A member's unmarried illegitimate child under 21 years of age whose parentage has been admitted in writing or whose alleged member-father has been judicially decreed to be the child's father or ordered to contribute to the child's support by other than a foreign court and who, in fact, depends on the member for more than one-half of his or her support.

5. A member's unmarried child, as defined in 2. through 4. above, who is over 21 years old and incapable of self-support because of mental or physical incapacity and who, in fact, depends on the member for over one-half of his or her support.

6. For transportation purposes, a member's unmarried child who was transported at government expense to a station outside the United States incident to the member's assignment there and who attains 21 years of age while the member serves at that station.

7. A member's parent (including step-parent, parent by adoption, former step-parent, or other person who continuously has stood in loco parentis to the member at any time for at least a 5-year period before the member becomes 21 years of age) who is a member of the household and who, in fact, depends on the member for over one-half of his or her support.

8. A member's former spouse, dependents, and/or dependent children for purposes of return transportation to the United States when these current or former dependents are located outside the United States, even though divorce or annulment terminated the marital relationship with the member before he or she was eligible for return transportation (JFTR, U5240-E).

9. For entitlement purposes under this chapter:

   a. A member's spouse who also is a member on active duty is not considered a dependent.

   b. A child is not considered a dependent for the same allowances of both parents who are active duty members.

10. A member's unmarried child who is under 23 years of age (includes a child described in items 3 and 4) who is enrolled in a full-time course of study in an institution of higher learning and is, in fact, dependent upon the member for more than one-half of his or her support.

Effective Date of Orders - In the case of separating or retiring members, the effective date to determine entitlement to Travel and Transportation Allowances (authorized weight of household goods, eligibility for dependents' travel, etc.) is the last day of active duty. This does not apply to separating Reservists and recalled retired members who continue in an active duty status during the time allowed for return travel home. For those members, and members except for those separating or retiring, it is the date a member is required to begin travel from his or her old permanent duty station, home or place from which called to active duty, or last temporary duty station, whichever applies, to arrive at his or her new permanent duty station, home, or place from which called to active duty on the date authorized by the authorized and/or used

transportation mode. When orders are modified, canceled, or revoked before the normally computed effective date, the orders are considered effective when the member receives them (see JFTR, U2140). In computing orders' effective date, subtract the travel time used from the reporting date and add one day (the departure day is a day of duty).

Example 1. Member is authorized and uses maximum travel time of 7 days.

Authorized reporting date	10 June	
Subtract travel time used, 7 days =	3 June	
Add one day = effective date of orders		4 June

Example 2. Member is authorized 7 days travel time, but changes mode of travel and uses less time. (Authorized reporting date 10 June.)

Actual reporting date	9 June	
Subtract travel time used, 1 day		8 June
Add one day = Effective date of orders		9 June

Last Duty Station - For purposes of computing a member's own travel allowances on separation, the term "last duty station" at time of separation means the last permanent, temporary, or temporary additional duty station where the member was, in fact, on duty or a hospital if he/she was undergoing treatment there.

Military Commander - For purposes of this chapter, the appropriate military commander is the command authorized to approve entry into the areas listed in Exhibit 4.G.4.

1. For those areas where Exhibit 4.G.4. indicates concurrent travel is authorized, i.e., prior approval is not required for dependents' entry, the authority directing the member's transfer is considered the appropriate military commander.

2. For personnel requesting entry approval of dependents after reporting to the overseas duty station, the overseas commanding officer is the appropriate military commander, unless the district commander has issued supplemental instructions to the contrary.

Orders

1. A transfer order is one from a superior command to a lesser requiring issuance of a particular type of travel order for the members or rates indicated in it.

2. A travel order is a written order to an individual or the senior member of a group to carry out the duty indicated in it under these categories:

   a. Permanent Change of Station. The assignment or transfer of a member or unit to a different duty station under competent orders which do not specify the duty as temporary, further assign the member(s) to a new station, or direct return to the old duty station,

including the change from home or the place from which ordered to active duty to the first permanent duty station and also from the last permanent duty station to home, on:

(1) Enlistment, appointment, or reappointment to the Regular service from civilian life or a Reserve component.

(2) Call to active duty or active duty for training of 20 or more weeks.

(3) Recall to active duty from retirement (including temporary disability retirement).

(4) Retirement (including temporary disability retirement), discharge, resignation, or separation from the Service under honorable conditions.

(5) Release from either active duty or active duty for training of 20 or more weeks.

b. Temporary Duty. Duty at one or more locations, other than a permanent station, where a member performs temporary duty under orders which provide for further assignment, or pending further assignment, to a new permanent station or return to the old permanent station on completing the temporary duty. It also includes time spent at a station while processing for separation from the Service, release from active duty, placement on the temporary disability retired list, or retirement whenever the last permanent duty station is different from that which processes the orders.

c. Temporary Additional Duty. Duty involving one journey away from the member's duty station to one or more places and direct return to the starting point on completing such duties. Personnel on temporary additional duty remain assigned to the station from which they departed on temporary additional duty.

d. Blanket Travel. Orders issued to a member to make regular, frequent trips within certain geographical limits away from the permanent duty station to perform regularly assigned duties.

e. Repeated Travel. Orders issued to allow any number of separate round trips from the permanent duty station to or between specified locations which may require a stopover for duty at one or more places before returning to permanent duty station. Travel must not be solely between the places of duty and lodging.

f. Group Travel. An order the issuing authority specifically designates as a “group travel order” which requires three or more members to travel in a group either on permanent change of station or temporary additional duty, for which government conveyance or Transportation Request will furnish transportation from the same point of origin to the same destination. The issuing authority also may designate a group travel status between any points en route, provided the orders specifically indicate the points between which a group travel status applies.

g. Recruit Travel. Orders for any recruits' travel from place of enlistment to recruit training and to first duty station or from recruit training to petty officer training.

h. Release from Active Duty or Separation. Any orders which separate personnel from active Coast Guard duty.

i. Training Duty. Orders which assign Coast Guard Reserve personnel on inactive duty to active duty for training.

j. Temporary Active Duty. Orders (first set) which assign Reserve personnel on inactive duty to temporary active duty for a limited or unspecified time and direct release to inactive duty on completion.

Over Two Years Service. Service to be included in computing "over two years Service" is any service authorized to be credited in computation of basic pay. (37 U.S.C. 205)

Overseas Duty. Duty performed at units located outside the contiguous 48 states and the District of Columbia.

Overseas Tour

1. Accompanied Tour. A prescribed length of duty outside CONUS for personnel accompanied by command-sponsored dependents.

2. All Others. A prescribed tour outside C0NUS for personnel without dependents, those not eligible for dependent travel, those whose dependents are not eligible for dependent travel, or with dependents but who elect to serve overseas unaccompanied by eligible dependents.

Permanent Duty Station. The post of duty or official station, including a ship (for purposes of personal travel and transporting a member's personal effects located on board the ship) and a vessel's or a ship-based staff's home port (insofar as transporting dependents and shipping household goods is concerned), to which a member is assigned or attached for duty other than "temporary duty" or "temporary additional duty." The limits of such post of duty or official station are the ship or city's or town's corporate limits where the member is stationed. However, if the member is not stationed on a ship or in an incorporated city or town, the official station is the reservation, station, or established area, or, in the case of large reservations, an established subdivision having definite boundaries within which the designated post of duty is located. When a member is ordered to attend a course (or courses) of instruction at a school or installation whose scheduled, cumulative duration is 20 or more weeks, the school or installation is that member's permanent station regardless of the terms of the orders involved. A course's "scheduled duration" comprises the actual period, including weekends, during which the students receive instruction. Intervening holiday periods, e.g., Christmas recess, and incidental time spent before or after course conclusion are not part of the scheduled course duration. (☛ 53 Comp. Gen. 218 (1973). When a member attends a course (or courses) of instruction whose scheduled

cumulative duration originally was less than 20 weeks and then is assigned additional or extended instruction, the school or installation is the member's permanent station provided the scheduled, cumulative duration of the instruction is 20 or more weeks measured from the date of the order directing the additional or extended duty (☛ MS Comp. Gen. B5-143017, 17 June 1960, and 46 Comp. Gen. 852).

Permissive Travel. Permissive travel orders are authorizations to members to permit them to perform travel in a duty status at no expense to the government when the Service will benefit by the travel, but not to the extent of expending government funds.

Privately Owned Conveyance (POC). Any mode of transportation other than a government conveyance or a common carrier actually used to move persons from place to place.

Privately Owned Motor Vehicle (POV). Any self-propelled, wheeled motor conveyance owned by the member, in his or her possession, and used by the member and/or his or her dependents primarily to provide personal transportation, excluding trailers, airplanes, or any vehicle intended for commercial use.

Proceed Time. A period of delay in addition to authorized leave or travel which may be granted to facilitate necessary personal arrangements in disestablishing and/or estab1ishing a residence, etc., inherent in a permanent change of station. However, do not use proceed time to accomplish the military check-out and check-in procedures with the military personnel officer, security and pass offices, billeting offices and public quarters clearance, and the like, which are military administrative requirements which should be appropriately accomplished during normal working hours.

Restricted Area. Any area where dependents' entry has been temporarily or permanently prohibited by order of competent authority.

Sea Duty. An assignment to a floating unit; a unit listed in Operating Facilities (OPFAC) of the U.S. Coast Guard, COMDTINST M5440.2 (series); a unit 65 feet or longer; and all tugs (excluding barges) during which the member is entitled to sea pay in accordance with the CG Pay Manual, COMDTINST M7220.29 (series).

Unaccompanied Member. A member whose dependents have not accompanied him or her or, having joined the member at his or her own expense, are not command-sponsored.

PROCEED TIME

If member on PCS	and	Then proceed time is
A	B	C
Has dependents	Dependents are relocated (Note 1)	Authorized
	Dependents are not relocated and member will be provided Government quarters permanently at new duty station	Not authorized
	Dependents are not relocated but member utilized non-Government quarters at the new duty station location (Note 1)	Authorized
Has no dependents and is in pay grade E-4 (over 2 years' service) or **higher** pay grade	Maintains non-Government quarters at the old duty station which will be terminated (Note 1)	Authorized
	Will maintain non-Government quarters at the new duty station (Note 1)	**Authorized**
	Utilizes Government quarters at both the old and the new duty stations	Not authorized
Has no dependents and is in pay grade E-4 (under 2 years' service) or lower pay grade	Is required to utilize non-Government quarters at either the old or the new permanent duty stations	Authorized
	Utilizes Government quarters at both the old and new duty stations	Not authorized

Note (1) - Means the movement of a household (dependents and/or place of residence) from one residence to another. This includes dependents who do not relocate at the time personnel report to the new duty station due to children in school, home selling, etc. But dependents will relocate after completion of a specific act. This includes dependents who are relocated in connection with permanent change of station orders prior to detachment.

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4.H. Overseas Duty and Moving Dependents and Household Goods Outside CONUS

4.H.1. General

4.H.1.a. Overseas Service

Overseas service is defined as military duty performed while assigned to a military installation or activity permanently based outside the 48 contiguous United States and the District of Columbia.

4.H.1.b. Required Prior Service for Assignment Overseas

10 USC 671 states:

> **(a) A member of the armed forces may not be assigned to active duty on land outside the United States and its territories and possessions until the member has completed the basic training requirements of the armed force of which he is a member."**
>
> **(b) In time of war or a national emergency declared by Congress or the President, the period of required basic training (or its equivalent) may not (except as provided in subsection (c)) be less than 12 weeks.**
>
> **(c)(1) A period of basic training (or equivalent training) shorter than 12 weeks may be established by the Secretary concerned for members of the armed forces who have been credentialed in a medical profession or occupation and are serving in a health-care occupational specialty, as determined under regulations prescribed under paragraph (2). Any such period shall be established under regulations prescribed under paragraph (2) and may be established notwithstanding section 4(a) of the Military Selective Service Act (50 USC App. 454(a)).**
>
> **(c)(2) The Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, shall prescribe regulations for the purposes of paragraph (1). The regulations prescribed by the Secretary of Defense shall apply uniformly to the military departments.**

Congressional intent is that no service member should be assigned to any unit in a combat zone with fewer than 12 weeks of basic or equivalent training; travel time on a Coast Guard cutter qualifies as such training. To conform to this policy, the first duty assignment of members ordered overseas with fewer than 12 weeks of basic or equivalent training shall be to duty at units within a United States State or Territory, including units under Greater Antilles Section. Trust Territories are not Territories of the United States.

4.H.1.c. Assigning A Sponsor

Past experience has shown members and their families often lack information about the area to which PCS orders have been issued. Positive command interest and sponsor enthusiasm are invaluable at this critical time in attitude formulation, and support at all levels is required to ensure effectiveness and continued success of the sponsor program. To overcome the problems associated with a PCS transfer to duty outside CONUS, commanding officers shall ensure compliance with ☛ Article 4.A.15.

4.H.1.d. Members' Return for Separation or Retirement

1. ☛ Article 12.C.1 or Article 12.B.46, as appropriate, contain the procedures for processing a member serving at a duty station outside CONUS when he or she is due for retirement or separation due to expiration of enlistment or release from active duty and who is not re-enlisting or extending at that duty station. If transferred for separation processing, the member will be detached in time to permit him or her to report to the processing activity between 12 and 15 working days before the retirement or separation date.

2. When retirement or separation is scheduled in close proximity to rotation, transfer will be as indicated below:

   a. Transfer members serving in non-restricted assignments outside CONUS who have requested voluntary retirement for a date after normal rotation date as follows:

      (1) If requested retirement is within six months of rotation, retain the member on board the unit and later transfer him or her to the nearest debarkation point in accordance with ☛ Article 12.C.1

      (2) If requested retirement is more than six months after rotation, the member may be transferred to CONUS for routine assignment to a unit subject to Service needs.

   b. Retain overseas until separation members serving assignments for a tour of 24 or more months and who on completing the prescribed tour will have six or fewer months' active obligated service remaining after rotation. If a member agrees to extend his or her period of active obligated service to have 12 months of active service remaining on completing the tour overseas, transfer him or her on normal rotation eligibility.

   c. Routinely transfer personnel serving in restricted assignments outside CONUS to CONUS on their normal rotation dates and assign them in accordance with Service needs.

4.H.1.e. Glossary of Terms

☛ Exhibit 4.G.1. contains definitions of terms used in this article.

4.H.2. Determining Members' and Dependents' Suitability for Overseas Duty

1. Within ten days after receiving authority to transfer a member to overseas duty, his or her commanding officer must interview the member and spouse to determine their and any dependents' suitability for overseas duty.

2. Use the Command Checklist for Overseas Screening (☛ Exhibit 4.H.2.) for the interview.

   a. Ensure a copy of the Command Checklist for Overseas Screening (☛ Exhibit 4.H.2.) and the Financial Assessment Checklist (☛ Exhibit 4.H.2.a.) is provided to the member.

   b. In determining suitability, the commanding officer shall ascertain whether the member or dependents possess character traits which reflect favorably on the United States and any medical, moral, financial, or physical attributes which would preclude their conducting themselves as worthy representatives of the United States abroad. Besides reviewing the members' Personnel Data Record, the commanding officer must ascertain the members' and dependents' medical fitness.

   c. **In the case of members assigned PCS to a** service school, the training school command is responsible for reviewing members' training records and interviewing them **and their dependents** to determine their overall suitability for overseas duty.

   d. Commanding officers are to ensure a copy of the completed Checklist for Overseas Screening is faxed to the commanding officer of the receiving unit and the command responsible for entry approval, within 5 days after completion of the overseas interview process.

   e. Overseas Orders for Cape May Recruits. Training Center Cape May will make every attempt to forward the Checklist for Overseas Screening, along with the entry approval message, to the appropriate entry approval source no later than 10 days prior to the departure of Cape May recruits who are assigned to overseas billets. However, due to the nature of recruit assignments and processing, it may be difficult to meet the 10 days prior to departure requirement on a consistent basis. In these cases, Training Center Cape May will forward the Checklist for Overseas Screening, along with the entry approval message, to the appropriate entry approval source

prior to the departure of Cape May recruits who are assigned to overseas billets.

f. At the commanding officer's request, a chaplain also may assist in determining overseas suitability.

4.H.3. Suitability Decision Factors

4.H.3.a. Medical

Any service member's or dependent's documented medical problem that would preclude assignment to overseas duty or which assignment overseas would complicate to the extent medical evaluation or early return would be necessary is considered disqualifying. If only dependents are disqualified for medical reasons, urgent Service needs may require the member to serve an unaccompanied tour.

4.H.3.b. Dental

Normally, dental conditions do not preclude overseas assignment. Members ordered to isolated overseas stations with limited dental facilities should have no dental defects likely to require extensive, prolonged treatment. Only in extreme cases where members are unable to perform assigned duties due to dental conditions will they be considered unsuitable for overseas duty. Dependents' dental problems do not usually disqualify a member in determining suitability for overseas transfer to activities where dental facilities exist. The commanding officer may request a dental screening examination from the nearest dental facility in determining if a dependent's dental condition is disqualifying. However, if dependent dental problems disqualify a member for transfer to an overseas area, urgent Service needs may require the member to serve an unaccompanied tour. Dependents who will accompany members transferring to activities where routine dependent care is authorized should not postpone needed dental care in anticipation of having the new duty station meet all their dental needs. Providers of routine dependent care at activities where routine dependent care is authorized will attempt to meet dependents' urgent dental requirements, but must give priority to Service needs to ensure the highest state of personnel readiness.

4.H.3.c. Alcohol

Members with a documented history of unresolved alcohol abuse will be considered unsuitable for overseas duty. Members who successfully completed an alcohol rehabilitation program and have experienced no alcohol involvement for one year after completing the program are judged suitable for overseas duty. Members who complete alcohol rehabilitation while assigned overseas may return to their permanent OUTCONUS unit unless the rehabilitation facility indicates such return would jeopardize full recovery.

4.H.3.d. Performance

A member's history of demonstrated unsatisfactory or marginal performance in the previous two years renders him or her unsuitable for overseas assignment

4.H.3.e. Discipline

A history of courts-martial, non-judicial punishment, or involvement with civil authorities in the previous two years may disqualify a member for overseas duty. A one-time major offense; i.e., a felony, in the current enlistment disqualifies the member.

4.H.3.f. Pregnancy

The fact that an active duty service member is pregnant does not, in itself, disqualify her for overseas assignment. However, **dependent upon medical approval**, transferring pregnant members to overseas assignment will be done on a voluntary basis for the period prior to and extending to six months after delivery.

4.H.3.g. Single Parents

The unique situation of single parents with dependents does not in itself disqualify them for overseas duty. ☛ Article 4.A.6.

4.H.3.h. Indebtedness

1. **Financial Assessment Checklist, ☛ Exhibit 4.H.2.a. This checklist is used by the member to assess his/her financial status.**

2. Members with serious financial problems or indebtedness which have not been resolved with the creditor(s) or interested parties, or a documented history of indebtedness over the last three years will be considered unsuitable for overseas duty. ☛ Chapter 8.L. for policy on resolving indebtedness.

4.H.3.i. Dependent Screening

Members choosing to accept overseas orders without moving their dependents will complete the "with dependents" tour length as outlined in ☛ Article 4.A.5. If the member elects to not move his or her dependent and then at some later date desires to move them, then the member's previous command must ensure the required screening occurs. If the dependents are not within reasonable proximity (i.e., dependents moved to a different city or state) of the member's previous command, then the closest Coast Guard command can perform the required screening. All costs associated with traveling to and from the closest Coast Guard command will be borne by the member/dependents. The overseas command will not approve dependent entry until it receives certification of suitability.

4.H.4. Additional Procedures

4.H.4.a. Clearance Before Detachment

On receiving orders to an area for which entry approval is required, the transferring command shall ensure that approval is requested and received prior to detachment per ☛ Exhibit 4.H.3.

4.H.4.b. Administrative Processing

When the member and his or her dependents are considered suitable in all respects for duty overseas and the member meets the active obligated service requirements for the prescribed tour, the commanding officer shall ensure the required entries are made on a CG-3307, Administrative Remarks. ☛ Personnel and Pay Procedures Manual, **HRSICINST** M1000.2 (series).

4.H.4.c. Member Unsuited for Overseas Duty

When for any reason a commanding officer considers a member or any of his or her dependents unsuited to duty overseas, he or she shall withhold executing the orders and immediately report the circumstances to Commander (CGPC-opm or epm) in sufficient detail to enable proper disposition. If long-term in nature, non-availability for worldwide assignment may be grounds for separation.

4.H.5. Member's/Dependents' Early Return from Overseas

4.H.5.a. Reassigning Member Before Tour Completion

1. **Member**. When the commanding officer (or area commander) of any overseas area considers it necessary to reassign a member for suitability reasons before normal tour completion, he or she shall submit a request to Commander (CGPC-opm/epm) stating his or her reasons and all factors requiring reassignment. Such reassignment is restricted to specific cases for which transfer is the only feasible solution. Transfer is not a substitute for appropriate disciplinary or administrative action.

2. **Dependents. Various reasons may necessitate the need to return dependents early. The guidelines that must be met before requesting funding for an early return of dependents are contained in the Joint Federal Travel Regulations (JFTR), Section U5240D. Request for early return of dependents should be sent, via message, to CGPC-opm-2 or CGPC-epm-2 as appropriate.**

4.H.5.b. Reassignment at Member's Request

If a member requests reassignment, he or she must base the request on a hardship, and the request must conform to ☛ Article 4.B.11.

4.H.6. Selecting Enlisted Members for Overseas Duty

4.H.6.a. Obligated Service Requirements

Enlisted personnel selected for transfer outside CONUS must have sufficient obligated active duty service as of date of departure from CONUS as follows:

1. Personnel must have required service to complete the prescribed tour for the area, re-enlist, or extend enlistment, unless Commander, (CGPC-epm) authorizes otherwise. ☛ Article 1.G.2.

2. The Commandant may direct members with 18 months remaining to non-restricted duty or 13.5 months remaining to restricted duty.

3. For entitlement to command sponsorship for dependent travel overseas and payment of overseas station allowances which may be authorized. ☛ Articles 4.H.9. and 4.H.10.

4.H.6.b. Family Size Guideline

Commanding officers shall ensure enlisted personnel are aware adequate housing at reasonable costs may be in short supply or non-existent in overseas areas for members with large families. Of particular concern are those married members ineligible for overseas allowances and government quarters due to the lack of command sponsorship. To avoid hardships on members and preclude an administrative burden to overseas commands, the following is a guide in determining assignment to overseas duty:

Pay Grade	Number of Dependents
E-7, E-8, E9	4
E-6	3
E-5	2
E-1, E-2, E-3, E-4	1

Although assignment officers make every effort in the assignment process to avoid ordering personnel with large families to an overseas area, the parent command must be alert and ensure it detects any problem making a member ineligible for an overseas assignment and reports it immediately to the Commander (CGPC-epm). **The overseas commander can grant a waiver for entry approval to a member with more dependents than shown above, based on the member's overseas screening and the needs of the unit.**

4.H.7. Preparing Members for Duty Outside CONUS

Before transferring members to duty overseas, commanding officers shall ensure the instructions contained in this article are completed.

4.H.7.a. General

1. Members and their dependents are in all respects qualified for overseas duty. ☛ Articles 4.H.2 and 4.H.3.

2. Members have valid identification cards and International Certificates of Vaccination, PHS-731, where required.

3. Arrangements have been made to obtain passports, if required. ☛ Article 16.J.4.a.

4. Before detachment, members with dependents assigned to duty from a station outside CONUS to a dependent-restricted or unaccompanied tour may be authorized to receive station allowances if the dependents remain at the old duty station or any other designated location outside CONUS authorized by Commandant (G-WPM-2). Members with dependents who are assigned to duty from a station in CONUS to a dependent-restricted or unaccompanied tour outside CONUS may be paid station allowances if they elect and Commandant (G-WPM-2) authorizes moving dependents to a designated place in accordance with JFTR, U9301.

5. Ensure members or dependents do not have a history of or indication of-going alcohol abuse. Successfully resolved alcohol problems are not a bar to overseas assignment. However, **members must be made aware of a possible lack of on-going treatment and counseling facilities at overseas units.**

4.H.7.b. Physical Fitness for Overseas Duty

1. The member shall complete a physical examination before transfer when required in accordance with ☛ Article 3-A-7, Medical Manual, COMDTINST M6000.1 (series). The physical may be administered up to six months before scheduled reporting. Completing the required physical examination early will preclude requests for cancellation of orders. When initial information indicates the member is unqualified for any reason, the member's commanding officer shall immediately submit a message report to Commander (CGPC-opm/epm), as applicable.

2. Complete all necessary preventive immunizations. ☛ COMDTINST 6230.4 (series).

3. Complete all essential dental treatment.

4. A duplicate pair of eyeglasses shall be issued to members requiring glasses to correct refractive errors whose uncorrected distant visual acuity is worse than 20/40.

4.H.7.c. Orders

1. **The member is to be notified of orders contained in the Enlisted Transfer Order (ETO) within 5 days of receipt of the ETO. Orders shall be issued as early as possible to allow for sufficient time for processing of household goods, shipment of privately owned vehicles, etc.**

2. Prepare travel orders and distribute copies of travel orders using instructions in the ☛ Personnel and Pay Procedures Manual, **HRSICINST** M1000.2 (series).

3. If required, prepare NATO supplemental orders. ☛ Article 4.A.18.

4.H.7.d. Enlisted Members

1. Enlisted members in pay grades E-2 through E-6 shall have a valid motor vehicle operators license unless Commander (CGPC-epm) waives this requirement.

2. Commanding officers shall comply with ☛ Article 4.B.1.i.

3. Commanding officers shall advise enlisted members of the appropriate uniform in accordance with uniform regulations.

4.H.8. Tours of Duty Outside CONUS

4.H.8.a. General

Tours of duty set forth in ☛ Chapter 4.A.5. shall be adhered to as closely as possible within the limitations imposed by availability of relief and special considerations. When a tour length has been shortened, members currently on board shall not be considered for rotation until a replacement has been provided or the member completes the tour prescribed on transfer to the station, whichever is earlier. When a tour is lengthened, members presently on board shall be rotated upon completing the tour as was prescribed upon transfer to the station unless the member desires the longer tour length and it is consistent with Service needs.

1. **Personnel transferring overseas should expect to complete the prescribed tour of duty even if they advance to the next higher enlisted pay grade. Early transfers from overseas based solely on a member's advancement will be based on Service needs. If a member must be transferred due to advancement, then the Assignment Officer shall follow the procedures outlined in ☛ Article 4.C.3.E.5.** All other requests for a member's early return from overseas shall conform to criteria in ☛ Article 4.H.5.

2. Credit for overseas duty begins the date the member departs from a CONUS port and terminates the date he or she returns to a CONUS port on PCS. If a member takes leave en route outside CONUS, the departure or return date is the constructive date for direct travel.

3. Orders to members transferring to overseas pre-commissioning details for further transfer to units when commissioned will specify tour length.

4. Normally, members will not be assigned consecutive overseas tours of duty against their wishes unless Service needs dictate otherwise.

5. From time to time the Commandant may direct changes in lengths of duty tours. Individual tours will be abbreviated or extended as necessary to avoid excessive turnover. The basic criterion for tour lengths is the successful, efficient accomplishment of the specific unit's missions.

4.H.8.b. Member Married to Active Duty, Coast Guard Member

In the case of a married member whose spouse is also an active duty Coast Guard member, the tour of duty is established as follows:

1. When an accompanied assignment is made and both members' reporting dates coincide, both members will serve the with dependent tour as outlined in ☛ Article 4.A.5. However, if one member's duty station has a shorter prescribed tour, they both are entitled to rotate upon completing the shorter tour unless the member eligible for the earlier rotation desires an extension.

2. If the members' reporting dates do not coincide and the second member transfers at government expense (☛ Article 4.A.8.), the tour length of the member arriving last may be adjusted to coincide with the rotation date of the member arriving first provided the accompanied assignment will last at least 12 months. The spouse who arrives first may elect to extend his or her tour to coincide with the second member's.

3. When a member marries an active duty member while both are on duty outside CONUS, the original rotation eligibility will be maintained unless both members agree to serve a longer with dependent tour. If enlisted members choose to be reassigned independently, the following Administrative Remarks, CG-3307, entry will be made:

   I understand that neither my spouse nor I will be considered for reassignment under the provisions of Article 4.A.8. Personnel Manual. COMDTINST M1000.6 (series) until eligible for normal rotation.

   Signed: (Member's full name)

4. The provisions of ☛ Article 4.A.8. also apply to officers, and the above statement will be forwarded by letter to Commander (CGPC-opm).

4.H.8.c. Extending Overseas Tours

Members may request extensions of overseas tours as prescribed here. Forwarding endorsements must indicate that the member **still meets the qualifications to remain overseas** (See ☞ Article 4.H.3.) Extensions will be granted only in cases deemed to be in the Service's best interests. Submit requests for extensions on an Assignment Data Card (ADC), CG-3698A.

4.H.8.d. Transferring from one Overseas Unit to Another Overseas Unit

1. Overseas unit in same geographical location. An overseas screening does not need to be completed when a member is transferred to a unit within the same geographical area (i.e., ISC Kodiak to AIRSTA Kodiak).

2. Overseas unit not within the same geographical location. Overseas screening should be completed when a member is transferred from one overseas command to another overseas command not within the same geographical area, i.e., ISC Kodiak to ISC Ketchikan.

4.H.8.e. Overseas Tour Lengths When Marital Status Changes

1. Personnel who marry while overseas may request that their tour length be increased to the "with dependent" tour length unless needs of the Service dictates otherwise. If the member requests and receives command sponsorship for their newly acquired dependent, then their tour length will be increased to the "with dependent" tour length. Commands must notify Commander (CGPC-opm) for officers and CGPC-epm for enlisted personnel when they grant command sponsorship for a newly acquired dependent. Upon notification, CGPC will adjust the member's tour length to the "with dependent" tour length.

2. Personnel who were stationed overseas when married and their marital status changes (i.e., divorce) will keep their "with dependents" tour length. However, upon tour completion, if the member is transferred to another overseas command, then the member can elect a "without dependent" tour length if it is applicable to the new assignment.

3. Personnel who marry en route to the new duty station:

   a. Effective date of orders and travel and transportation entitlements are calculated in accordance with Appendix A, Joint Federal Travel Regulations.

   b. Dependent(s), desiring to accompany the member, must complete the overseas screening process and receive entry approval from the overseas command.

c. Tour lengths.

(1) Personnel who marry en route will have their tour length adjusted to the "with dependent" tour length if dependents receive command sponsorship/entry approval and accompany the member to the new overseas duty station.

(2) Personnel who marry en route will keep their "without dependent" tour length if dependents do not receive command sponsorship/entry approval and do not accompany the member to the new overseas duty station. If command sponsorship/entry approval is granted at a later date, then the member's tour length will be adjusted to the "with dependents" tour length.

4.H.9. Moving Dependents and Household Goods Outside CONUS

4.H.9.a. Entry of Dependents and Household Goods

The transferring command initiates requests for entry of dependents and shipment of household goods. ☛ Exhibit 4.H.3. lists areas outside CONUS which do and do not require entry approval for dependent travel and shipment of household goods and privately owned vehicles.

4.H.9.b. Command Sponsorship of Dependents

"Command Sponsorship" includes both authorized entry (permission granted before travel) and approval of dependents (after-the-fact confirmation of authority to be present in the area) and may entitle the member to dependent transportation to and/or from the overseas area and any station allowance which may be payable for the area. Command sponsorship should not be effective until the receiving command (command granting entry approval) has an opportunity to submit a list of questions covering specific topics it knows from experience are typical or recurring problem areas. (Sample message ☛ Exhibit 4.H.1.) The transferring command then must ask the member and his or her family those questions. Once the transfer is complete, the receiving command may provide feedback to the transferring command on the adequacy of the overseas screening the transferring command conducted.

1. Request for entry approval must be sent no later than 6 weeks prior to the member's departure from the transferring command. Ten days notification is sufficient for nonrated personnel graduating from recruit training.

2. A member who does not have 12 months remaining in his or her tour of duty shall not be granted command sponsorship and is NOT entitled to station allowances and dependent travel. The member becomes eligible for dependent travel only on his or her next PCS assignment and then only for the port of entry to the new duty station.

3. Authorization for dependents' entry may be granted when dependents are not prohibited from being in the area and the member is eligible for dependent travel from CONUS. ☛ Article 4.H.9.c.

4. For personnel ordered to areas where authorization for entry of dependents is not required, local commanding officers are authorized to issue appropriate certification and pay orders.

5. In cases of newly acquired dependents or when dependents arrive in the overseas station's vicinity in a "tourist" status and the member and dependents take up residence there with evident intent to establish a permanent household, the member may request and the overseas commander may grant approval of dependents. In all such cases, a bona fide dependent status must exist and members must have complied with all local regulations and appropriate immigration requirements.

6. Command sponsorship (authorized entry or approval of dependents) is effective from the date of determination. The determination is a valuable part of validating payments or substantiating dependents' transportation. When the overseas commander has approved determination, it shall be noted by an appropriate entry on an Administrative Remarks, CG-3307, in the enlisted member's Personnel Data Record and by letter for an officer.

4.H.9.c. Transporting Dependents to an Overseas Area

1. To be eligible for dependent travel from CONUS:

   a. The member must meet the greater of this required obligated service:

      (1) Have sufficient service remaining to complete the **"with dependent"** tour effective on dependents' arrival and computed from the date the member began his or her tour for the area unless Commander, (CGPC-epm) grants an exception, and

      (2) Have a minimum of 12 months of his or her **"with dependent"** tour remaining after dependents' arrival.

   b. Dependency must exist on the effective date of orders.

2. Requests for entry authorization, when required, must state the member is in all respects eligible for dependents' transportation to the overseas area at government expense.

3. Unless command-sponsored, dependents' transportation to an overseas station where entry approval is required will not be authorized at government expense.

4. When concurrent travel is planned, it is of paramount importance the member has sufficient obligated service to complete the particular area's prescribed "with dependent" tour. The member cannot gain retroactive eligibility for dependent travel already performed through any subsequent extension or reenlistment.

5. In no event will a member's dependent(s) be transported overseas at government expense unless at least 12 months remain on the applicable overseas tour after the date the dependent(s) arrive overseas.

6. Enlisted members with more than 17 years of active duty must sign an Administrative Remarks entry, CG-3307, agreeing to remain on active duty for the time required to complete the applicable overseas tour. Any extension for this purpose may be conditional because it is subject to cancellation if dependents' entry is not approved.

7. If a member's request for entry authorization and/or transportation of dependents is temporarily denied for reasons the appropriate military commands may deem pertinent, the member must promptly apply for dependents' entry after he or she arrives at the overseas station.

8. A member who is not entitled to dependents' transportation at government expense and who is not authorized to have dependents present in the vicinity of the overseas duty station will not be furnished space-available transportation for his or her dependents incident to travel to the overseas duty station.

4.H.9.d. Transporting Dependents from an Overseas Area

1. A member is eligible for dependents travel to CONUS provided the dependents have met the requirements for command sponsorship in ☛ Article 4.H.9.b., or

2. Dependents who are not approved to be present in the area may be transported on a space-available basis in conjunction with the member's PCS from the overseas area provided:

   a. The member complies with command regulations pertaining to their acquisition, and

   b. The dependents meet any applicable U.S. Immigration and Naturalization Service requirements for entry into the United States.

4.H.9.e. Household Goods

The pamphlet "It's Your Move," COMDTPUB P4050.5, contains guidance for members proceeding overseas. It is in the public interest to avoid spending public funds unnecessarily in shipping privately owned household goods to and from overseas. Additionally, it is in the member's interest to prevent unneeded wear and tear on his or her goods resulting from such shipments. Members receiving orders to

an overseas duty station are strongly encouraged to seek counselling from their local transportation officer regarding overseas entitlements, restrictions on POV size, and communicate with their new command well in advance of transfer date. A timely information exchange between the member and his or her new command about the member's housing requirements (family size and composition, heavy appliances owned, approximate arrival date, etc.) compared to what is available to satisfy them should permit intelligent choices about what to ship and what to store. Certain restrictions on shipment of household goods apply to areas where public quarters are fully furnished. The district commander indicates these restrictions when the member applies for assignment to family housing, which he or she must do before detaching from the previous duty station within CONUS.

4.H.10. Monetary Allowances

Station allowances outside the United States are payable in accordance with JFTR, U9000 and the ☞ Pay Manual, COMDTINST M7220.29 (series).

Exhibit 4.H.1. SAMPLE MESSAGE ON OVERSEAS TRANSFER

FM COGARD RECEIVING COMMAND
TO COGARD TRANSFERRING COMMAND
INFO COMCOGARD PERSCOM WASHINGTON DC//EPM-2//
SUBJ MKl R. U. READY (last 4 of SSN only) 6789, USCG
A. HQ ETO XX-XX
B. COMDTINST Ml000.6A, CHAPTER 4.H

1. REF A ORDERED SNM TO DUTY AT LORSTA OVERSEAS. REF B REQUIRES AN INTERVIEW AND SCREENING TO DETERMINE MBR'S AND DEPNS' SUITABILITY FOR OVERSEAS DUTY. THIS COMMAND AND SUBORDINATE UNITS HAVE EXPERIENCED SIGNIFICANT, COSTLY ADVERSE IMPACT ON NUMEROUS OCCASIONS WHEN MEMBERS AND/OR DEPNS WERE NOT PROPERLY SCREENED BEFORE OVERSEAS ASSIGNMENT. THIS MSG PROVIDES SUPPLEMENTARY INFO FOR SCREENING OFFICIALS TO USE TO ASSIST IN DETERMINING SUITABILITY.

2. ALTHOUGH LORSTA OVERSEAS IS RESTRICTED DUTY, DEPNS OR FAMILY SITUATIONS MUST BE CONSIDERED IN DETERMINING SUITABILITY. CONDITIONS THE MEMBER'S PROLONGED ABSENCE MAY AGGRAVATE; E.G., DEPNS' HEALTH OR FINANCIAL HARDSHIP, MAY ADVERSELY AFFECT THE MBR'S PERFORMANCE AND MAY PRECLUDE AN ISOLATED ASSIGNMENT AT THIS TIME.

3. STRONGLY RECOMMEND THAT THE SCREENING OFFICIAL BE AN OFFICER WITH OVERSEAS OR FOREIGN EXPERIENCE OR THE SCREENING OFFICIAL CONSULT SOMEONE WITH SUCH EXPERIENCE. IF MARRIED, REQUIRE THAT THE MEMBER AND SPOUSE BE INTERVIEWED TOGETHER. BRIEF SPOUSE ON CG FAMILY ADVOCACY PROGRAM, HOW TO CONTACT THE COAST GUARD OMBUDSMAN, RED CROSS, AND HOW TO HANDLE FUNDS.

4. ADDITIONAL INFO ON SUITABILITY FACTORS TO SUPPLEMENT REF B.

   A. MEDICAL. LOCAL HEALTH CARE FACILITIES ARE PRIMITIVE; ROUTINE MEDICAL CARE INVOLVES AT LEAST 3 DAYS' TVL/TAD. CONDITIONS REQUIRING ADVANCED OR FREQUENT CARE ARE DISQUALIFYING FACTORS. RECOMMEND RELAYING THIS INFORMATION TO MEDICAL FACILITY PERFORMING THE OVERSEAS PHYSICAL. A SUBSTITUTE OVERSEAS PHYSICAL IS NOT ACCEPTABLE FOR PERSONNEL ASSIGNED TO LORSTA OVERSEAS. ENSURE HIV TESTING IS COMPLETED WITHIN THE LAST 6 MONTHS AS REQUIRED BY DOD AREA COMMANDER.

B. DENTAL. SAME AS MEDICAL. ENSURE DUPLICATE DENTAL PANORAL RADIOGRAPH IS ON FILE WITH DEFENSE MANPOWER DATA CENTER.

C. ALCOHOL. NO ENGLISH-SPEAKING ALCOHOLICS ANONYMOUS GROUPS ARE AVAILABLE. RECOMMEND ONLY RECOVERING ALCOHOLICS WITH MULTI-YEAR HISTORY OF SOBRIETY FOR OVERSEAS ASSIGNMENT.

D. STABILITY AND MATURITY. LORSTA OVERSEAS CAN IMPOSE HIGH STRESS DUE TO ISOLATION, WEATHER, SECURITY ENVIRONMENT, AND CULTURAL DIFFERENCES. IMMATURE PERSONS MAY EXPERIENCE DIFFICULTY IN ADJUSTING TO LIFE AT THIS STATION.

E. A PASSPORT IS NOT NECESSARY FOR MBR'S ENTRY, NOR FOR TVL IN/FROM NATO COUNTRIES. A BLUE TOURIST PASSPORT IS REQUIRED FOR TRAVEL IN NON-NATO COUNTRIES AND IS RECOMMENDED FOR SECURITY AND CONVENIENCE FOR ALL TRAVEL. THE COST OF A PASSPORT IS NOT NOW A REIMBURSABLE EXPENSE.

F. RECOMMEND MEMBER OBTAIN A U.S. PHONE CARD BEFORE DEPARTING CONUS TO SAVE APPROXIMATELY 30 PERCENT COMPARED TO EUROPEAN RATES FOR CALLS TO CONUS.

G. SECURITY CLEARANCE. IF THE LAST NAC IS MORE THAN 10 YEARS OLD, INITIATE PAPERWORK FOR AN UPDATE AS APPROPRIATE. MEMBER WILL REQUIRE A SECRET CLEARANCE.

H. HHG. ENSURE MEMBER IS FAMILIAR WITH DOD PAMPHLET "IT'S YOUR MOVE" AND WITH INFORMATION ON HHG AND UNACCOMPANIED BAGGAGE (UB) BEFORE DEPARTING.

I. DIRECT DEPOSIT. DIRECT DEPOSIT TO ENSURE RECEIVING PAYCHECK PROMPTLY IS HIGHLY RECOMMENDED DUE TO EXCESSIVE TRANSIT TIME FOR STATESIDE MAIL.

J. GOVERNMENT TRAVEL CHARGE CARD. ENSURE ALL MBR'S WITH DEPENDENTS (E-2 AND ABOVE) ARE ENROLLED AND POSSESS A VALID CHARGE CARD TO OFFSET DELAYS IN RECEIVING REIMBURSEMENT FOR INITIAL EXPENSES COVERED BY TEMPORARY LODGING ALLOWANCE (TLA) ENTITLEMENT.

5. IF MBR AND DEPNS SCREEN SUCCESSFULLY, REQUEST MBR'S ENTRY APPROVAL FROM COGARD RECEIVING COMMAND. ENTRY REQ MUST CONTAIN THIS DATA:

A. HIV TEST DATE.
B. DATE HIV TEST RESULTS FWD TO REPORTABLE DISEASE DATA BASE.
C. DATE DUPLICATE DENTAL PANORAL RADIOGRAPH FWD TO DEFENSE MANPOWER DATA CENTER.
D. HAS MBR HAD ANY ALCOHOL-RELATED INCIDENTS? IF SO, PROVIDE DETAILS VIA FOUO AUTODIN MSG.
E. DATE OF MBR'S LAST WEIGH-IN. IF NOT IN COMPLIANCE, EXPLAIN.
F. DATE OF LAST NAC OR BI. IF OVER 10 YRS, INDICATE DATE UPDATE WAS INITIATED AND INCLUDE COPY OF UPDATE PAPERWORK IN PDR.
G. IF APPLICABLE, DATE OF DEERS CHECK AND DATE DEPENDENCY EXPIRES.
H. DOES MBR HOLD VALID DRIVER'S LICENSE? IF NO, STATEMENT THAT MBR WILL OBTAIN ONE BEFORE TRANSFER.
I. DATE MBR COUNSELED ON HHG/UB/STORAGE.
J. ANTICIPATED DETACH DATE AND EST ARRIVAL DATE.
K. AMOUNT OF CASH/TVL CHECKS MBR WILL CARRY TO COVER DELAYS AND INITIAL EXPENSES. RECOMMEND AT LEAST $1000.
L. IF MARRIED, STATE IF SPOUSE HAS BEEN COUNSELED ABOUT CO-RESPONSIBILITIES DURING UNACCOMPANIED ASSIGNMENT.

6. LORSTA OVERSEAS WILL PROVIDE SPONSOR FOR SNM.

7. ADVISE WITHIN 10 DAYS OF ALL CLASS C TRNG AND QUAL CODES MBR WILL COMPLETE BEFORE DEPARTING.

8. COMMAND IS REMINDED TO EFFECT TRANSFER AT MOST COST-EFFICIENT MEANS TO THE GOVT.

Exhibit 4.H.2. COMMAND CHECKLIST FOR OVERSEAS SCREENING

Instructions for Checklist: This checklist is to be placed in the member's personnel record as a page seven (page 6 of this checklist**). A COPY OF THE COMPLETED CHECKLIST IS TO BE SENT TO THE RECEIVING COMMAND**. This checklist consists of two parts. Part one is filled out by the member and spouse (if applicable). Part two is filled out by the unit. Part one should be given to the member upon receipt of orders. Ten days after receipt of orders, the member and spouse must fill out applicable sections and then meet with the command designated representative to discuss overseas assignment issues.

PART ONE – MEMBER AND SPOUSE (if applicable). This checklist must be filled out by both the member and spouse (if applicable).

Assignments overseas can be a rewarding opportunity for the whole family. However, they can impose special hardships in language, culture and availability of some services taken for granted in the United States. Outconus assignments typically result in limited community services and high costs to the members. Because of the expense to the government and the member's and family's significant effort and commitment in preparing for an overseas assignment, careful screening is required to identify possible problems before a member is transferred overseas.

You and your spouse (if applicable) are required to fill out the below questionnaire. Failure to provide truthful responses may result in disciplinary action for the member under the UCMJ and may also prevent the family from accompanying the member to the new overseas assignment.

	Member	**Spouse (if applicable)**
Name (First, MI, Last)		
Rank		
Unit		
Work Phone Number		
Home Phone Number		

CHILDREN

AGE	**GENDER**	**AGE**	**GENDER**

Please place your initials (member and spouse (if applicable)) in the appropriate box (YES or NO) when responding to the below questions. If a question is not applicable then enter N/A under the NO block. Provide amplifying information in the remarks section for questions answered YES.

		YES	NO
1.	Are you a single parent or married to another service member? Have dependent care requirements been met in accordance with Article 4.A.6, Personnel Manual?		
2.	Have you ever had an Early Return of Dependents from a previous overseas assignment or a Humanitarian Assignment? If yes, have the reasons for the early return or humanitarian assignment been resolved? Explain in remarks section.		
3.	Do you, your spouse, or any dependent(s) have knowledge of any on-going medical, dental, psychological, physical, or educational problem(s) or treatment the medical examination or screening did not address? If YES, you and your spouse/dependent(s) must return to the medical screening authority to include these problems in the screening.		
4.	Are you aware of the climate and isolation constraints (darkness, cold, etc.) at the proposed duty station?		
5.	a. Are you aware of the housing availability and constraints on pets, vehicles, household goods?		
	b. Have you been counseled on overseas pay, allowances and travel and household goods entitlements?		
6.	Have you, your spouse or any dependent(s) previously been reassigned before normal tour completion due to individual unsuitability? If YES, does the reason for previous reassignment still exist? (Explain in "Remarks" section.)		
7.	a. Have you completed the Financial Assessment Check-list (Exhibit 4.H.2.a., Personnel Manual) to determine the financial impact of an overseas assignment?		
	b. Based on your assessment, do you consider yourself financially stable to transfer overseas?		
	c. Are you currently enrolled in the Government Travel Charge Card Program? **Note: If no, all members (E-2) and above) with dependents must possess a Government Travel Charge Card prior to reporting OCONUS in order to offset delay in reimbursement of initial Temporary Lodging Allowance Expense entitlements.**		
8.	Do you or your spouse have serious problems of indebtedness, credit loss or other financial problems which have not been resolved with the creditor(s) or interested parties?		
9.	Have you, your spouse, or dependent(s) been convicted for any civilian felonies or misdemeanors within the last 24 months (include pre-service time); e.g., crimes of violence, larceny, driving under the influence of alcohol, and/or assault?		

		YES	NO
10.	Do you, your spouse, or dependent(s) have a record of any involvement with illegal drugs, record of unresolved alcohol abuse or chemical dependency within the past 24 months?		
11.	Have you, your spouse, and/or dependent(s) been treated for alcohol abuse and/or chemical dependency within the last six months? (Include pre-service time.)		
12.	Do you have a spouse or dependent(s) with long-term special medical, dental, psycho1ogical, or physical needs and/or is enrolled in special education?		
13.	Do you or a family member have specialty or recurring medical needs, prescriptions, etc., that may not be readily available overseas? If yes, explain.		
14.	Have you, your spouse, or dependent(s) had any family violence incident(s) within or outside of family in past two years?		
15.	Was your spouse previously a member of the armed forces? If so, what was the character of separation? (Explain in “Remarks” section if other than honorable.)		
16.	Do you or your spouse have legal custody of other dependents (parents, siblings) and are they residing in the home with or without special needs?		
17.	Are any of the member's dependents covered in a custody agreement? If "NO," go to question 18.		
	a. Does the agreement prevent removal of dependents from CONUS without prior court approval or agreement between the interested parties? If NO," go to question 18.		
	b. Have you obtained prior court approval or requisite agreement from other interested party to remove dependents from CONUS if required by state law?		
18.	Do school aged children have any special educational needs?		
19.	Have you contacted your new overseas command to discuss items such as housing, schools, job opportunities for your spouse, etc.?		
20.	Have you listed any additional questions or concerns that you may have in the remarks block?		
21.	Do you and your spouse possess a valid state driver’s license?		

A check in any "YES" box to these questions may disqualify you for overseas assignment depending on (a) the reason for the "YES" and (b) the nature of the overseas assignment.

Remarks:

PART TWO- UNIT REVIEW

Schedule a meeting with the member and spouse to discuss the overseas screening process. Prior to meeting with the member and spouse research the below: (1) complete a local record's check to determine if any disqualify factors are contained in the member's record and (2) (if applicable), research the following:

		YES	NO
1.	Complete a local record's check. a. Is there evidence of any family problems (i.e., early return of dependents, HUMS, etc.) that have not been resolved?		
	b. Is there any evidence of financial irresponsibility?		
	c. **Is member currently enrolled in the Government Travel Charge Card Program?** **Note: If no, all members (E-2 and above) with dependents must possess a Government Travel Charge Card prior to reporting OCONUS in order to offset delay in reimbursement of initial Temporary Lodging Allowance entitlements.**		
	c. Is there any evidence of or has the member been treated for alcohol abuse or chemical dependency?		
	d. Is there evidence of unsatisfactory or marginal performance? Does the member have less than a 4.0 overall evaluation average?		
2.	(Single sponsors of dependents or military couples with dependents). Have dependent care requirements been met in accordance with ☞ Article 4.A.6., COMDTINST M1000.6A. NOTE: While the unique situation of a single sponsor with dependents is not in itself disqualifying, point out this fact when submitting message certification of screening per COMDINST M1000.6A.		
3.	Does the member have a record of military offenses within the last 24 months which would preclude overseas assignment; e.g., two or more NJPs, several minor unexcused absences, a lengthy unauthorized absence? (One-time major offenses in the current enlistment are considered disqualifying as well.)		
4.	Are all eligible dependents enrolled in DEERS?		
5.	If member is being assigned a consecutive overseas tour does he or she have less than a 4.0 overall evaluation average during current overseas tour?		
6.	Does the member have a spouse or dependent(s) with long-term special medical, dental, psycho1ogical, or physical needs and/or is enrolled in special education? If "YES"' the member must be screened by the Coast Guard's Special Needs Program. Ensure that a Coast Guard Special Needs Enrollment Form is submitted with relevant documentation. NOTE: Command must contact the Regional Area Family Program Administrator (FPA) to determine status of member's enrollment for questions 5, 6 and 7.		
7.	Has the member, spouse, or dependent(s) had any family violence incident(s) within or outside of family in past two years?		

		YES	NO
8.	Is the member enrolled in the Special Needs Program or is there an active Family Advocacy Program Case?		
9.	Has a complete review of the member's and dependents medical records been completed?		
10.	Does the member meet the family guidelines as outlined in ☞ Article 4.H.6.b. If not, has a waiver been granted by the overseas receiving command?		
11.	Is the member in compliance with current weight standards?		
12.	For enlisted personnel assigned to duties involving flying: Upon reporting overseas, will the member's qualification in the 9D5 Dunker have less than 36 months remaining?		
13.	If the member is single, does he/she plan to get married in route to the overseas assignment. If yes, inform the member that: a. His/her spouse must be screened for overseas assignment. b. His/her overseas tour length may be increased to the "with dependents" tour length. c. Entitlement to any overseas travel allowances is based on the effective date of the orders **(Note: As calculated using Appendix A, Joint Federal Travel Regulations).**		

Review Part 1 with member and spouse present. A check in any "YES" question box on the member or unit section of this check list can disqualify the member depending on (a) the reason for the "YES" and (b) the nature of the overseas assignment. Interviewer will comment below to explain any "YES" boxes.

Ensure the member, spouse and command sign the **COMMAND CHECKLIST FOR OVERSEAS SCREENING CERTIFICATION.**

REMARKS:

COMMAND CHECKLIST FOR OVERSEAS SCREENING CERTIFICATION

MEMBER'S/DEPENDENT(S) CERTIFICATION.

I_____, am aware that failure to provide information or providing incorrect information on the COMMAND CHECKLIST FOR OVERSEAS SCREENING (☛Exhibit 4.H.2., Personnel Manual, COMDTINST M1000.6(series)) may result in disciplinary action punishable under the UCMJ and may result in my having to serve an unaccompanied tour.

I understand that I must inform my command if information that I have provided on this checklist:

a. Changes prior to my departure; or

b. Will change prior to reporting to my overseas assignment.

I understand that I must obligate _____ months of service to meet the obligated service requirements for this overseas tour.

Member Signature: _____ Date:_____

I, _____, am aware that failure to provide any information or providing incorrect information on this checklist may result in me not being able to receive command sponsorship and transferring overseas with my spouse.

Spouse's (or Family Member's) Signature: _____ Date:_____

COMMAND'S CERTIFICATION.

On the basis of all available information, I ❑ endorse
❑ do not endorse (check one)
the member's orders to the overseas assignment. (Send a copy of this completed checklist to the receiving command.)

_____	_____	_____
COMMANDING OFFICER or OFFICER-IN-CHARGE (Signature)	DATE	COMMANDING OFFICER or OFFICER-IN-CHARGE (Name and Rank)

Exhibit 4.H.2.a. FINANCIAL ASSESSMENT CHECKLIST

The purpose of this check-list is to assist you in determining the financial impact of an overseas assignment.

Monthly Income	**Current income**	**Estimated income at desired overseas assignment area.**
Basic Pay		
Sea/Hardship Duty Pay for Location/FSA		
SDAP/Proficiency Pay/Flight Pay		
BAH		
Subsistence Allowance		
Cost of Living Allowance (COLA)		
Clothing Allowance		
Spouse's Income		
Part Time Income		
Other Income (rental income, etc.)		
Total Income:		

Regular Monthly Expenses	**Current Expenses**	**Estimated expenses at desired overseas assignment area.**
Rent or Mortgage Payment		
Food		
Clothing		
Utilities (Gas, Electric, Water)		
Life and/or other Insurance		
Monthly Credit Card Payments		
Monthly Loan Payments		
Transportation Expenses		
Automobile Payments		
Dependent Support/Care (i.e., child, parents)		
Private Schooling		
Other expenditures not listed		
Total Expenses:		

	Current Unit
Total Income	
- Total Expenses	
Difference	

	Desired Overseas Unit
Total Income	
- Total Expenses	
Difference	

Compare the difference between the current unit and the desired overseas unit blocks to determine the financial impact an overseas assignment will have on your financial status.

Exhibit 4.H.3.
AREAS OUTSIDE CONUS REQUIRING ENTRY APPROVAL FOR DEPENDENT TRAVEL, SHIPMENT OF HOUSEHOLD GOODS AND PRIVATELY OWNED VEHICLES

Area/Unit	Submit Request to (via message)	Information Copy to unit which ordered and
Alaska:		
Ketchikan/Shoal Cove/ Petersburg	COGARD INTSUPRTCOM KETCHIKAN AK	CCGDSEVENTEEN JUNEAU AK
Kodiak, LORSTA's Attu, LORSTA's Attu, St. Paul and Port Clarence Unalaska (Dutch Harbor)	COGARD INTSUPRTCOM KODIAK AK	CCGDSEVENTEEN JUNEAU AK
Sitka AK	COGARD AIRSTA SITKA AK	CCGDSEVENTEEN JUNEAU AK COGARD INTSUPRTCOM KETCHIKAN
All Other Locations JUNEAU AK	COGARD INTSUPRTCOM KETCHIKAN AK	CCGDSEVENTEEN
Cuba:		
All locations	COMNAVBASE GUANTANAMO BAY CU COGARD LO REP GAUNTANAMO BY CU	CCGDSEVEN MIAMI FL
Germany:		
(USCINCEUR billets) NL	USCINCEUR VAIHINGEN GE	COGARD MIO ROTTERDAM
Greater Antilles:		
Air Station Borinquen RQ	COGARD AIR STATION BORINQUEN RQ	COMCOGARD GANTSEC SAN JUAN RQ COGARD BASE SAN JUAN CCGDSEVEN MIAMI FL
Patrol Boat Support Det. USCGC MONHEGAN USCGC NUNIVAK USCGC OCRACOKE USCGC VASHON USCGC NANTUCKET CG REP, Naval Hospital, Roosevelt Roads	COGARD PATBOATRON TWO DET ROOSEVELT ROADS RQ	COMCOGARD GANTSEC SAN JUAN RQ COGARD BASE SAN JUAN RQ CCGDSEVEN MIAMI FL
MSD St. Thomas RIO St. Croix	COGARD MSD ST THOMAS VQ	COMCOGARD GANTSEC SAN JUAN RQ COGARD MSO SAN JUAN RQ CCGDSEVEN MIAMI FL
All other units in Puerto Rico	COMCOGARD GANTSEC SAN JUAN RQ	COGARD BASE SAN JUAN RQ CCGDSEVEN MIAMI FL
Guam:	COMCOGARD MARSEC GQ	CCGDFOURTEEN HONOLULU HI
Hawaii:	COGARD INTSUPRTCOM HONOLULU HI	CCGDFOURTEEN HONOLULU HI

Exhibit 4.H.3.
AREAS OUTSIDE CONUS REQUIRING ENTRY APPROVAL FOR DEPENDENT TRAVEL, SHIPMENT OF HOUSEHOLD GOODS AND PRIVATELY OWNED VEHICLES

Area/Unit which and	Submit Request to	Information Copy to unit (via message) ordered
Iceland:		
Keflavik NL	PERSUPP DET KEFLAVIK IC	COGARD MIO ROTTERDAM
Japan:	PERSUPP DET YOKOSUKA JA	CCGDFOURTEEN HONOLULU HI
Netherlands:		
MIO Europe	COGARD MIO ROTTERDAM NL	
Sweden:		
World Maritime Instructor NL	USDAO STOCKHOLM SW	COGARD MIO ROTTERDAM
United Kingdom:		
RAF Woodbridge	67SOS RAF WOODBRIDGE UK	COGARD MIO ROTTERDAM NL
Cornwall (Exchange Pilot)	COGARD MIO ROTTERDAM NL	
Lossiemouth, Scotland (Exchange Pilot)	COGARD MIO ROTTERDAM NL	
London Activities Europe (IMO Billet)	COGARD MIO ROTTERDAM NL	

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5.A. Promoting Commissioned Officers

5.A.1. General

5.A.1.a. Statutory Authority

The authority to promote all officers on the Active Duty Promotion Lists (ADPL) is contained in 14 U.S.C. 251 through 275.

5.A.1.b. Promoting Ensigns and Non-ADPL Officers

The regulations to promote officers serving as ensigns and those not included on the ADPL are promulgated under 14 U.S.C. 271(c) and 276, respectively.

5.A.1.c. Active Duty Reserve Officers

Pursuant to 14 U.S.C. 728, Reserve officers serving on extended active duty agreements under 10 U.S.C. 12301 agreement shall be considered for promotion by the appropriate ADPL selection board.

5.A.1.d. Promotion Year Term

Promotion year means the period beginning on 1 July of each year and ending on 30 June of the following year (14 U.S.C. 256(a)).

5.A.2. Active Duty Promotion List (ADPL)

5.A.2.a. Discussion

The Commandant shall maintain a single Active Duty Promotion List (ADPL) of officers of the Coast Guard, Regular and Reserve, on active duty. The following officers are not included on the ADPL:

1. Retired officers recalled to active duty.
2. Officers of the Coast Guard Academy permanent commissioned teaching staff (PCTS).
3. Officers designated as Reserve Program Administrators (RPAs).
4. Reserve officers assigned to the Selective Service System.

5.A.2.b. ADPL Seniority

Officers appear on the ADPL in the order of seniority of the grades in which they serve. Officers serving in the same grade appear in the order of their seniority in that grade. Commander, (CGPC) may correct any erroneous position caused by administrative error on the ADPL.

5.A.2.c. Ensigns' Seniority on Promotion List

A person appointed in the grade of ensign or above in the Regular Coast Guard shall be placed on the ADPL in order of date of rank and seniority.

5.A.2.d. Reserve Officers Entering Extended Active Duty

Except for one excluded by ☛ Article 5.A.2.a., a Reserve officer entering on extended active duty appears on the ADPL in order of grade and seniority. The Commander, (CGPC) shall determine the position of such a Reserve officer among other active duty Coast Guard officers of the same date of rank (14 U.S.C. 41a).

5.A.3. Number and Distribution of Commissioned Officers

5.A.3.a. Number of Officers

The total number of commissioned officers, excluding commissioned warrant officers, on active duty in the Coast Guard shall not exceed 6,200. (14 U.S.C. 42)

5.A.3.b. Officer Distribution

Commissioned officers on the ADPL shall be distributed in grade in percentages as indicated below. If Coast Guard needs require, the Secretary may reduce the percentage of any grade above lieutenant commander and, to compensate for such reduction, increase correspondingly the percentage of any lower grade.

Rank	Percentage
Rear Admiral	0.375
Rear Admiral (Lower Half)	0.375
Captain	6.0
Commander	12.0
Lieutenant Commander	18.0
Lieutenant, Lieutenant (junior grade), and Ensign	percentages the Secretary prescribes

5.A.3.c. Secretary's Computation

At least annually the Secretary shall determine the number of officers on the ADPL authorized to serve in each grade by applying the applicable percentage to the total number of such officers serving on active duty on the date the computation is made. For this purpose, the nearest whole number is the authorized number in any case where a fraction is in the final result.

5.A.3.d. Authorized Number per Grade

For all purposes the numbers resulting from these computations are the authorized number in each grade, except the authorized number for a grade temporarily increases during the period between one computation and the next by the number of officers originally appointed in that grade during that period and the number of officers of that grade for whom vacancies exist in the next higher grade but whose promotion has been delayed for any reason.

5.A.3.e. Exceptions to Authorized Numbers

Officers not on the Active Duty Promotion List and officers serving with other departments or agencies on a reimbursable basis shall not be counted in determining authorized strengths described in Article 5.A.3.c. and shall not count against those strengths. The Secretary shall prescribe the number of officers authorized to serve on active duty in each grade of the Coast Guard Academy's permanent commissioned teaching staff and of the Reserve as RPAs (14 U.S.C. 42).

5.A.4. Selecting and Promoting Officers on Active Duty Promotion List from Lieutenant (Junior Grade) Through Rear Admiral (Lower Half)

5.A.4.a. Eligibility For Consideration

1. An officer on the ADPL becomes eligible for consideration for promotion to the next higher grade at the beginning of the promotion year in which he or she completes the following amount of service computed from date of rank in the grade in which serving:

Grade In Which Serving	Length of Service
Lieutenant (junior grade)	2 years
Lieutenant	3 years
Lieutenant Commander	4 years
Commander	4 years
Captain	3 years

2. For these purposes service in a grade includes all qualifying service in that or a higher grade under either a temporary or permanent appointment. However, service in a grade under a temporary service appointment under ☛ Article 5.A.11. is considered as service only in the grade the officer concerned would have held had he or she not been so appointed.

3. No officer is eligible for consideration for promotion until all officers senior to him or her are so eligible.

4. Except when on a list of selectees, each officer who becomes eligible for consideration for promotion to the next higher grade remains eligible so long as the officer continues on active duty and is not promoted to that grade (14 U.S.C. 257).

5.A.4.b. Number of Officers to be Selected for Promotion

Before convening a selection board to recommend officers for promotion, the Secretary shall determine the total number of officers to be selected for promotion to that grade. This number shall be equal to the number of vacancies existing in that grade, plus the number of additional vacancies estimated for the next 12 months, less the number of officers on the selection list for the grade (14 U.S.C. 255).

5.A.4.c. Promotion Zones

1. Before convening a selection board to recommend officers for promotion to any grade above lieutenant (junior grade) and below rear admiral (lower half), the Secretary shall establish that grade's promotion zone: The promotion zone for each grade shall consist of that grade's most senior officers on the ADPL who are eligible for consideration for promotion to the next higher grade who have not previously been placed in a promotion zone for selection for promotion to the next higher grade. The number of officers in each zone shall be determined after considering:

   a. The needs of the Service;

   b. The estimated numbers of vacancies available in future years to provide comparable opportunity to promote officers in successive year groups; and

   c. The extent to which current terms of service in that grade conform to a desirable career promotion pattern. However, such number of officers shall not exceed the number to be selected for promotion divided by six-tenths (0.6).

2. The Secretary shall establish promotion zones from which officers will be selected for promotion to the grade of rear admiral (lower half) as the needs of the Service require (14 U.S.C. 256).

5.A.4.d. Selection Boards

Selection boards to recommend officers for promotion to the next higher grade shall be convened as described in ☞ Chapter 14.A.

5.A.4.e. Communicating with the Selection Board

1. Each officer eligible for consideration by a selection board may communicate with the board **through the officer's chain of command** by letter arriving by the date the board convenes, inviting attention to any matter in his or her **Coast Guard** record **that will be before the selection board**. A letter sent under this paragraph may not criticize any officer or reflect on any officer's character, conduct, or motive (14 U.S.C. 253(b)).

2. Chain of command endorsements are optional. Enclosures or attachments are limited to copies of official records and materials allowed to be submitted with Officer Evaluation Reports under ☞ Article 10.A.4.**c.3**. Letters from other officers shall not be solicited or submitted as enclosures. To receive an acknowledgment, submit a completed, self-addressed Acknowledgment/Referral Card, CG-4217, with the letter.

3. Endorsements to letters submitted to selection boards shall not include opinions whether an officer should be selected for promotion or opinions on selection boards and their methods.

5.A.4.f. Failure of Selection for Promotion

1. Officers in the grade of commander and below in the promotion zone established under ☞ Article 5.A.4.c. fail of selection for promotion either if they do not appear on the list of selectees recommended by the board considering them or if the President subsequently removes them from the list of selectees in the board's report (14 U.S.C. 262(a)).

2. Officers do not fail of selection if a selection board did not consider them because of administrative error. If selected by the next succeeding selection board, they receive the date of rank and position on the ADPL in the grade to which selected they would have held had the first selection board recommended them (14 U.S.C. 262(b)).

5.A.4.g. Promotions

1. List of Selectees. When the President approves a report of a board convened to recommend officers for promotion, the Commandant will place the names of all officers selected and approved on a list of selectees in the order of their seniority on the ADPL (14 U.S.C. 271(a)).

2. Officers on the list of selectees may be promoted by appointment in the next higher grade to the grade's maximum strength as determined under ☛ Article 5.A.3. after officers on any previous list of selectees for that grade have been promoted. Officers shall be promoted in the order they appear on the list of selectees. The date of rank of an officer promoted under this paragraph is the date of appointment in that grade (14 U.S.C. 271(b)).

3. Officers selected for promotion to lieutenant commander and above may be promoted to fill vacancies (14 U.S.C. 271(b)).

4. Promotions for officers selected for lieutenant will be effected as follows:

   a. After Selection by First Board. A lieutenant (junior grade) eligible for promotion may be promoted to the grade of lieutenant without regard to vacancies on the day after completing 36 months of service in grade.

   b. After Selection by First Board from Below the Zone. Any lieutenant (junior grade) eligible for promotion selected from below the established promotion zone shall be placed on the new list of selectees prepared by the board in order of existing seniority. They shall be tendered appointment to lieutenant on the same date as the most junior lieutenant (junior grade) on the list of selectees who was in the published promotion zone.

   c. After Selection by Second Board. Any lieutenant (junior grade) selected for promotion to lieutenant by the second board to consider him or her shall be placed at the top of the new list of selectees prepared by the board in order of existing seniority. They shall be tendered appointment to lieutenant on the same date as the most senior lieutenant (junior grade) on the approved list of selectees who has not previously failed of selection to the grade or whose record has not been corrected by the Personnel Records Review Board or Board for Correction of Military Records to remove a previous non-selected status to that grade.

5.A.4.h. Removing Officer from List of Selectees for Promotion

1. The President may remove any officer from a list of selectees established under ☛ Article 5.A.4.g.

2. If the Senate does not consent to appoint an officer whose name is on a list of selectees established under ☛Article 5.A.4.g., that officer's name shall be removed from this list.

3. An officer whose name is removed from a list under these subparagraphs remains eligible for consideration for promotion. If promoted as a result of selection by the next selection board, he or she holds the date of rank and position on the ADPL in the grade to which promoted which he she would have held if his or her name had not been removed. However, if the next selection board does not select the officer or if his or her name again is removed from the list of selectees, the officer shall be considered for all purposes as having twice failed of selection for promotion (14 U.S.C. 272).

4. **The name of an officer who declines a promotion shall be removed from the list of selectees, as provided in paragraph 3.**

5.A.5. Selecting and Promoting Ensigns to Lieutenant (Junior Grade)

5.A.5.a. Eligibility for Promotion

An ensign on the ADPL is eligible for promotion to lieutenant (junior grade) after:

1. Completing 12 months of active service as defined in 10 U.S.C. 101, computed from date of rank as an ensign on the ADPL;

2. A board recommends him or her as fully qualified for promotion; and

3. The Commandant has approved the board's recommendation.

5.A.5.b. Selection Boards

Selection boards to recommend ensigns for promotion to lieutenant (junior grade) shall be convened as ☛ Chapter 14.A. describes.

5.A.5.c. Communicating with the Selection Board

Each officer eligible for consideration by a selection board may communicate directly with the board in the same manner as ☛ Article 5.A.4.e. prescribes.

5.A.5.d. Failure of Selection for Promotion

1. Out of Line of Promotion. Ensigns whom a board does not recommend and whose commissions are not revoked under subparagraph 2. below shall be placed out of the line of promotion for at least nine months, beginning on the date the board report which did not recommend them for promotion is approved. The out-of-line period provides these officers

with the opportunity to improve their performance before a second board considers them for promotion.

2. Finding of Unsatisfactory in Grade. In accordance with 14 U.S.C. 214(c) or 14 U.S.C. 281, as applicable, the Commandant will revoke the commissions or vacate the temporary appointments of ensigns who, in their first three years of commissioned service, fail of selection for promotion to lieutenant (junior grade) and whom the selection board determines are performing unsatisfactorily in grade, irrespective of ☛ Articles 12.A.9. and 12.A.11.

3. Consideration by Second Board. A second board convened as described in ☛ Article 14.A. shall consider an ensign placed out of line of promotion

4. Failure of Selection by Second Board. If a second board finds an ensign is not fully qualified, the Commandant will revoke his or her Regular or Reserve commission or vacate his or her temporary appointment irrespective of ☛ Articles 12.A.9 and 12.A.11.

5.A.5.e. Non-Consideration Due to Administrative Error

An ensign does not fail of selection for promotion if a board does not consider him or her because of administrative error. If the next succeeding board considering ensigns for promotion recommends that ensign for promotion, he or she holds the date of rank and position on the ADPL as a lieutenant (junior grade) which he or she would have held had the first board recommended him or her.

5.A.5.f. Promotion

1. After Selection by First Board. An ensign eligible for promotion may be promoted to lieutenant (junior grade) without regard to vacancies on the day after he or she completes 18 months of active service.

2. After Selection by Second Board. The board shall place ensigns found fully qualified for promotion at the top of the new list in order of existing seniority. They shall be tendered appointment to lieutenant (junior grade) **without regard to vacancies on the day the board report is approved, as long as they have completed 18 months of active commissioned service. An ensign whose record only appeared before a second board due to an administrative error will be assigned a date of rank based upon time in grade and prior seniority in the register of officers. Such an ensign will not be considered the "most senior ensign on the approved list of selectees" for the purpose of ranking others in precedence order.**

5.A.5.g. Separations

Effective not later than three months from the date the selection board report is approved but not later than the day before the three-year anniversary of commissioned service, ensigns whose commissions are revoked or vacated shall be honorably discharged.

5.A.6. Selecting and Promoting U.S. Coast Guard Reserve Officers on Extended Active Duty as Reserve Program Administrators

5.A.6.a. Number and Distribution in Grade

1. Because of their small numbers and uneven distribution by year groups, Reserve Program Administrators' (RPAs) grade distribution will not be regulated to conform to the grade distribution percentages used on the ADPL.
2. The total number of RPAs shall not exceed 75 percent of the authorized number of Reserve funded billets of lieutenant (junior grade) and above. The authorized Reserve funded general detail billets of lieutenant (junior grade) and above shall be included in computing the total number of authorized RPAs.
3. The number of RPAs authorized as captains shall not exceed 6.75 percent of the Reserve funded billets of lieutenant (junior grade) and above. The authorized Reserve funded general detail billets of lieutenant (junior grade) and above shall be included in computing the total authorized number of RPA captains.
4. If sufficient vacancies do not exist to permit promoting all RPAs on the selection list to captain on the dates their running mates are promoted, a continuation board shall be convened under ☛ Article 14.A.20. to cause attrition and provide needed vacancies.
5. Without further action, the number of RPA captains authorized will be increased temporarily to the extent necessary to permit:
   a. Retaining those RPA captains not recommended for continuation but not yet eligible for retirement under 10 U.S.C. 6323.
   b. Promoting all RPAs on the selection list to captain on the dates their running mates are promoted.
6. The temporary increase provided above is authorized only for as long as is necessary to reduce through normal attrition the number of RPA captains to that otherwise prescribed.

5.A.6.b. Running Mates

Each RPA shall be assigned a running mate as prescribed in 14 U.S.C. 726.

5.A.6.c. Eligibility for Selection for Promotion

An RPA is eligible for consideration for selection for promotion when his or her running mate first enters a promotion zone and remains eligible as long as he or she:

1. Continues on active duty, and

2. Is not promoted to that grade (14 U.S.C. 257).

5.A.6.d. RPA Promotion Zone

The size of the promotion zone for each grade of lieutenant and above equals the number of officers eligible for selection for promotion as described in
☛ Article 5.A.6.c.

5.A.6.e. Opportunity of Selection

When feasible a best-qualified selection process shall be used to promote RPAs to the next higher grade. The opportunity of selection at each grade will compare to that grade's opportunity during the most recent ADPL selection board. The computed opportunity of selection for each grade, lieutenant and above, shall be determined as follows:

1. If RPAs going before the selection board include only first-time candidates for the grade being considered, the percentage will be the total number of ADPL officers who were selected for promotion, divided by the total number of ADPL officers considered for promotion to that grade in the ADPL zone. Fractions of a percentage shall be rounded to the next higher number.

2. If RPAs going before the selection board include only first-time candidates and those who once failed of selection for promotion to the grade being considered, the percentage is the total number of ADPL officers selected for promotion, divided by the total number of ADPL officers considered for promotion to that grade in the ADPL zone plus the number of officers above the ADPL zone who have been once not selected. Fractions of a percentage shall be rounded to the next higher number.

3. If RPAs going before the selection board include candidates who twice or more have failed of selection for promotion to the grade being considered, the percentage will be the total number of ADPL officers selected for promotion, divided by the total number of ADPL officers considered for promotion to that grade in and above the ADPL zone. Fractions of a percentage shall be rounded to the next higher number.

5.A.6.f. Number Selected for Promotion

Before convening a board to recommend RPAs for promotion to any grade, the Commandant will determine the total number of RPAs who may be selected for that grade by multiplying the computed opportunity of selection by the number of RPAs in the promotion zone. In applying the computed percentage, a fraction of five-tenths or greater shall be counted as a whole number. If the number of officers to be selected equals the number of officers in the promotion zone, a fully qualified promotion board shall be convened to select officers on a fully-qualified basis using the criteria established in ☛ Article 14.A.12.

5.A.6.g. Selection Boards

Selection boards to recommend RPAs for promotion to all grades of captain and below shall be convened as ☛ Article 14.A.12. describes.

5.A.6.h. Communicating with the Selection Board

RPAs may communicate with a selection board in the same manner as described in ☛ Article 5.A.4.e.

5.A.6.i. Failure of Selection for Continuation or Promotion

The following officers shall be released to inactive duty, continued on active duty, or retired under ☛ Article 12.C.7.

1. An RPA captain not recommended for continuation.

2. Any RPA who has failed of selection for promotion to the next higher grade.

   a. Other than one serving as captain, an officer fails selection if the board that considered him or her did not select that officer for promotion or, if the Commandant later removes the officer's name from the board's report or the list of selectees after the board recommended him or her for promotion.

   b. An officer does not fail of selection if a board does not consider him or her due to administrative error. If the next succeeding board selects him or her and he or she is promoted, the officer holds the date of rank and precedence he or she would have held if the first selection board recommended him or her.

5.A.6.j. Promotions

1. List of Selectees. When the Commandant has approved the promotion board's report, all RPAs selected and approved will appear in the order of their current relative seniority.

2. Promotion. An RPA on the list of selectees shall be promoted effective on the date his or her running mate is promoted and assigned the same date of rank as his or her running mate under ☛ Article 5.A.13. procedures.

3. Delay of Promotion. The promotion of any RPA may be delayed if he or she has disqualified him- or herself under the conditions set forth in ☛ Article 5.A.13.

4. Removal of Name by Commandant. Subject to the Secretary's approval, the Commandant may remove any officer recommended for promotion from the report of the board convened under ☛ Article 14.A.12.

5.A.7. Selecting and Promoting Officers of the Coast Guard Academy Permanent Commissioned Teaching Staff

5.A.7.a. Running Mates

1. The Service assigns each officer of the Permanent Commissioned Teaching Staff (PCTS) a running mate on the ADPL.

   a. When a Regular or Coast Guard Reserve officer on extended active duty accepts an appointment as a PCTS member, the Service assigns him or her as running mate the officer on the ADPL, excluding extra numbers, who is next senior to him or her in the present grade they hold. If there are none, the officer next junior to him or her on that list is the running mate.

   b. On all other PCTS appointments, the Service assigns the officer as running mate the junior officer of the same grade with the same date of rank on the ADPL, excluding extra numbers. If there are none, the junior officer of the same grade who has the next earlier date of rank is the running mate.

   c. The Service assigns a PCTS member whose running mate changes his or her relative position on or is removed from the ADPL for any reason a new running mate who is the next senior officer on the ADPL, unless the former running mate was the senior officer in his or her grade; if so, the new running mate is the new senior officer in that grade.

2. The Service assigns a PCTS member who fails selection for promotion to the next higher grade for the first time a new running mate who is the next ADPL

officer of the same grade who failed selection for the first time. If none has, the Service assigns the PCTS officer a new running mate who is the senior officer of that grade who has so failed. If none has, the Service assigns the PCTS member as a running mate the senior ADPL officer who has not earlier been in a promotion zone until an officer fails selection for the first time. If his or her current running mate is selected or promoted while a PCTS member is out of line for promotion, the Service assigns the PCTS member a new running mate as described in this paragraph.

3. If a second board recommends for promotion a PCTS member who failed of selection once, the Service assigns a new running mate who is the junior ADPL officer in that grade on the date of promotion under ☛ Article 5.A.7.e. below.

5.A.7.b. Eligibility for Promotion

1. The highest grade for which PCTS members are eligible to be considered for promotion is captain.

2. A PCTS member serving in a grade below captain becomes eligible for consideration to the next higher grade when his or her running mate is in the promotion zone established for that grade.

5.A.7.c. Selection Boards

The Service convenes selection boards to recommend PCTS members for promotion to the next higher grade as described in Chapter 14.A

5.A.7.d. Promotion

1. List of Selectees. When the report of a board convened to recommend PCTS members for promotion has been approved, those recommended are placed on a list of selectees in order of their present seniority.

2. Appointment. PCTS members are appointed to a higher grade in the same manner as Regular ADPL officers. ☛ Article 5.A.13.

3. Promotion. A PCTS member recommended for promotion is promoted on the same date as his or her running mate or as soon after as the Senate consents to the appointment. ☛ Article 5.A.13.

4. Removal from List of Selectees. The Secretary may remove a PCTS member from a list of selectees in the same manner as the President may remove an ADPL officer. The effect on the PCTS officer's status and continued eligibility for promotion is the same. ☛ Article 5.A.4.

5. PCTS Member Appointed Dean of Academics. A PCTS member appointed to Dean of Academics at the Coast Guard Academy is appointed to captain without regard to ☛ Articles 5.A.7.c. and d. A PCTS member so appointed is assigned a new running mate as described in ☛ Article 5.A.7.a.2.

5.A.7.e. Failing Selection for Promotion

1. Placed out of Line of Promotion. A PCTS member not recommended for promotion is out of line for promotion for one year from the date the Secretary approves the board.

2. Consideration by Second Board. A PCTS member out of line for promotion is considered by a second board convened as described in ☛ Chapter 14.A.

3. Promotion After Selection by Second Board. One year after the Secretary approves the first board that considered him or her, a PCTS member whom a second board recommends for promotion is promoted to the next higher grade, or as soon after as the Senate consents to his or her appointment.

5.A.8. Selecting and Promoting Retired Officers Recalled to Active Duty

5.A.8.a. Eligibility For Selection For Promotion

1. Except in extraordinary circumstances such as wartime recall or urgent Service need, retired officers recalled to active duty normally are not eligible for promotion to the next higher grade, an exclusion the recall order will note.

2. In all cases the highest grade to which retired officers recalled to active duty are eligible for promotion is captain.

3. A retired officer who at retirement had once or twice failed selection for promotion to the next higher grade is not eligible for promotion if recalled to active duty.

4. If a retired officer recalled to active duty is eligible for promotion, he or she is eligible when his or her running mate is in the promotion zone established for the next higher grade.

5.A.8.b. Running Mates

1. Each retired, recalled officer who at retirement was on the Active Duty Promotion List (ADPL)is assigned as a running mate an officer on the ADPL,

excluding extra numbers, who occupies the same relative position in grade the retired officer did when he or she retired. The running mate is determined as follows:

a. At retirement, count down from the most senior officer in his or her grade, excluding extra numbers, to and including the retiring officer. The number so determined is the relative position in grade.

b. At recall to active duty, from the most senior officer in the same grade the recalled officer held at retirement, count down the same number of officers, excluding extra numbers, as determined in subparagraph a. The officer so located is the assigned running mate assigned.

2. Each recalled, retired officer who was not included on the ADPL at retirement is assigned as a running mate an officer on the ADPL, excluding extra numbers, who occupies the same relative position in grade the retired officer's running mate did when he or she retired. The running mate is determined in this manner:

a. At retirement, from the most senior officer in his or her grade, excluding extra numbers, count down to and including the retiring officer's running mate. The number so determined is the relative position in grade.

b. At recall to active duty, from the most senior officer in the same grade the recalled officer held at retirement, count down the same number of officers, excluding extra numbers, as determined in subparagraph (a). The officer so located is the assigned running mate.

3. A recalled, retired officer whose running mate changes his or her relative position or is removed from the Active Duty Promotion List for any reason is assigned as a new running mate the ADPL officer next senior to the old running mate; however, if the former running mate was the senior officer in his or her grade, the new running mate is that grade's new senior officer.

4. A recalled, retired officer who fails selection for promotion the first time is assigned as a new running mate the next senior officer in the same grade on the ADPL who failed selection for promotion to the next higher grade the first time. If no officer senior to him or her has failed selection for the first time, he or she is assigned as a running mate that grade's senior officer on the ADPL who has so failed; if no officer in that grade has failed selection for the first time, the recalled officer takes as a running mate that grade's senior officer on the ADPL who has not previously been in a Promotion zone until an officer fails selection for the first time. If his or her current running mate also has failed selection for the first time, a recalled, retired officer who fails selection for the first time retains that officer as running mate. If his or her current running mate is selected or

promoted while a recalled, retired officer is out of the line of promotion, he or she is assigned a new running mate under the procedure described here.

5. A recalled, retired officer who fails selection once and whom a second board recommends for promotion on being promoted under subparagraph e. is assigned a new running mate who is that grade's junior officer on the ADPL on the promotion date.

5.A.8.c. Selection Boards

☛ Article 14.A. describes the convening process for selection boards to recommend recalled, retired officers for promotion to the next higher grade.

5.A.8.d. Failure of Recommendation for Promotion

1. Out of Line of Promotion. A recalled, retired officer not recommended for promotion is out of the line of promotion for one year from the date the Secretary approves the board report.

2. Second Board's Consideration. A second board, convened as ☛ Article 14.A. describes, shall consider recalled, retired officers placed out of line of promotion.

3. Failure of Selection by Second Board. A recalled, retired officer whom a second board does not recommend for promotion then has failed selection twice, is not thereafter eligible for promotion, and returns to retired status not later than 30 June of the promotion year in which his or her second failure of selection occurs.

5.A.8.e. Promotion

1. List of selectees. When the report of a board convened to recommend recalled, retired officers for promotion has been approved, the officers so selected shall be placed on a list of selectees in the order of their seniority.

2. After Selection by First Board. A recalled, retired Regular officer recommended for promotion is promoted on the date his or her running mate is promoted or as soon after as the Senate consents to his or her appointment under ☛ Article 5.A.13. procedures.

3. After Selection by Second Board. One year after the Secretary approves the first board that considered him or her, a recalled, retired officer whom a second board recommends for promotion shall be promoted to the next higher grade, or, if a retired Regular officer, as soon after as the Senate consents to his or her appointment.

4. Removal from List of Selectees. The Secretary may remove a recalled, retired officer from a list of selectees in the same manner as the President may remove an officer on the ADPL; the effect on his or her status and continued eligibility for promotion is the same. ☛ Article 5.A.4.

5.A.9. Selecting and Promoting the Coast Guard Band Director

5.A.9.a. Running Mate

The Director of the Coast Guard Band shall be assigned a running mate similarly as prescribed in 14 U.S.C. 726 for Reserve officers.

5.A.9.b. Eligibility For Promotion

1. The highest grade to which the band director can be promoted is commander (14 U.S.C. 336).

2. The band director is eligible for selection for promotion to the next higher grade when his or her running mate is in that grade's established promotion zone.

5.A.9.c. Selection Board

A selection board to recommend the band director for promotion to the next higher grade shall be convened as ☛ Chapter 14.A. describes.

5.A.9.d. Promotion

When a board recommends the band director for promotion, he or she shall be promoted on the date his or her running mate is promoted or as soon after as the Senate consents to his or her appointment. ☛ Article 5.A.13.

5.A.9.e. Failing Recommendation for Promotion

1. If the board does not recommend the band director for promotion, he or she is out of line of promotion for one year from the date the Commandant approves the board.

2. A second board convened as ☛ Chapter 14.A. describes will consider the band director for promotion.

3. If the second board recommends the band director for promotion and the Commandant approves the board, he or she shall be promoted to the next higher

grade one year from the date of approval of his or her first board or as soon after as the Senate consents to his or her appointment.

5.A.10. VACANT

5.A.11. Wartime Temporary Service Promotions

5.A.11.a. Presidential Suspension

In time of war or national emergency declared by the President or Congress, the President may suspend any provision in this article governing selecting and promoting officers. Such a suspension may continue up to six months after the war or national emergency concludes.

5.A.11.b. Presidential Authority

If any provisions on selecting and promoting officers are so suspended and Service needs require, the President may prescribe regulations and under them promote to a higher grade any active duty Coast Guard officer serving as ensign or higher.

5.A.11.c. Promotion to Lieutenant Commander and Above

A promotion under this article to lieutenant commander and above may be made only on the recommendation of a board of officers convened for that purpose.

5.A.11.d. Scope of Presidential Authority

Any promotion under this article is an appointment for temporary service. Under this article, the President, by and with the advice and consent of the Senate, makes any appointment to a grade above captain. Any other appointments under this article shall be made by the President alone.

5.A.11.e. Terms of Acceptance

Unless expressly declined, an appointment under this article is regarded as accepted and the officer so promoted entitled to the appointed grade's pay and allowances on the date the Secretary specifies as the appointment date.

5.A.11.f. Scope of Appointment

An appointment under this article does not terminate any other appointment an officer holds under any other provisions of 14 U.S.C.. The President may terminate temporary appointments made under this article at any time. An appointment under

this article is effective for as long as the President determines. However, the appointment may not be effective later than six months after the war or national emergency ends. When the officer's temporary appointment under this article is terminated or expires, he or she reverts to his or her former grade.

5.A.11.g. Reestablishing the Active Duty Promotion List

Within six months after the war or national emergency ends, the President shall prescribe regulations to reestablish the ADPL with adjustments and additions appropriate to the conditions of original appointment and wartime service of all officers included on it. By and with the Senate's advice and consent, the President may appoint officers on the reestablished ADPL to fill vacancies in each grade's authorized active duty strength. Such appointments shall be considered to have been made under ☛ Article 5.A.4. (14 U.S.C. 275).

5.A.12. Procedures to Permanently Appoint Reserve and Temporary Officers

5.A.12.a. Appointments

With the advice and consent of the Senate, the President shall appoint temporary officers (except those appointed under the chief warrant officer to lieutenant program) and Reserve officers selected for integration as permanent Regular officers. Commander, (CGPC-opm-1) will transmit appointment letters via the chain of command for delivery to the officer concerned (14 U.S.C. 211).

5.A.12.b. Acceptance

An appointment as a permanent commissioned officer becomes effective only when the officer concerned accepts the appointment by completing the Acceptance and Oath of Office, CG-9556, to indicate acceptance; an additional letter is not required.

5.A.12.c. Oath of Office

An oath of office is required; for this purpose Commander, (CGPC-opm-1) transmits form CG-9556 with the appointment letter. The officer shall not execute the oath of office before the date of rank specified in the appointment letter. After completing the oath, the officer returns the original and one copy to Commander, (CGPC-opm-1).

5.A.12.d. Pay and Allowances

The pay and allowances of officers appointed under this article remain unchanged since the appointments are in the grade in which the officers are serving or a lower grade.

5.A.12.e. Physical Examination

A physical examination is not required for officers serving on active duty.

5.A.12.f. Delaying Appointment

An officer's records available at Commander, (CGPC-adm-3) are complete only up to the date of the latest officer evaluation report; more than six months may elapse between that date and when an appointment letter is issued. Therefore, each officer in the chain of command is responsible for delaying an appointment letter if, in his or her knowledge, the appointee has disqualified him- or herself in the elapsed interval. Delaying an appointment letter consists of returning it to Commander, (CGPC-opm-1) together with a succinct explanation of the circumstances which prompted the action. A disqualification here means any circumstance which casts serious doubt on the moral or professional qualifications of the officer concerned for appointment as a permanent Coast Guard officer.

5.A.12.g. Discharge from Warrant, Enlisted, or Reserve Status

Members holding chief warrant officer, enlisted, or Reserve status who accept permanent appointment are discharged from their permanent status on accepting the appointment effective as of the day preceding that on which they execute the oath of office. ☛ Article 12.A.2.

5.A.13. Procedures to Promote Officers

5.A.13.a. Promotions

Under this article the President, by and with the advice of the Senate, promotes all Regular officers to the grades of lieutenant commander and above and all integrated Reserve officers to the grades of commander and above. The President alone promotes Regular officers to lieutenant and below and integrated Reserve officers to lieutenant commander and below. Promotions are authorized in this manner. Commander, (CGPC-opm-1) publishes the Officer Promotion Authorization Listing (OPAL) monthly by general message. The OPAL authorizes commanding officers or officers exercising administrative control to promote commissioned officers, ensign through commander, and chief warrant officers to the next higher grade. A

letter from the Commandant authorizes flag officer promotions; the OPAL announces them. In all cases, either a copy of the OPAL or the letter authorizing the promotion shall be delivered to the officer concerned.

5.A.13.b. Acceptance

Unless he or she expressly declines the promotion within five days after receipt, an officer promoted under this article is considered to have accepted the promotion on its effective date.

5.A.13.c. Oath of Office

An officer who has served continuously since he or she subscribed to the oath of office prescribed in 5 U.S.C. 3331 is not required to take a new oath on promotion to a higher grade (14 U.S.C. 273).

5.A.13.d. Pay and Allowances

An officer promoted under this article is entitled to the pay and allowances of the grade to which promoted as of the effective date listed in the promotion letter (14 U.S.C. 274).

5.A.13.e. Physical Examination

A physical examination is not required in promoting an officer to the next higher commissioned grade.

5.A.13.f. Delaying Promotion

1. Each officer in the chain of command or Commander, (CGPC-opm) is responsible for delaying a promotion if he or she knows the appointee has disqualified him- or herself after being placed on a promotion list. Disqualification here means any circumstance which casts doubt on the moral or professional qualifications of the officer concerned, including pending action by a board of officers, courts-martial, or investigative proceedings (14 U.S.C. 271(f)).
2. A complete report of the circumstances recommending removing the selectee from the promotion list under Article 5.A.4. shall be sent to Commander (CGPC-opm). If the promotion letter is used for notification, include it if received; a copy of the OPAL need not be included. The selectee shall be furnished a copy of the report and required to acknowledge receipt. Attach a signed copy of the acknowledgment as an enclosure to the report.
3. If Commander (CGPC-opm) initiates delaying a promotion, he or she shall advise the officer concerned in writing of the reasons for so doing and require acknowledgment of receipt.

4. The Commandant shall refer the case to a board of officers to recommend to the President whether to remove the selectee from the promotion list. **The officer concerned will be afforded 21 days notice of the proceedings, and may communicate directly by letter to the board, in care of Commander (CGPC-opm-1), before the board convenes. Chain of command endorsements are optional. Enclosures or attachments are limited to copies of official records and materials allowed to be submitted with Officer Evaluation Reports under ☛ Article 10.A.4.c.3. Letters from other officers shall not be solicited or submitted as enclosures. To receive an acknowledgement, the officer should submit a completed, self-addressed Acknowledgement/Referral Card, CG-4217, with the letter.**

5. The President of the Board will forward a report of the proceedings of the board containing a recommendation to the Commandant as to whether the officer should be promoted, along with reasons for the recommendation. If the Commandant finds removal from the promotion list appropriate, he or she will forward the report with endorsements to the Secretary of Transportation (acting as the alter ego of the President), who is the final reviewing authority. If the Commandant determines that removal is inappropriate, the case is closed, and the delay of promotion is cancelled.

5.A.14. Frocking Officers Selected for the Next Higher Grade

5.A.14.a. Conditions for Frocking

Under the authority of 14 U.S.C. 632, the Commandant may frock Coast Guard officers; i.e., authorize a brevet to the grade to which selected but not yet promoted. These officers may be considered for "frocking" under these circumstances:

1. The higher grade is necessary to clearly establish the officer's position when he or she reports to another agency or Service for duty.

2. The higher grade is necessary to ensure the officer is assigned Government quarters commensurate with the grade in which he or she would serve.

3. In selected instances in which the officer is ordered to a command billet of the higher grade for which he or she had been selected and the higher grade is desired to maintain the Coast Guard's image in an area where he or she is the senior Coast Guard officer.

4. In selected instances in which the higher rank is a significant factor in establishing the officer’s stature, thereby enhancing his or her ability to successfully carry out his or her duties.

5.A.14.b. Commands Authorized to Request Frocking

Assistant Commandants for Directorates, area and district commanders, commanders of maintenance and logistic commands, Chief Counsel, chiefs of special staff offices at Headquarters, and commanding officers of Headquarters units may request authority from Commander (CGPC-opm) to frock officers under their cognizance who meet any one of these requirements.

5.A.14.c. Frocking Procedure

Captain and commander assignment panels recommend to Commander (CGPC) those officers who, in the panel's opinion, should be frocked to the next higher grade in conjunction with their future assignments. The general message announcing the panel results will note frockings approved in conjunction with assignment panels. Approved frockings generally are effective when the officer detaches from his or her current assignment; however, the official transfer orders issued by Commander (CGPC-opm-2) will contain actual authority.

5.A.14.d. Effective Dates

Officers selected for promotion who will be entitled to dates of rank earlier than the date the particular board is approved, either due to action of the Board for Correction of Military Records or to correct administrative error (14 U.S.C. 262), will be frocked to the grade for which selected effective 10 days after CGPC receives Senate confirmation (lieutenant commander and above) or Presidential appointment authority (below lieutenant commander). Also, Regular ensigns selected to lieutenant (junior grade) will be frocked, if required, when they complete the necessary time in grade. Commander, (CGPC-opm-1) will perform these actions; they need not be separately requested.

5.A.14.e. Benefits

1. Frocked officers are authorized to:
   a. Assume the title and wear the insignia of the grade to which frocked.
   b. Housing commensurate with the grade to which frocked.
   c. A new Armed Forces Identification Card, DD Form 2, to reflect the higher grade, as outlined in ☛ Personnel and Pay Procedures Manual, HRSICINST M1000.2 (series).
2. Pay, allowances, and travel entitlements accrue at the lower permanent grade. The higher grade's pay and allowances accrue from the effective date listed in the promotion letter or the OPAL as outlined in ☛ Article 5.A.13.

3. Officer evaluation reports continue to be submitted in the lower permanent grade as outlined in ☛ Chapter 10.A.

4. Frocking does not authorize increased disciplinary powers under Article 15, Uniform Code of Military Justice (UCMJ).

5. Time in grade for determining retirement eligibility is computed from the appointment date, not the frocking date.

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5.B Chief Warrant Officers

5.B.1 General

5.B.1.a. Definition

Chief warrant officers (CWOs) are commissioned Coast Guard officers who serve in those grades as established by law and have authority commensurate with this status. CWOs are mature individuals with appropriate education and/or specialty experience whose demonstrated initiative and past performance show they have the potential to assume positions of greater responsibility requiring broader conceptual, management, and leadership skills. While administrative and technical expertise is required in many assignments, CWOs must be capable of performing in a wide variety of assignments that require strong leadership skills. Enlisted and officer experience provides these officers a unique perspective in meeting the Coast Guard's roles and missions.

5.B.1.b. Billet Structure

Warrant officer billets are issued in the normal budgetary process and are independent of commissioned officer billets. All warrant officer billets are at the W-4 level. The Commandant shall maintain a list of all active duty Chief Warrant Officers other than those described in Title 10 U.S.C. 582.

5.B.2 Warrant Officer Utilization

5.B.2.a Connection between Enlisted and Officer Corps

Coast Guard warrant officers are part of the officer corps. As such, they hold a unique organizational position. Warrant officers "fill the gap" between the enlisted corps and higher grade commissioned officers. They are able to fully understand and communicate with the enlisted technician. Through understanding the requirements and problems of the enlisted technician, as well as, the management requirements of the general line officer, warrant officers form an essential communications link between higher grade officers and enlisted. This communication, both up and down the chain, significantly contributes to the efficiency and effectiveness of the Service.

5.B.2.b. Warrant Officer Assignments

Warrant officers are assigned responsibilities and have authority commensurate with their experience including assignments as commanding officer, executive officer, engineering officer, division/section officers, and department heads aboard many kinds of units. The Service has a number of small units requiring the authority of a commissioned officer acting as commanding officer, but also requiring senior management to have strong technical knowledge. Warrant officers uniquely fill both

Service needs. Therefore, using warrant officers deploys scarce resources more effectively.

5.B.3 Selection Process

5.B.3.a Original Appointments

1. All initial appointments to warrant grade shall be as W-2.

2. The CWO Indoctrination Course is mandatory for all newly appointed Chief Warrant Officers. Refer to the Chief Warrant Officer Indoctrination Course Instruction, COMDTINST 1500 (series) for further information.

5.B.3.b. Promotion Zone (10 U.S.C. 574)

The promotion zone for the next higher grade will include all warrant officers who will have completed three years in grade by the date the selection board convenes. Commander, Coast Guard Personnel Command will be announced promotion zones via message.

5.B.3.c. Communication with Selection Boards (10 U.S.C. 573(f))

1. **Individuals eligible for consideration by a selection board may communicate directly with the board by letter arriving by the date the board convenes, inviting attention to any matter in his or her Armed Forces record. A letter sent under this paragraph may not criticize any officer or reflect on any officer's character, conduct, or motive (10 USC 573(f)).**

2. **Correspondence to the board shall be in care of Commander, (CGPC-opm-1). Chain of command endorsements are optional. The only enclosures or attachments permitted are copies of official records and materials allowed to be submitted with officer evaluation reports under ☛ Article 10.A.4.c.(3). Do not solicit or submit as enclosures letters from other officers. To receive an acknowledgment, submit a completed, self-addressed Acknowledgement/Referral Card, CG-4217, with the letter.**

3. **Endorsements to letters submitted to selection boards shall not include opinions whether an individual should be selected for promotion or opinions on selection boards and their methods.**

5.B.3.d. Convening of Selection Boards (10 U.S.C. 573)

When Service needs dictate, the Commandant shall convene a selection board to recommend eligible active duty warrant officers for promotion.

The schedule of board convening dates shall be published annually in ☛ Schedule of Officer Personnel Boards and Panels, COMDTINST 1401.5 (series).

5.B.3.e Composition of Boards (10 USC 573)

The board shall consist of at least five officers on the active duty promotion list above the permanent grade of lieutenant commander. Warrant officers, senior in grade to those under consideration, may be assigned as additional members of the selection board. No officer may serve on two consecutive boards if the second board considers any warrant officer who was considered by the first board. When reserve warrant officers are to be considered by the selection board, the membership of the board shall, if practicable, include at least one reserve officer.

5.B.3.f. Oath of Members of the Board (10 USC 573)

Members of the selection board shall swear that they will, without prejudice or partiality, and having in view both the special fitness of officers and the efficiency of the Coast Guard, perform the duties imposed upon them.

5.B.3.g. Information to be Furnished to Boards (10 USC 576)

Commander, Coast Guard Personnel Command shall furnish the selection board with a precept containing:

1. The maximum number of officers that the board may recommend for promotion to the next higher grade; and

2. The names and records of all chief warrant officers who are eligible for consideration for promotion to the grade to which the board will recommend chief warrant officers for promotion.

3. Such information and guidelines relating to the needs of the Coast Guard for chief warrant officers having particular skills.

5.B.3.h. Number to be Selected (10 USC 576)

1. The maximum number of warrant officers who may be selected for promotion to W-3 or W-4 shall be prescribed by the Commandant.

2. If a board is unable to select the number of warrant officers established by the Commandant because an insufficient number are determined to be fully qualified, only those officers who are found fully qualified for promotion may be recommended for promotion.

5.B.3.i. Finding Unfit or Unsatisfactory Performance (10 USC 576)

The selection board shall report the names of those chief warrant officers considered by it, whose records and reports establish, in its opinion, their unfitness or unsatisfactory performance in their permanent regular grade. The selection board will fulfill the requirements of a special board as outlined in ☛ Article 12.A.21.b. Warrant officers found unfit or unsatisfactory in their performance of duty by the selection board shall be referred to an evaluation board convened under the guidelines of ☛ Article 12.A.21.c.

5.B.3.j. Procedures for Boards Considering Chief Warrant Officers on Both a Fully Qualified and a Best Qualified Basis (10 USC 575)

1. Boards convened to consider chief warrant officers on a **fully and** best qualified basis for promotion **shall refer to the guidelines in ☛ Article 14.A.7. and** may not recommend more than the number specified in the precept.

2. **In addition to the names and reasons for those found unsatisfactory pursuant to ☛ Article 5.B.3.i., the names of those officers found not fully-qualified, as well as the reasons for the findings, shall be included if less than the number specified in the precept are selected. In arriving at recommendations, the criteria in ☛ Article 14.A.7. shall be followed.**

3. **The board shall submit a report as provided in ☛ Article 14.A.7.**

5.B.3.k. Selection Board Reports

1. The Commandant may approve or disapprove all or part of the report. The Commandant shall determine whether the board acted contrary to law or regulation. If the Commandant determines that the board acted contrary to law or regulation, the Commandant shall return the report to the board for further proceedings, together with a written explanation of the determination. The selection board shall then conduct such proceedings as may be necessary to comply with the law and regulations, and shall submit a revised report to the Commandant (10 U.S.C. 576).

2. When the Commandant approves the selection board report, the Commandant shall place the names of the chief warrant officers approved for promotion on a single promotion list for each grade in order of their seniority and submit the list to the Secretary for their appointment by the President. (10 U.S.C. 578)

5.B.3.l. Failure of Selection (10 U.S.C. 577)

A warrant officer who is not recommended for promotion is considered to have failed of selection. The date of failure of selection for promotion is the date the Commandant approves the report of a selection board not recommending the promotion or the date the name of the officer concerned is removed from a promotion list.

5.B.3.m. Effective Date of Promotion

Except in the case of a previous failure of selection for promotion, the date of appointment and the date of rank for promotion to W-3 or W-4 is as follows:

1. W-2 to W-3. Four years from date of appointment as W-2. For example, a W-2 appointed on 01 June 1991 would be promoted to W-3 on 01 June 1995.

2. W-3 to W-4. Four years from date of appointment as W-3. For example, a W-3 appointed on 01 June 1994 would be promoted to W-4 on 01 June 1998.

Determining the date of rank of a chief warrant officer who has previously failed of selection is as outlined in ☛ Article 5.B.4.

5.B.4. Consideration by the next annual selection board

5.B.4.a. General (10 U.S.C. 577)

Warrant officers who once fail of selection shall be considered by each later selection board that considers chief warrant officers in their grade until they are retired, separated,

or selected for promotion. Unless retained under the provisions of 10 U.S.C. 580(a) or 10 U.S.C. 580(e), a warrant officer who twice fails selection for promotion is not eligible for further consideration for promotion.

5.B.4.b. Selection by Subsequent Board (10 U.S.C. 578)

The name of each warrant officer who failed selection while in the zone, and who is selected by a subsequent selection board, shall be placed on the new list prepared by the current board in order of existing seniority. Officers in this category shall be tendered appointment **either** one year after the date they would have been appointed had they been selected by the board immediately preceding the current board **or the earliest date on which any warrant officer who has not failed of selection and whose name follows his or hers on the approved promotion list is promoted to the higher grade, whichever is earlier. The member's date of rank shall be the date of his or her promotion to the higher grade. A warrant officer not in the zone who is considered in accordance with Article 12.A.21.b. shall not lose numbers until he or she enters the zone.**

5.B.4.c. Failure of Selection by Subsequent Board (10 U.S.C. 580)

1. Unless continued, retired, or separated under some other provisions of law, a retirement eligible chief warrant officer who has twice failed selection for promotion to the next higher chief warrant officer grade shall be retired not later than the first day of the seventh month after approval of the findings of the board. Mandatory retirement will be effected under the provisions of 10 U.S.C. 580, unless the officer concerned requests voluntary retirement under 10 U.S.C. 1293. At the request of the member, the Commandant may defer the retirement of a warrant officer who twice fails selection for promotion to the next higher grade if the officer is serving in a temporary grade above chief warrant officer. When the warrant officer is retired or separated, the officer's commission in the temporary grade above chief warrant officer shall be terminated on the date the officer is retired or separated. In accordance with the provisions of 14 U.S.C. 334, the officer shall be retired with the highest commissioned grade above chief warrant officer, W-4, held by him/her for not less than six months in which, as determined by the Coast Guard, the officer's performance of duty was satisfactory.

2. Unless continued, retired, promoted, or separated under another provision of law, a regular chief warrant officer who twice fails selection for promotion to the next higher grade and who has 18 years of service (1) on the date the Secretary approves the report of the board that did not select the officer for promotion to the next higher grade a second time; (2) the date the officer's name is removed from the list of officers recommended for promotion by the selection board; (3) the date the officer's name is removed from the promotion list; or (4) pursuant to 10 U.S.C. 580(a)(4)(C), the date on which the officer would otherwise be separated under

10 U.S.C. 580(a)(4)(A), shall be retired on the first day of the month immediately following the month in which the officer completes 20 years of active service creditable for retirement. Such a warrant officer remains eligible to be considered for promotion by subsequent selection boards, and shall not be retired if the officer is selected for promotion prior to the retirement date.

3. Unless promoted, continued, discharged, or retired under another provision of law, a warrant officer who has fewer than 18 years service creditable for retirement, shall be discharged for twice failing of selection to the next higher grade on the first day of the seventh month following the date on which the report of the board is approved, the date on which the officer's name is removed from the recommended list of selectees, or the date on which the officer's name is removed from the promotion list, whichever applies.

4. A regular warrant officer who twice fails selection for promotion may be continued on active duty if selected for continuation by a selection board. The Commandant will determine whether a need exists for warrant officers who twice fail of selection for promotion, and provide authority for their retention in the precept convening a selection board. The precept shall fix the maximum number of such officers that may be recommended for retention, and the period of retention. Officers continued on active duty pursuant to the recommendation of a selection board continue to be eligible for consideration for promotion. If not sooner retired or discharged under another provision of law, an officer who is continued shall be discharged, or retired if eligible, upon the expiration of the period of continued service, unless promoted, on an approved list of selectees for promotion, continued pursuant to the recommendation of a subsequent selection board approved by the Commandant, or is within two years of qualifying for retirement under 10 U.S.C. 1293.

5.B.5. Removal from a Promotion List

5.B.5.a. General (10 U.S.C. 576(d))

When information of an adverse nature is received concerning a warrant officer subsequent to having been recommended for promotion by a selection board, but before an appointment letter has been tendered, or when an appointment letter is returned by an officer in the chain of command who deems the officer unqualified for the appointment, the name of the warrant officer shall be referred to a board per ☛ Article 12.A.21.b. If the officer is found unfit or unsatisfactory, the warrant officer's name will also be referred to an evaluation board per ☛ Article 12.A.21.c. **unless the officer has fewer than three years as a commissioned warrant officer, then apply ☛ Article 12.A.20.**

5.B.5.b. Consideration by the Next Board (10 U.S.C. 579)

A warrant officer whose name has been removed from the list of selectees **pursuant to** Paragraph a. of this Article, shall be considered for promotion by the next regularly scheduled selection board. If selected by this board, the warrant officer's name shall be replaced without prejudice on the list from which it was removed. The date of rank is the date it would have been had the member's name not been removed; pay and allowances accrue from the date of rank. If the warrant officer is not selected for promotion by this board, the officer shall be considered to have twice failed of selection for promotion, and shall be retired or separated as outlined in ☛ Article 5.B.4.

5.B.6. Procedures for Effecting promotion of Warrant Officers

5.B.6.a. Promotions

The Officer Promotion Authorization Listing (OPAL) will be used to promote chief warrant officers to the next higher permanent grade (W-3 and W-4).

5.B.6.b. Withholding Promotion

It is the responsibility of each officer in the chain of command or Commander, (CGPC), to withhold the promotion of chief warrant officers if there is knowledge that they have disqualified themselves after being placed on a promotion list. Disqualification, as used herein, is deemed to be any circumstance which casts doubt on the moral or professional qualifications of the warrant officer concerned. This includes pending action by a board of officers, courts-martial, or investigative proceedings. The withholding of a promotion by the command shall consist of the following action:

1. Contact Commander, (CGPC-opm-1) by the most rapid means to execute appropriate pay action.
2. Return the appointment letter to Commander, (CGPC-opm-1).
3. Provide a complete written report of the reason for withholding the promotion to Commander, (CGPC-opm-1). The warrant officer concerned shall be furnished a copy of the report and shall be required to acknowledge receipt. A signed copy of the acknowledgment shall be attached as an enclosure to the report.

If Commander, (CGPC) initiates withholding a promotion, the chief warrant officer shall be notified in writing of the reason(s) thereof and be required to acknowledge receipt. Upon completion of the notification action, the board action outlined in ☛ Article 5.B.5. will be initiated.

5.B.6.c. Acceptance

Acceptance of promotion to the next higher grade is considered accomplished unless specifically declined within five days after receipt. A new oath shall not be given.

5.B.6.d. Physical Examinations

A physical examination is not required for promotion of chief warrant officers serving on active duty.

5.B.7. Selection and Promoting Retired Warrant Officers Recalled to Active Duty

5.B.7.a. Eligibility for Selection for Promotion

1. Except in circumstances such as wartime recall or cases of urgent Service need, retired warrant officers recalled to active duty shall not normally be eligible for promotion to the next higher grade. This exclusion will be noted in the recall order.

2. A retired warrant officer who at the time of retirement had once or twice failed of selection for promotion to the next higher grade shall in no case be eligible for promotion if recalled to active duty.

5.B.7.b. Selection

Under the circumstances noted above, when a board is convened, eligible retired warrant officers recalled to active duty will be considered for promotion by the warrant selection board consisting of five or more officers in the grade of commander or above convened for that purpose. Warrant officers, senior in grade to those under consideration, may be assigned as additional members of the selection board. Consideration for promotion will be on a fully qualified basis.

5.B.7.c. Failure of Selection

Any retired warrant officer recalled to active duty who fails selection for promotion shall be returned to the retired list not later than the first day of the seventh month after the date the selection board is approved by the Commandant.

5.B.7.d. Promotion

Promotion of retired warrant officers will be per the provisions of ☛ Article 5.B.6.

5.B.8. Selective Early Retirement Boards (SERB)

5.B.8.a. Selective Retirement Zone (10 U.S.C. 581)

Before convening a board to consider warrant officers for retirement, the Commandant shall establish a list which shall include each warrant officer on the active duty list,

other than those warrant officers serving in a higher temporary grade who have not been previously considered by a SERB and who will complete at least seven years in the grade of W-4 as of 01 July following the board. Warrant officers with approved voluntary retirements and officers who are scheduled for mandatory retirement during the fiscal year in which the board convenes or the subsequent fiscal year are excluded from consideration for selective retirement by the board. Requests for voluntary retirement from officers whom the SERB otherwise would consider will be considered if they are received no later than 30 days prior to the convening date of the SERB.

5.B.8.b. Convening of Boards (10 U.S.C. 581)

The Commandant may, whenever the needs of the Service dictate, convene a board to recommend for retirement those warrant officers whose names are not on a list of warrant officers recommended for promotion and who are retirement eligible under any provision of law.

5.B.8.c. Communicating with the Selective Early Retirement Board

1. Refer to ☛ Article 5.B.3.c. for guidance on communicating with Warrant Officer Selection Boards.

2. Communications to the selective early retirement board should be sent to: President, Chief Warrant Officer Selective Early Retirement Board, c/o Commander (CGPC-opm-1), Coast Guard Personnel Command. Communications received will be acknowledged when a completed, self-addressed Acknowledgment/Referral Card, CG-4217, is submitted with the letter.

5.B.8.d. Composition of Boards

The board shall consist of at least five officers on the active duty promotion list above the permanent grade of lieutenant commander. Warrant officers senior to those under consideration may be assigned as additional members of the board.

5.B.8.e. Oath of Members of the Board (10 U.S.C. 581(d)(1))

Members of the selective early retirement board shall swear that they will, without prejudice or partiality, and having in view both the special fitness of officers and the efficiency of the Coast Guard, perform the duties imposed upon them.

5.B.8.f. Number to be Recommended for Early Retirement (10 U.S.C. 581(a))

The Commandant shall prescribe the maximum number of warrant officers who may be selected for early retirement.

5.B.8.g. Submission of Report

The board shall submit a report of its proceedings as outlined below:

1. A cover sheet
2. A listing of membership
3. A listing of the convening, meeting, and adjourning dates
4. A listing of the names of chief warrant officers recommended for early retirement
5. A certification that, in the opinion of at least a majority of the members of the board, the officers recommended should be retired
6. The signature of each member
7. The original precept, appended
8. The report of the board shall be submitted to the Commandant for approval, modification, or disapproval. If the board has acted contrary to the law or regulation, the Commandant shall return the report for proceedings in revision and resubmission.

5.B.8.h. Warrant Officers Recommended for Retirement (10 U.S.C. 581)

1. A warrant officer who is recommended for retirement and whose retirement is approved by the Commandant shall be retired, under any provision of law under which the officer is eligible to retire, on the date requested and approved by the Commandant, which date shall not be later than the first day of the seventh month beginning after the month in which the Commandant approves the report of the board which recommended the warrant officer for retirement.
2. The retirement of a warrant officer pursuant to this section shall be an involuntary retirement for purposes of any other provision of law.

5.B.9 Lateral Change in Warrant Specialty

A request for lateral change in warrant officer specialty will be considered on its own merits, and a lateral change in specialty will be authorized only in those unique cases where it is clearly in the best interests of the Service to do so.

5.B.10. Appointing Chief Warrant Officers as Temporary Officers Under 14 U.S.C. 214

5.B.10.a. General

The primary objective of this program is to improve the inventory of officers in the middle grades in certain occupational fields where the special skills and experience of warrant officers are needed to round out the experience of the total officer population. A secondary objective is to provide a limited opportunity for upward mobility for deserving senior members of the warrant officer corps.

1. The program will be responsive to the needs of the Service, limited in scope, and highly selective. Appointments will not necessarily be apportioned among all warrant officer specialties. The exact numbers and specialties will be determined annually based on projected Service needs and after considering the impact on critical enlisted ratings, officer promotion rates, and Officer Candidate School inputs.

2. Selected applicants will be offered appointments as temporary regular officers and placed on the active duty promotion list per the provisions of ☞ Article 5.A.2. Permanent appointments will not be tendered to officers appointed under this program **until the officer is selected by their first best-qualified promotion board and subsequently requests integration per article 1.A.8. Selectees who do not integrate will continue to be eligible for promotion in their permanent warrant officer grade as set forth in ☞ Article 5.B.3.**

3. With the conversion of CWO (PYA) billets to commissioned officer billets, warrant physician assistants are encouraged to compete for appointment to lieutenant. Waivers of time in service requirements may be requested. Officers who do not meet degree requirements are encouraged to seek Coast Guard educational assistance.

4. Officers currently in the CWO (PYA) grade who do not qualify for appointment, or who choose not to seek appointment to commissioned officer status, will be permitted to conclude their careers in the CWO (PYA) specialty. As CWO (PYA) billets are eliminated, these officers will be assigned to O-1 and O-2 grade billets.

5.B.10.b. Obligated Service

Appointees are obligated by acceptance of the appointment to serve as temporary officers for three years from date of appointment.

5.B.10.c. Assignments

Officers appointed as temporary lieutenants will be assigned to duty within the primary occupational field for which they were selected and will not normally be rotated out of such duty.

5.B.10.d. Reversion

Requests to revert from a **temporary grade** to a **permanent** warrant grade will normally be disapproved unless unique needs of the Service support the reversion. However, warrant officers who accept temporary appointments to lieutenant may elect

to revert to their warrant grade if twice non-selected for promotion. Those officers approved for reversion to their former warrant officer grade, who were appointed to a higher warrant grade subsequent to their appointment to lieutenant, must serve two years time in grade as required by ☞ Article 12.C.9.

5.B.10.e. Retirement

1. Upon completion of 30 years service, officers appointed under this program **who do not integrate, as outlined in ☞ Article 1.A.8.a**, shall be retired pursuant to 10 U.S.C. 1305, in the highest grade satisfactorily held as outlined in 14 U.S.C. 334 and 10 U.S.C. 1371.

2. Lieutenants who twice fail selection for lieutenant commander will be retired, or reverted to their chief warrant officer grade, if they so request.

5.B.10.f. Original Appointment of Temporary Officers (14 U.S.C. 214)

At such times as the needs of the Service dictate, the Commandant shall convene an appointment board to recommend eligible warrant officers for appointment to temporary lieutenant. The Schedule of Officer Personnel Boards and Panels, COMDTINST 1401.5 (series), will publish the convening date of the board. The occupational fields and specialties needed for that **promotion** year will be announced by message.

5.B.10.g. Eligibility

Applications will be considered from chief warrant officers, W-3, W-4, or W-2 who will be considered by the W-3 selection board in the same promotion year. However, appointments of chief warrant officers W-2 to lieutenant, shall be offered only to those whose name appears on a promotion list to W-3. All applicants must have completed at least 13 years but not more than 26 years of active duty for retirement, computed to 30 June following the board. In addition to this active duty service requirement, applicants must possess normal color perception, which is required for all commissioned officers, O-1 and above. In addition, applicants for the MMS (Deck) and MMS (Engineering) specialties must hold qualification (hull inspector and/or machinery inspector) for the specific occupational field(s) requested. Qualification letters must be appended to the application/resume.

5.B.10.h. Application

Applications may be made for only the occupational field which is related to the warrant officer specialty listed in paragraph 4 below. If the applicant is serving in a warrant specialty which is related to more than one of the occupational fields offered, the officer may request consideration for more than one; however, the officer must specify the order of preference (i.e, first and second choice).

1. Form and Content. Candidates shall submit their application to Commander (CGPC-opm-1) via their immediate command. No enclosures to the application are permitted with the exception of hull or machinery qualification letters. The application/resume shall be submitted in Basic Coast Guard letter format (limited to a maximum of 2 pages, single-sided, single-spaced, 12 point text with 1 inch margins) and in the following sequence:

a. Paragraph 1. The occupational field, or fields (specify preference) for which the candidate is applying.

b. Paragraph 2. The historical summary of units assigned as a CWO with the primary and collateral duties assumed for each (listed in chronological order with the most recent first).

c. Paragraph 3. A summary of major professional accomplishments including medals, awards, and academic achievements.

d. Paragraph 4. A statement addressing the candidate's reasons for desiring appointment to the grade of lieutenant.

2. Endorsement. The commanding officer's endorsement shall address the applicant's potential to perform successfully in the grade of temporary lieutenant and shall include a computation of the applicant's total service computed to **30 June** following the board.

3. Each application must be received by Commander (CGPC-opm-1) no later than the date specified in the general message announcing the occupational fields and specialties needed for that fiscal year. **Members who do not have an e-mail address on the Coast Guard Global address list should include one in their package in order to receive acknowledgement of package receipt by CGPC.** Applications for occupational fields or specialties not solicited in the general message will be returned without action.

4. Chief warrant officers who meet the eligibility requirements of this article may apply to the occupational field or fields that are related to their specialty as indicated below:

Occupational Field	Related WO Specialty
Surface Operations	BOSN
Weapons	WEPS
Merchant Marine Safety (Deck)	BOSN / MAT / WEPS / ENG
Merchant Marine Safety (Engineering)	ENG / BOSN / MAT / WEPS
Naval Engineering	ENG
Communications	COMMS
Electronics	ELC
Personnel Administration	PERS
Finance and Supply	F&S
Medical Administration	MED
Photojournalist	INF
Aviation Engineering	AVI
Physician's Assistant	PYA

5.B.10.i. Waivers

Except as noted in ☞ Article 5.B.10a.(3), waivers of eligibility requirements will not **normally** be granted under any circumstances.

COAST GUARD PERSONNEL MANUAL CHAPTER 5.C.

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5.C Enlisted Personnel

5.C.1 General

5.C.1.a. Objective

The objective of the enlisted advancement system is to ensure the required degree of proficiency at the various grade levels within each specialty and promote those best qualified to fill vacancies which occur.

5.C.1.b. Applicability

This section is applicable to the advancement of:

1. All active duty enlisted personnel and Coast Guard reservists on extended active duty.

2. Temporary commissioned officers on active duty whose permanent status is enlisted. ☞ Article 5.C.27

5.C.2 Advancement from E-1 through E-4

5.C.2.a. Methods of Advancement from E-1 through E-4

Personnel may be advanced from E-1 through E-4:

1. By special authority of the Commandant.

2. By their commanding officer (applicable for advancement from E-1 to E-2 and E-2 to E-3 and advancement to pay grade E-4 of Class "A" School graduates).

3. Under the special provision of Article 5.C.33.a. for qualified prior Coast Guard active duty and reserve personnel.

4. By successful completion of a Striker Program for ratings of BM, DC, EM, FS, MK, QM, SK, and YN (applicable for advancement from E-3 to E-4). ☞ Article 5.E.1.

5.C.3 Servicewide competition

5.C.3.a. E-5 Through E-9 Advancements Through Servicewide Competition

Except as noted in subparagraph e. below, advancement in these pay grades is accomplished through taking a Servicewide Examination (SWE) following the schedule listed below which will be followed without regard to anticipated vacancies:

E-7 through E-9	May
E-5 and E-6	May and November

1. While it cannot be guaranteed that any one person will be advanced, the SWE ensures a fair and an impartial opportunity for advancement and a guarantee that all enlisted personnel of a particular rating shall have an equal advancement opportunity.

2. A cutoff point is established for each rating and rate based upon vacancies anticipated at the time the eligibility list is compiled. Personnel who are below the cutoff point should plan on participating in subsequent SWEs in order to maintain eligibility.

5.C.3.b. Advancement

Advancement is based the member's final multiple which is composed of the following factors:

Factor	Maximum Credit	How Computed
Examination Score	80	Examination Standard Score
Performance factor	50	See paragraph (semiannual marks) (1) below.
Time in Service (TIS)	20	Total month TIS - 12. 1 point credit per year. Maximum credit is given for 20 years.
Time in pay grade in present rating	10	See paragraph (TIR) (2) below
Medals and Awards	10	See paragraph (3) below.
Sea Duty	**30**	Credit given **for sea duty accumulated after 1 February 1994**.
Total:	**200**	

1. The Human Resources Service and Information Center (HRSIC) will compute the final multiple and publish it to each member twice during the Servicewide Cycle (SWE). The first time is on the member's Personnel Data Extract (PDE) which is when the member must take corrective action if it's incorrect. The second time is on the member's Profile Form, if the member took the SWE, which shows all points creditable and the final multiple.

2. Time in Rate (TIR) is now credited at one point for each six months (two points per year) for a maximum of five years. The TIR is capped after five years at ten points.

3. Awards must be approved by 01 February preceding the May SWE and 01 August preceding the November SWE. Award point(s) for SWE multiple are listed below:

Award	Point Credit
Medal of Honor	10
Gold Lifesaving Medal and those military awards having a higher precedence	6
Bronze Star Medal	5
Purple Heart	4
Meritorious Service Medal	4
Air Medal	4
Silver Lifesaving Medal	4
Commendation Medal from any U.S Armed Forces	3
Achievement Medal from any U. S Armed Forces	2
Combat Action Ribbon	1
Commandant's Letter of Commendation Ribbon	1
Secretary of Transportation Letters of Commendation	1
CG Good Conduct Medal	1
CG Reserve Good Conduct Medal	**1**

NOTE: Other Services' Good Conduct Awards are not creditable for points.

5.C.3.c. Examinations

Examinations are developed by Subject Matter Specialists at Coast Guard Training Centers for pay grades E-5 through E-9 in all Coast Guard ratings.

5.C.3.d. Other Methods of Advancement to E-5 Through E-9

Personnel may be advanced to E-5 through E-9 without participation in SWE competition by special authority of the Commandant.

5.C.4 Responsibilities

5.C.4.a. The Individual

It is each individual's responsibility to ensure their eligibility in all respects for the SWE. The key to doing so is by verifying and signing the Personnel Data Extract, CG-4902, received prior to the SWE date. By signing the CG-4902, members state all changes noted or information on the form are current and correct and no further corrections are necessary. If through administrative error, a member is deprived of the opportunity to compete in the scheduled SWE, a substitute examination may be requested from HRSIC.

5.C.4.b. Eligibility Requirements

1. Each member must complete and meet the eligibility requirements listed below by 01 February before the May SWE or 01 August before the November SWE.

   a. Complete required performance qualifications and military requirements. ☛ Article 5.C.7.

   b. Complete required correspondence courses. ☛ Article 5.C.8.

   c. Successfully complete service course, if required, for particular pay grade or rating. ☛ Article 5.C.9.

   d. Meet citizenship or security clearance requirements for advancement in certain rates or ratings. ☛ Article 5.C.10.

   e. Be in proper path of advancement. ☛ Article 5.C.11.

   f. Fulfill special requirements for certain ratings. ☛ Article 5.C.12.

   g. Not be involved in circumstances which render him or her ineligible for advancement. ☛ Article 5.C.13.

   h. Fulfill special requirements; time in service, time in pay grade in present rating, and sea duty. ☛ Articles 5.C.14 and 5.C.15.

   i. Fulfill additional eligibility requirements for personnel competing in the E-7/8/9 examination. ☛ Article 5.C.5.

   j. Maintain the minimum factor average on his or her last evaluation. ☛ Article 5.C.6.

   k. Be a graduate of a military recruit training center for advancement to E-2. ☛ Article 5.C.26.

l. Be recommended by the commanding officer. ☛ Article 5.C.4.e. Commanding officers shall ensure an Administrative Remarks, CG-3307, is prepared when a member otherwise eligible for advancement is assigned a mark of **"Not Recommended".**

2. Members must meet time in service and time in pay grade in present rating requirements on or before the terminal eligibility date of 01 January after the May SWE or 01 July after the November SWE.

3. Waiver of the 01 January and 01 July deadlines is authorized for members currently assigned PCS or under PCS orders to a sea time eligible unit who will meet the minimum sea time requirement for advancement prior to 01 January following the May SWE or 01 July following the November SWE.

5.C.4.c. Coast Guard Personnel Command (CGPC)

Under the general direction and supervision of designated superiors, Commander, (CGPC) administers those elements of the program for enlisted personnel, including advancement. ☛ Organization Manual, COMDTINST M5400.7 (series).

5.C.4.d. Area/MLC/District Commanders

Area/MLC/District commanders are responsible for monitoring the administrative procedures of subordinate commands to ensure compliance with requirements contained in this chapter, and ☛ Article 5.D. Normal administrative inspections provide a suitable means for accomplishing this..

5.C.4.e. Commanding Officers

Individual Coast Guard commanding officers are responsible for execution of the advancement program. Failure to properly discharge this responsibility reflects adversely on command performance. Commanding officers are responsible for the timely evaluation of assigned personnel, submitting recommendations, and coordinating with examining boards as necessary to ensure that every eligible and recommended candidate for advancement has an opportunity to compete. The following subparagraphs briefly outline these responsibilities' various elements, which are fully amplified elswhere in this Chapter and ☛ Article 5.D.

1. Informing Personnel of Advancement Requirements. The Enlisted Qualifications Manual, COMDTINST M1414.8 (Series), details qualifications for advancement for all rates.

2. Training Enlisted Personnel for Advancement. The continued effectiveness of the enlisted advancement system depends on the "in-service" (on-the-job) training and support provided by individual commands. Some training is provided selected members through Class "A", "C", or other functional courses, but is not

intended or desired that formal school training meet the Coast Guard's entire needs in any rating. The importance of this training cannot be over emphasized.

3. Self-Study and On-the-Job Training. It is essential to make these two training publications available to enlisted personnel early as they prepare for advancement.

   a. Coast Guard Correspondence Course Manual. This publication lists the Coast Guard correspondence courses available to enlisted personnel.

   b. List of Training Manuals and Correspondence Courses, NAVEDTRA 10061. This publication lists the naval training courses and correspondence courses available to enlisted personnel.

4. Advancement Recommendation. The commanding officer's recommendation for advancement is the most important eligibility requirement in the Coast Guard advancement system. A recommendation for advancement shall be based on the individual's qualities of leadership, personal integrity, adherence to core values, and his or her potential to perform in the next higher pay grade. Although minimum performance factors have been prescribed to maintain overall consistency for participation in SWE, the commanding officer shall be personally satisfied that the member's overall performance in each factor has been sufficiently strong to earn the recommendation.

   Time Limit. The commanding officer's recommendation for advancement or change in rating by participation in the SWE is valid only for a specific competition and must be renewed for each succeeding competition.

5. Personnel Data Record Entries.

   a. Recommendation for Advancement or Change in Rating. A copy of the Personnel Data Extract, CG-4902, shall be filed in the unit file and retained until the next SWE for the member's pay grade. When a member otherwise

      an Administrative Remarks, CG-3307, stating the reason(s) why, is required and the member shall be counseled on the steps necessary to earn a recommendation.

b. Withdrawal of Recommendation. The following entry must be made on an Administrative Remarks, CG-3307, in the enlisted Personnel Data Record when the commanding officer withdraws his or her recommendation.

> (Date): Recommendation and nomination for advancement and participation in the (month and year) for Servicewide competition for (rate) is withdrawn. Reason: (Explain).

When applicable, notify HRSIC (adv/eval), to invalidate the recommendation for advancement of the candidate.

6. Security of Examinations. This most important phase is the responsibility of each echelon of command. Chapter 5.D provides detailed procedures necessary for safeguarding Servicewide examinations.
7. Appointment and Supervision of Local Examining Boards. Commanding officers shall appoint and provide supervision in accordance with Chapter 5.D and such other regulations that may be issued by senior commands.
8. Educational Services Officers. Commanding officers will appoint an Educational Services Officer who is to provide assistance to each member of the command who desires to qualify for advancement in rate or change in rating, and encourage the timely completion of the appropriate Coast Guard Institute correspondence course.
9. Effecting Advancements. Upon notification through the Headquarters Advancement Announcement (HAA) from Commander CGPC, commanding officers shall advance those personnel listed, or advise HRSIC (adv) to withhold their advancement or remove them from the eligibility list, with an information copy to Commander (CGPC-epm-1),. ☛ Article 5.C.26.

5.C.4.f. Human Resources Service and Information Center

The Commanding Officer, Coast Guard Human Resources Service and Information Center is the single point of contact for all SWE inquiries, corrections, and waivers; and is responsible for the preparation, printing, distribution, accountability, and scoring of the Servicewide examinations. Following the scoring process, the commanding officer is responsible for preparation, printing, and distribution of the advancement eligibility lists as approved by Commander, (CGPC).

5.C.4.g. Waiver of Eligibility Requirements

HRSIC(adv) is the single point of contact for all request for waivers of advancement requirements and deadlines. Waivers should be requested only if unusual circumstances, administrative error, last minute operational schedule changes, etc., result in the member being ineligible through no fault of the member. Prior to submitting a waiver, the command must ensure that the member did everything that can be reasonably expected to ensure eligibility prior to the deadline for eligibility.

5.C.5 Additional Eligibility Requirements for Personnel Competing in E-7, E-8, or E-9 Examinations

5.C.5.a. General

Commanding officers shall initiate the recommendation for participation in the E-8 and E-9 competition. Individuals recommended for advancement to senior chief petty officer and master chief petty officer must be superior in leadership, military characteristics, technical knowledge, and performance of duty. They must be professionally qualified to fill any chief petty officer billet of their rating. Recommendations for participation in the senior and master chief petty officer competition should not be initiated solely on the request of the individual.

5.C.5.b. Eligibility for Participation in Competition for Advancement to Pay Grade E-7

1. Be serving in enlisted status on active duty in pay grade E-6, in the rating for which recommended for advancement.

2. Have served on continuous active duty in the Coast Guard in pay grade E-6 during the entire two years immediately preceding the terminal eligibility date.

3. For 24 months prior to the terminal eligibility date (01 January following the May exam), and for the entire period from recommendation to advancement, have no unsatisfactory conduct mark, court martial (CM) or civil convictions, or non-judicial punishments (NJP). 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 an unsatisfactory mark in conduct or a factor mark less than those provided for in ☛Art. 10.B.9, begins on the day following the effective date of the Enlisted Performance Evaluation Form (CG-3788 (series)). After the individual has been recommended for advancement, but has not been advanced, Commanding officers will submit a message to HRSIC (adv), with Commander, (CGPC-epm-1) as information addressee, to remove from the current advancement eligibility list any person who has received any of the following: CM or civil conviction, NJP, an unsatisfactory conduct mark, or a factor mark less than those provided for in ☛Art. 10.B.9.

5.C.5.c. Eligibility for Participation in Competition for Advancement to Pay Grade E-8

1. Be serving in enlisted status on active duty in pay grade E-7, in the rating for which recommended for advancement.

2. Have served on continuous active duty in the Coast Guard in pay grade E-7 during the entire **two** years immediately preceding the terminal eligibility date.

3. Have a total of at least ten years active service.

4. For **24** months before the terminal eligibility date (01 January following the May exam) and the entire period from recommendation to advancement, 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 on the day following the conviction or awarding of NJP. Good conduct eligibility following an unsatisfactory mark 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 Performance Evaluation Form (CG-3788 (series)). After the individual has been recommended for advancement, but has not been advanced, Commanding officers will submit a message to HRSIC (adv), with Commander, (CGPC-epm-1) as information addressee, to remove from the current advancement eligibility list any person who has received any of the following: CM or civil conviction, NJP, an unsatisfactory conduct mark, or a factor mark less than those provided for in ☞Article 10.B.9.

5. To participate in the BMCS examination, the member must currently be certified as qualified to command afloat and ashore by the Officer in Charge Review Board or be a Surfman (SJ, SK or SM) certified as qualified to command ashore by the Officer in Charge Review Board.

6. Members advanced to E-7 on or after 1 January 1999 must have completed either the Coast Guard Chief Petty Officers Academy or one of the Department of Defense (DoD) Senior Enlisted Academies to qualify to participate in competition for advancement to E-8.

5.C.5.d. Criteria to Compete for Advancement to Pay Grade E-9

1. Be serving on active duty in pay grade E-8 in the rating for which recommended for advancement.

2. Have served on continuous active duty in the Coast Guard in pay grade E-8 during the entire two years immediately before the terminal eligibility date.

3. Have a total of at least 12 years active service.

4. For 24 months prior to the terminal eligibility date (01 January following the May exam), and for the entire period from recommendation to advancement, have no unsatisfactory conduct mark, court martial (CM) or civil conviction, or NJP punishments. If NJP or CM imposes confinement and the member is confined, the good conduct eligibility period starts on the release date, even 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 an unsatisfactory mark in conduct or a factor mark less than those provided for in ☞Art. 10.B.9, begins on the day following the effective date of the Enlisted Performance Evaluation Support Form, CG-3788 (series). After the individual has been recommended for advancement but has not advanced, Commanding officers will submit a

message to HRSIC (adv), with Commander, (CGPC-epm-1) as information addressee, to remove from the current advancement eligibility list any person who has received any of the following: a CM or civil conviction, NJP, an unsatisfactory conduct mark, or a factor mark less than those provided for in ☞Article 10.B.9.

5. To participate in the BMCM examination, the member must currently be certified as qualified to command afloat and ashore by the Officer in Charge Review Board.

5.C.6 Evaluation Marks

5.C.6.a. Minimum Requirements

Personnel who received an unsatisfactory conduct mark or a dimension average of less than 3 for the given factor on their last evaluation are ineligible to advance or compete in the SWE.

5.C.6.b. Performance Factor

The following are the minimum time periods for which enlisted performance in pay grade will be considered in developing the performance factor. Use only the evaluations assigned for a period equaling the minimum service in pay grade required for advancement. All Enlisted Performance Evaluation Form (EPEF) dates precede the date of the SWE. Any EPEF submitted after the dates shown below will not be used for the SWE listed but will be used for the next SWE.

TEST FOR	EVAL PERIOD	SWE
E-5	01 October to 31 July	NOV
E-6	01 May to 31 July	NOV
E-5	01 April to 31 January	MAY
E-6	01 November to 31 January	MAY
E-7	01 December of the two years before the examination year to 31 January of the examination year	MAY
E-8	01 October of the **two** years before the examination year to 31 January of the examination year	MAY
E-9	01 June of the two years before the examination year to 31 January of the examination year	MAY

5.C.6.c. Special Evaluation

A special evaluation may be given for the purpose of qualifying a member for the SWE competition if the member has not been evaluated in the current pay grade during the time frames listed above. Special evaluations must be dated no later than 31 July for the November SWE and no later than 31 January for the May SWE. A special evaluation shall not be completed if the member has received an unsatisfactory conduct mark.

5.C.6.d. Broken Service

When ☞ Article 5.C.14.b.(4) applies for members with broken service, only evaluations assigned during the current period of service shall be utilized.

5.C.6.e. Advanced Training

Since advanced training students are not normally evaluated, EPEFs received immediately prior to entering the advanced training program shall be used. The following time periods apply for the May Servicewide Examination:

E-7	Two years immediately before the date the member reported to the advanced training program
E-8	Two years immediately before the date the member reported to the advanced training program.
E-9	Two years immediately before the date the member reported to the advanced training program in pay grade E-8.

5.C.7 Performance Qualifications and Military Requirements

5.C.7.a. Performance Based Qualifications (PBQs)

1. Description. PBQs are professional job performance requirements members must demonstrate to advance or change rating. The ☞ Enlisted Qualifications Manual, COMDTINST M1414.8 (series) sets forth these requirements, in detail. For each qualification members must demonstrate ability under actual or simulated conditions. This may be done over a considerable period of time.

2. Completion of Performance Qualifications. Except as noted below, each candidate is responsible for completing all PBQs for the next higher pay grade or change in rating. Commands must ensure that unit members desiring to take the SWE have completed all PBQs by 01 February preceding the May SWE or 01 August preceding the November SWE **for personnel participating in the active duty SWEs, and by 30 June preceding the October RSWE for personnel participating in the Reserve SWE**. This is best accomplished when units verify receipt of PDEs. As each PBQ is completed, the person observing the demonstration shall place the name of the unit, the date, and his or her initials after the appropriate item on the PBQ form, CG-3303C. The command may, at any time require a member to demonstrate again ability to perform any performance qualification performed previously. Completion of a Class "A" or "C" course does not satisfy the requirements for completion of performance qualifications. However, these requirements may be completed and recorded at the school command. At units where completion of all the PBQs cannot be accomplished after making every reasonable effort, the commanding officer may waive the requirement. However, a waiver does not relieve the member of demonstrating ability in that particular qualification at a later date, when the means to perform the qualification are available.

3. Personnel Authorized to Sign PBQs. A commissioned, warrant or senior petty officer normally evaluates the member's ability on each performance qualification. Members must receive authorization from their immediate supervisors to have someone outside their normal chain-of-command sign off performance qualifications. Performance qualifications are noncompetitive and no score is assigned.

4. Maintaining Individual Performance Qualification Records. PBQ form CG-3303C must be kept current and will be retained as a permanent part of the Unit Personnel Data Record during tours of active duty. This form shall normally be in the custody of the executive officer or division officer. At units where Personnel Data Records are not maintained, the commanding officer or officer in charge shall retain custody. Members are to be given a copy when all PBQs are completed for their records.

5.C.7.b. Military Requirements

1. All personnel must complete the Military Requirements Course listed below before advancing to pay grades E-**4** through E-7 as follows:

FOR ADVANCEMENT TO	REQUIRED MRN COURSE
E-4	MRNPO
E-5	MRNSPO
E-7	CPO

2. For those nonrated personnel attending a Class "A" school, the military requirements for pay grade E-4 will be met through successful completion of the military requirements (MRNPO) test administered by the training command. For those Class "A" school students who successfully complete this test, the following Administrative Remarks, CG-3307, entry will be made in the Personnel Data Record:

   [Date]: Passed test on knowledge factors of military requirements required for advancement to E-4.

3. For those Class "A" school students who do not successfully pass this test, the following, Administrative Remarks, CG-3307, Personnel Data Record entry shall be made:

   [Date]: Failed to pass test on knowledge factors of military requirements required for advancement to E-4.

4. Class “A” school students who have completed the rating portion of the course of instruction, but have not completed the MRNPO test may not be advanced until the MRNPO requirements are satisfied. To satisfy these requirements once graduated, they must complete the MRNPO course before advancement to E-4. The Institute will provide procedures for administering the MRNPO test and appropriate study materials to Class "A" School training commands.

5.C.8 Correspondence Courses

5.C.8.a. General

Correspondence courses are formal courses based on the qualifications for each rating as outlined in the Enlisted Qualifications Manual, COMDTINST M1414.8 (series). They are for the purpose of increasing the proficiency of assigned enlisted personnel in preparing for advancement or change in rating. A person may at any time commence study and complete a correspondence course for a higher rate. The Coast Guard Correspondence Course Manual, published by the Coast Guard Institute lists the Coast Guard correspondence courses relating to the advancement qualifications.

5.C.8.b. Mandatory Correspondence Courses

Successful completion of the appropriate Coast Guard Institute correspondence course is a mandatory prerequisite to be eligible for advancement in or change in rating. Coast Guard correspondence courses may not always be available for all rates and ratings since courses are continually being revised. When the Commanding Officer, Coast Guard Institute, cannot fill a correspondence course order within four weeks from the date of receipt of the application, the applicant's commanding officer will be so advised. Upon determination by Commander, (CGPC-epm) **((CGPC-rpm) for Reserve SWE)** that a correspondence course was not available in time for completion prior to the SWE deadline, it will be listed as a waived requirement on the pertinent ALCGENL **for active duty SWEs or ALCGPERSCOM for Reserve SWEs**.

5.C.8.c. Revision of Correspondence Courses

There is no requirement for a candidate to retake a correspondence course when a revised course is issued. However, when a course is reissued with a new course code, each member who is currently enrolled will receive a postcard notification by mail from the Institute. Completion of the new course is required for SWE eligibility. This information is also printed in the Coast Guard Institute’s booklet "THE CORRESPONDER." Unit Educational Services Officer's (ESO) must ensure that this information is passed to all hands.

5.C.8.d. Date of Completion of Correspondence Course

Successful completion of a correspondence course is accomplished on the date the member was administered the end-of-course test (EOCT). It is not the date the EOCT is received at the Institute, the date scored or the date returned to the unit. EOCTs must be administered by 01 August preceding the November SWE and by 01 February preceding the May SWE.

5.C.8.e. Waiver of Completion of a Correspondence Course or Class "A" Course

Satisfactory completion of a Class "A" course of instruction at a Service school, or the equivalent, is considered as satisfying the requirement for completion of a correspondence course for pay grade E-4 (petty officer, third class) and for pay grade E-3 when that rate level has not yet been attained. Graduates of Coast Guard and Navy basic petty officers courses are assigned designators. Therefore, personnel who have a course-assigned designator are considered to have met the mandatory correspondence course requirement for the applicable rate. This in no way satisfies the need for completion of the military requirements courses which are prerequisites for advancement. ☞ Article 5.C.7.b.

1. Completion of a correspondence course is not required for advancement to senior chief petty officer or master chief petty officer.
2. A commanding officer, citing this article as authority, may grant a waiver of completion of the required correspondence course to a candidate who:
   a. Is eligible in all other respects for participation in accordance with ☞ Article 5.C.4, and,
   b. Within 24 months prior to the deadline for completion of advancement requirements, has been unable to pass the end-of-course test after at least three attempts, and
   c. Is an E-4 with not less than eight years of active duty and not less than five years of time in grade; or, is an E-5 with not less than 15 years of active duty and not less than five years of time in grade. Computations of time in service and time in grade for this purpose will be in accordance with ☞ Article 5.C.14.

5.C.8.f. Personnel Data Record Entries

A record of correspondence course completions is maintained by the Coast Guard Institute. Service school completions are recorded in PMIS/JUMPS and are reflected in the Personnel Data Information File (PDIF).

5.C.9 Required Service Courses

Members must complete the listed Class “A” course to advance to the indicated rates, unless Commander, (CGPC-epm) waives the requirement.

RATE	SCHOOL
AMT	Aviation Maintenance Technician (AMT) Class "A" Course
AVT	Avionics Technician (AVT), Class "A" Course
AST	Aviation Survival Technician (AST), Class "A" Course
ET	Electronics Technician (ET), Class "A" Course
FT	Fire Control Technician (FT), Class "A" Course
GM	Gunner's Mate (GM), Class "A" Course
HS	Health Services Technician (HS), Class "A" Course
MST	Marine Science Technician (MST), Class "A" Course
PA	Public Affairs Specialist (PA), Class "A" Course
RD	Radarman (RD), Class "A" Course
TC	Telecommunications Specialist (TC), Class "A" Course
TT	Telephone Technician (TT), Class "A" Course

5.C.10 Citizenship or Security Clearance Requirement to Advance in Certain Ratings

5.C.10.a. General

In order to safeguard classified information, it has been necessary to establish the requirement that to be eligible to advance in certain rates or ratings, members must be eligible to have access to classified information. This security requirement for the rate or rating remains valid even though an individual may not need a clearance in presently assigned duties. Currently, a little less than half the Coast Guard’s rates and ratings fall in this category. The remaining ratings seldom require a member to have access to classified information and accordingly, commanding officers will ensure that personnel who are ineligible for access to classified information advance only in the "unclassified" ratings.

5.C.10.b. Ratings Requiring Access to Classified Information

These ratings, including their related service ratings or designators, require eligibility to access to classified information:

AVT, AMT, AST, ET, FT, GM, PA, QM, RD, TC, TT, YN.

5.C.10.c. Rates and Ratings Generally Not Requiring Access to Classified Information

These following rates and ratings, including their related service ratings or designators, generally do not require access to classified information:

RATES	RATINGS
FA, FN, SA, SN	BM, DC, EM, FS, HS, MK, MST, MU, SK

5.C.10.d. Advancement of Aliens

1. Definition. An alien is a person who is not a citizen or national of the United States. For purposes of this article, an immigrant is an alien who has been lawfully admitted to the United States for permanent residence. An alien without immigrant status is one who has not been admitted to the United States for permanent residence under an immigrant visa.

2. Path of Advancement for Immigrants. Immigrants are eligible for change to any rate or ratings for which qualified. For ratings requiring access to classified information refer to paragraph b.; however, eligibility for security clearance (i.e., completion of a satisfactory background investigation) must be established in accordance with ☞ Chapter 2, Military Personnel Security Program, COMDTINST M55**20.12** (Series), before change to the rating or assignment of a designator is permitted. When it is established that an immigrant desires to advance into a "classified" rating, the necessary background investigation will be initiated immediately. If qualification for the rating is contingent upon completion of classified training schools or courses and/or classified SWE, this security investigation must be completed before participation in such training or examination is permitted. Interim clearance may not be granted. Participation in nonclassified training and examination is permissible, but in no case may actual advancement or change in rating, or assignment of a designator be effective prior to the establishment of clearance eligibility. No waivers are granted.

3. Immigrants Who Fail To Become Naturalized Citizens. The Service will revoke the security clearance of immigrants who do not become naturalized within one year after completing residence requirements, normally three years of active service. This should normally coincide with the individual's expiration of enlistment date. The individual will not be eligible for reenlistment until he or she has become a United States citizen. Refer other cases to Commander, (CGPC-epm) for final decision.

4. Path of Advancement of Aliens Without Immigrant Status. Aliens without immigrant status may, unless otherwise directed, only advance in ratings which do not require access to classified information. These individuals are

not eligible for security clearance, as explained in ☛ Chapter 2, Military Personnel Security Program, COMDTINST M55**20.12** (series). Aliens, once they attain U.S. citizenship, are eligible for advancement or change to any rate or rating for which qualified.

5.C.10.e. Information Regarding All Personnel in "Classified" Ratings Who Are No Longer Eligible for Security Clearance

1. When it is determined by the commanding officer, or other competent authority, that an individual in a "classified" rating as listed in paragraph b. is being considered for having his or her security clearance terminated for cause, thereby not meeting the requirements for a security clearance, the procedures outlined in ☛ Chapter 4, Military Personnel Security Program, COMDTINST M55**20.12** (series), shall be followed.

2. In cases where an individual's security clearance is terminated for cause, and he or she is not recommended for separation from the Coast Guard, the individual will be reassigned to a billet that does not require a security clearance. Processing must begin for changing to a rating that does not require access to classified information. (☛ **Article 5.C.10**.c.) The individual will remain so assigned long enough to allow him or her to compete in the next two SWE competitions for lateral change in rate. In unusual cases, Commander, (CGPC) may waive some of the eligibility requirement provisions. In the case of a nonrate with a designator, e.g., SNTC, the designator will be removed, and the member will be assigned to a nonrated billet without a designator. Subsequently, if the commanding officer determines that the member once again meets the requirements for issuance of a security clearance, as set forth in ☛ Chapter 2, Military Personnel Security Program, COMDTINST M55**20.12** (Series), the commanding officer may request Commander, (CGPC-epm) to reassign the designator. Upon reassignment of the designator, and providing the member is in all respects otherwise qualified, he or she may be advanced in rate in accordance with current instructions. ☛ Article 5.C.29.

   a. If the member competes unsuccessfully in the next two SWE competitions, he or she will be administratively discharged, or if the member so elects and is eligible in accordance with the High Year Tenure (HYT) program, will be reduced in rate to SN and retained in the Service. ☛ Chapter 12.G.

   b. If enlistment expires before the member has had an opportunity to compete for lateral change in rate, as in subparagraph (a) above and he or she is recommended for reenlistment in an unclassified rating, enlistment may be extended for the time required.

   c. If the individual's current record is considered sufficient basis not to recommend reenlistment in any rating, he or she shall be so advised

and the requirements of ☛ Chapter 4, Military Personnel Security Program, COMDTINST M55**20.12** (Series), will be administered.

4. If the commanding officer feels that the individual's unsuitability for a security clearance is only temporary, such as voluntary rehabilitation under the drug exemption program, and that the member is highly qualified in all other respects to serve in his or her rating, he or she may be retained on board his or her operational unit for duty. The member will remain in this status for a maximum of three months unless otherwise directed by Commander, (CGPC-epm). After three months either the clearance will be restored or the individual must be processed in accordance with ☛ Chapter 4, Military Personnel Security Program, COMDTINST M55**20.12** (Series). The member shall be denied access to classified information during any period that suitability is in question.

5. All cases processed under paragraph (3) will be reported by letter to Commander, (CGPC-epm), copy to Commandant (G-WK). The report shall include the following:

   a. Name, social security number and rate.

   b. Date individual determined temporarily ineligible for security clearance.

   c. Basis on which determination was made (cite specific items, incidents, etc.).

   d. Course of corrective action being taken.

5.C.11 Path of Advancement

5.C.11.a. Next Higher Pay Grade

Advancements in the rate may be made only to the next higher pay grade.

5.C.11.b. Enlisted Rating Structure

Advancement may be made only to the next higher pay grade in the rating that is in the proper path of advancement as shown in the "Enlisted Rating Structure" section of the ☛ Enlisted Qualifications Manual, COMDTINST M1414.8 (Series). It is essential that non-Class "A" course graduates serving in pay grade E-3 be in the proper path of advancement before participating in a Striker program. ☛ Chapter 5.E. This is not intended to restrict E-3 personnel in applying for and attending any Class "A" course, but clarification of the Striker program. For exceptions, see paragraphs f. of this article.

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.13. Circumstances Which May Render Personnel Ineligible for Advancement

5.C.13.a. Eligibility Requirement Waivers

Personnel for whom eligibility waivers have been requested are ineligible to compete in SWE for advancement until approval of waiver is received. ☞ Article 5.C.4.

5.C.13.b. Disciplinary Status

For 12 months prior to the terminal eligibility date (01 January following the May exam), and for the entire period from recommendation to advancement, personnel in pay grades E-4 and E-5 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 Enlisted Performance Evaluation Form (CG-3788 (series)). Commanding officers will submit a message to HRSIC (adv), with Commander (CGPC-epm-1), as information addressee, to remove from the current advancement eligibility list any person who has received a CM or civil conviction, or NJP, or **an** unsatisfactory conduct mark ☞ Article 10.B.9., after the individual has been recommended for advancement, but has not been advanced. ☞ Article 5.C.5 for guidance regarding personnel in pay grades E-6/7/8.

5.C.13.c. Confinement

Personnel in confinement are ineligible for advancement or to compete for advancement or change in rating. A substitute examination will not be provided.

5.C.13.d. Personnel Selected for Chief Warrant Officer (CWO) Appointment

Personnel who have been selected for promotion to chief warrant officer, above the cutoff on the CWO list, are ineligible for advancement to CPO, SCPO, or MCPO. Their names automatically will be removed from established enlisted eligibility list 60 days after publication of the officer eligibility lists, unless an individual concerned has notified Commander (CGPC-epm) that they do not intend to accept the chief warrant officer appointment. If a member who has been selected is to be advanced to CPO, SCPO, or MCPO during the above 60 day window, the member must make a decision at that time, vice 60 days after publication, regarding their intentions to accept either advancement or appointment to CWO.

5.C.13.e. Disabled Personnel

1. Personnel who have been recommended for advancement and are either hospitalized, awaiting action of a medical or physical evaluation board or are in a not fit for duty status will be permitted to participate in and be advanced under the SWE competition process provided all of the following criteria are satisfied:

   a. The individual retains the commanding officer's recommendation.

   b. The commanding officer feels such competition would not be detrimental to the individual's health.

   c. In the judgment of the commanding officer, there is a reasonable expectation that the individual will be able to return to a fit for duty status.

2. Personnel who have been declared unfit for duty by the Commandant's final action on physical disability retirement and separation procedures are ineligible for participation in the SWE competition. However, personnel who have been granted a waiver for retention on active duty under ☞ Chapter 17.A are eligible.

5.C.13.f. Personnel with Approved Request for Retirement

Personnel with approved requests for retirement are ineligible for further advancement. **Their Servicewide** examination **will be** invalidated and/or their name removed from the existing eligibility, **if applicable**. However, members submitting retirement requests as a result of High Year Tenure (HYT) may still participate in the SWE competition if recommended by their commanding officer, and will remain on their respective eligibility list until their Professional Growth Point (PGP) is reached. Retirement requests will be rescinded, at the member's request, for those members who appear above the cut on an eligibility list, or who are advanced prior to reaching their PGP. (Refer to ☞ Article 12.C.11.c. for additional guidance on submission of requests for cancellation of retirement orders.)

5.C.13.g. Personnel Who Cancel Requests for Retirement

Personnel whose retirement request is canceled under the provisions of ☞ Article 12.C.11c will not be reinstated on existing eligibility lists for advancement.

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.

5.C.25.f. Personnel Who Decline Promotion or Voluntarily Elect to be Removed from an Eligibility List

These members shall be required to wait one year from the anniversary date of that election before being eligible to participate in future examinations. At the time, the member makes either of the above elections, Commander, (CGPC-epm) will be notified. An Administrative Remarks, CG-3307 entry will be made, which the member must sign signifying that he or she understands that they are ineligible to participate in the SWE for a one year period. The original Administrative Remarks, CG-3307, shall be forwarded immediately to Commander, (CGPC-adm-3). If the member reenlists and the one year period has not elapsed, Administrative Remarks, the CG-3307, shall be retained in the working Personnel Data Record on reenlistment.

5.C.26 Authority for Advancement in Rate

5.C.26.a. Pay Grade E-4 Through E-9

1. Commander, (CGPC). Commander, (CGPC) will publish a list of personnel eligible for advancement or change in rating as a result of SWE competition to fill vacancies in pay grades E-4 through E-9. Commanding officers may advance personnel listed on the monthly Advancement Announcement.

2. District commanders, commanders, maintenance and logistics commands, and commanding officers are authorized to advance, without reference to Commandant, from pay grade E-3 to E-4 members who were assigned a designator upon graduation from a Class "A" School once the member satisfies all applicable requirements of Article 5.C.4 or those who were released from active duty and reenlisted with a designator after being out of the Coast Guard for more than 24 hours once the member satisfies all applicable requirements of Article 5.C.4.

3. Personnel Undergoing Training.

   a. The below listed commands are authorized to advance from pay grade E-3 to E-4 those Class "A" School graduates who satisfy applicable advancement requirements of Article 5.C.4 upon graduation:

      (1) Commanding officers of Headquarters units conducting Class "A" schools.

      (2) District commanders to which Coast Guard personnel have been assigned for administrative and personnel accounting purposes while attending Navy schools or other training.

      (3) Commanding officers of Naval commands to which Coast Guard personnel have been assigned for training and which have been designated personnel accounting units.

b. Class "A" School graduates who do not qualify for advancement to E-4 upon graduation are assigned designators as prescribed in Article 5.C.29.

5.C.26.b. Pay Grades E-1 Through E-3

1. District Commanders and Commanding Officers. Upon receipt of written notification of completion of courses and performance qualifications, commanders and commanding officers are authorized to advance personnel who meet the applicable requirements of Article 5.C.4 from pay grade E-2 to E-3 and from E-1 to E-2 without regard to vacancies. In addition, a member must be a graduate of a military training center to be eligible for advancement to E-2.

2. Personnel Undergoing Training. Commanding officers of training centers are authorized to advance personnel from pay grade E-1 to E-2 upon satisfactory completion of recruit training.

3. Graduates of Class "A" Schools. Commanding officers are authorized to advance
E-2 graduates of Class "A" Schools to E-3. Required completion of E-3 performance qualifications for advancement to E-3 is waived for these individuals.

5.C.26.c. Election for Advancement to E-4 or Assignment to Class "A" School

Effective immediately upon receipt of orders to Class "A" School or upon receipt of advancement authority resulting from SWE competition, the member must elect whether Class "A" School or SWE advancement is desired.

1. If an individual accepts advancement to E-4 as a result of SWE competition, the member's commanding officer will request that Commander, (CGPC-epm-1) remove the member's name from any Class "A" waiting list which was previously requested.

2. If an individual accepts orders to Class "A" School, the individual will be ineligible for advancement to E-4 as a result of any previous competition in the SWE. The member's commanding officer shall request to **HRSIC** and info Commander, (CGPC-epm-1) to remove the member from the SWE advancement eligibility list. Training commands shall request cancellation of advancement authority for all students who are attending Class "A" School if advancement authority is received while the member is attending a Class "A" School. No individual will be advanced to E-4 at any training command prior to graduation. Members who elect to attend Class "A" School in lieu of accepting advancement to E-4 as a result of SWE competition and subsequently fail to graduate from Class "A" School will be required to recompete for advancement to E-4.

3. Individuals enrolled in Class "A" School will be authorized to elect one of the following:

   a. Continue with their Class "A" training and request that their name be removed from the SWE eligibility list.

   b. Request disenrollment from Class "A" School. Members will then be assigned to a field unit to wait for advancement authority resulting from the SWE competition.

5.C.27 Advancement Within Enlisted Status While Serving as a Temporary Commissioned Officer

5.C.27.a. Commanding Officer Recommendations

Commanding officers may submit recommendations to Commander, (CGPC-epm) for advancement to pay grade E-6 for temporary commissioned officers whose permanent enlisted status is pay grade E-5, if they meet the applicable eligibility requirements of Article 5.C.4.b.

5.C.27.b. Temporary Commissioned Officers

Temporary commissioned officers are not eligible for advancement to pay grades E-7, E-8, or E-9.

5.C.28 Effective date of Advancement

5.C.28.a. Effective Date of Advancement

All advancements shall be effective on the 1st or 16th of the month, except in the following situations:

1. Commanding officers of training activities when effecting advancements in accordance with Article 5.C.26.a.(3) or Article 5.C.26.b.(2) shall make such advancements effective on the date of satisfactory completion of the prescribed service.

2. Advancement to pay grade E-3 may be effective on any date subsequent to the completion of the applicable requirements of Article 5.C.4.

3. Graduates of Class "A" courses who were assigned a designator (Article 5.C.26.a.(3)) and who meet the requirements of Article 5.C.4 may be immediately advanced from pay grade E-3 to E-4.

5.C.28.b. Notification

When notification of eligibility for advancement has officially been announced by Commander, CGPC specifying the earliest date on which these advancements may be effected such advancements may be effected, as of the date specified regardless of the date of receipt of the notification on board.

5.C.28.c. Retroactive Advancements

Commanding officers shall not advance a member retroactively, advancements are considered retroactive after 30 days have elapsed since the requested date of advancement. Advancements made by a commanding officer pursuant to Article 5.C.26 shall be effective on or after the date the commanding officer officially approves the advancement as evidenced by his or her signature on a Personnel Data Record entry, advancement certificate, or letter to the member's personnel reporting unit. No exceptions to this policy are allowed.

5.C.29 Designators

5.C.29.a. General

The assignment of designators provides a means to identify:

1. Personnel serving in pay grade E-3 who have received formal Class "A" School training;

2. Those rated personnel who have successfully completed all requirements for an approved change of rating. Personnel who have been assigned a designator shall be assigned the duties of the rating for which designated.

3. Those previously rated personnel who were discharged from the Coast Guard and reenter the Service as an E-3 or E-2 after being out for more than 24 hours.

5.C.29.b. Assignment of Designators

1. Personnel serving in pay grades E-2 and E-3 who successfully complete Class "A" courses.

    a. Commanding officers of training centers conducting basic petty officer training shall assign designators to personnel serving in pay grades E-2 and E-3 who satisfactorily complete the prescribed course of instruction.

b. Commanding officers of Coast Guard commands to which nonrated personnel have been assigned for administrative purposes while attending a DOD school for basic petty officer training, shall assign designators to such personnel upon satisfactory completion of the prescribed course of instruction.

c. Director, Coast Guard Recruiting Center shall assign designators to prior enlisted petty officers who were previously discharged and reenlisted as an E-3 or E-2 after an absence of more than 24 hours.

2. Personnel Above the Cutoff on Established Eligibility Lists. Commanding Officer, **Human Resources Service and Information Center** shall assign appropriate designators to those E-3 personnel who place above the cutoff on the striker list.

3. Personnel Previously Reduced to Pay Grade E-1.

a. Commander, (CGPC-epm) may, upon individual application, authorize the assignment of an appropriate designator to personnel who formerly served in a petty officer grade or who were formerly designated, but reduced to pay grade E-1, upon subsequent advancement to pay grade E-2 or E-3.

b. Designators may also be assigned by special authority of the Commandant.

5.C.29.c. Removal of Designators

1. For Incompetency. The procedures set forth in Article 5.C.38.c. shall be followed in those cases where it has been clearly demonstrated that an individual is no longer qualified to perform the duties of the rating for which designated. Cases where removal of designator for incompetency is indicated will be referred to Commander, (CGPC-epm).

2. For Disciplinary Reasons. Personnel, including nonrated designated personnel, who are reduced to pay grade shall retain their designator except when reduced to pay grade E-1.

3. Removal of Designators for Other Reasons. All other cases involving removal of designators not specifically provided for herein shall be referred to Commander, (CGPC-epm) for action. This includes individual requests from nonrated designated personnel and from those former E-4 personnel who were voluntarily reduced to pay grade E-3 in accordance with Article 5.C.38.d.

4. Personnel Data Record Entries. When removal of a designator has been authorized, make appropriate Personnel Action entries in the enlisted Personnel Data Record.

5.C.29.d. Identification of Designated Personnel

1. When a designator is assigned it shall be used as an integral part of the individual's rate wherever it appears; i.e., SAYN, SNBM.

2. Personnel serving in pay grades E-2 and E-3 shall wear the marking of their designator as may be prescribed by current uniform regulations.

5.C.30 Authority for Change in Rating

5.C.30.a. Pay Grade E-4 and Above

1. Commander, CGPC. Commander, CGPC shall authorize district commanders and commanding officers of Headquarters units to direct or effect changes in rating of personnel in pay grades E-4 through E-6 from eligibility lists in the same manner as outlined in Article 5.C.26.

2. Personnel Undergoing Training. Commands listed in Article 5.C.26.a.(3) are authorized to:

   a. Change the rating of each graduate in pay grade E-4 or E-5 who is attending a basic petty officer course to pay grade E-4 in the appropriate rating unless specifically exempted by orders or current directives.

   b. Change to appropriate rating, with no change in pay grade, those petty officers who are attending advanced training for the purpose of change in rating.

5.C.30.b. Pay Grades E-2 Through E-3

1. Commander, CGPC. Commander, CGPC may authorize direct change in apprenticeship rates based on the needs of the Service.

2. District Commanders and Commanding Officers of Headquarters Units. District commanders and commanding officers of Headquarters units may authorize, without reference to the Commandant, changes in rate in pay grades E-3 and below. District commanders may delegate authority to commanding officers of units under their command to authorize and effect changes in rate in pay grades E-3 and below. Such delegation shall be in writing. Personnel serving in pay grades E-2 through E-3, desiring a change in rate, may make a letter application to their commanding officer for the same. Provided the individual meets the eligibility requirements by completion of applicable correspondence course and performance qualifications for the new rate, the commanding officer may approve the request.

5.C.30.c. Change in Rating in the Best Interest of the Service

When a commanding officer considers that an individual is no longer qualified to perform all the duties of his or her rate or rating for reasons other than incompetence, but is qualified or can within a reasonable time become qualified for a change to another rate or rating, he or she shall so inform Commander, (CGPC-epm) setting forth the reasons in detail. A statement signed by the individual concerning the situation shall be forwarded as an enclosure. When Commander, CGPC considers that the proposed change is required in the best interest of the Service, such change will be authorized. The provisions of this article will not apply when there is any doubt as to the person's fitness for retention in the Service because of mental or physical reasons.

5.C.31. Eligibility List for Advancement or Change in Rating to Pay Grades E-4 through E-9

5.C.31.a. Preparation of the Eligibility List

After the SWEs have been scored, Commanding Officer, Coast Guard **Human Resources Service and Information Center** will prepare the advancement eligibility lists for approval by Commander, CGPC. The lists will be published by the Commanding Officer, Coast Guard Institute. The order of precedence on each eligibility list shall be determined by computing the final multiple as discussed in Article 5.C.3.

5.C.31.b. Cutoff Points

Cutoff points on eligibility lists will be established by Commander, CGPC, according to the number of advancements anticipated during the effective period of the respective lists. The cutoff point on each list is shown by a mark adjacent to the rank-order number of the last name above the cutoff, e.g., 21. Only those personnel who's name appears above the cutoff are assured of advancement. Copies of the approved list will be furnished to the field.

5.C.31.c. Effective Period of Eligibility List

The effective period of the advancement eligibility list will be published with the list. Normally, each list will remain in effect until superseded by a new eligibility list resulting from a later SWE competition. When the new list is published all advanced candidates above the cutoff on the superseded list will be carried over to the top of each new list. If no competition was conducted in a particular rate, the entire remaining old list, above and below the cutoff, will be reprinted.

5.C.31.d. Supplemental Changes to Eligibility List

Commander, (CGPC) will direct publication of supplemental changes to the eligibility lists when necessary to insert candidates whose regular or substitute examination were received too late for computer scoring.

5.C.31.e. Advancement Announcement

Personnel placed on the eligibility lists will be advanced or have their rating changed as indicated by Commander, (CGPC) in an advancement announcement.

5.C.31.f. Removal from Eligibility List

An individual's name may be removed by Commander, CGPC as a result of disciplinary action, or for other good and sufficient reasons, whereby the individual is no longer considered qualified for the advancement for which previously recommended. Commanding officers shall withhold any advancement under such circumstances and advise Commander, CGPC of their intentions relative to removal from the list. A commanding officer may also direct that the individual not be removed from an eligibility list but that advancement is being withheld for a definite period. ☛ Article 5.C.25. Individuals who have their names removed from an eligibility list must be recommended and qualify again through a subsequent SWE competition.

5.C.31.g. Members Selected for Chief Warrant Officer

Names of personnel selected for promotion to chief warrant officer, above the cutoff, will be removed automatically from existing enlisted advancement eligibility lists 60 days after announcement of selection for such chief warrant officer status, unless the individual concerned has notified Commander, (CGPC-epm) that he or she does not intend to accept the chief warrant officer appointment.

5.C.32. Commanding Officer's Action on Receipt of Eligibility Lists

Commanding officers shall take appropriate steps to identify personnel under their command who appear on the advancement eligibility lists when published by the Commanding Officer, Coast Guard Institute. The following actions shall be initiated without further guidance from higher authority:

5.C.32.a. Assign Designators for Nonrated Personnel

Assign designators to all nonrated personnel above the cutoff who are eligible for advancement to pay grade E-4. Make appropriate entries on an Achievement Sheet, CG-3303, and the Personnel Action form, CG-3312A, in the enlisted Personnel Data Record.

5.C.32.b. Designators for Change in Rating

Assign designators to all petty officers above the cutoff who have been selected for

lateral change in rating. Make appropriate entries on an Achievement Sheet, CG-3303, and the Personnel Action, CG-3312A, in the enlisted Personnel Data Record.

5.C.33. Advancement after reduction

5.C.33.a. Advancement for Prior Coast Guard Active Duty Personnel

Prior Coast Guard active duty petty officers, regardless of completion of "A" school on prior enlistment, who reenlist as a nonrate and desire to advance in their formerly held rating may submit a request to Commander, (CGPC-epm), informing **HRSIC**, for advancement. This request shall be submitted upon completion of six months active duty on current enlistment provided the member is considered qualified and recommended by the commanding officer. These members will be placed on the Class "A" school list of their formerly held rating for tracking purposes. When their name is reached, together with those selected to attend "A" school, Commander, (CGPC-epm) will authorize advancement.

5.C.33.b. After Reduction as Punishment

1. Members who have been reduced in rate, except those who fall within the provisions of Articles 15(d) and 15(e) of the Uniform Code of Military Justice, are subject to the normal advancement system, unless they are considered by their commanding officers to be deserving of special advancement.

2. Commanding officers who consider enlisted members to be deserving of restoration to a formerly held rate, or deserving of advancement, but to a rate lower than formerly held, may recommend such restoration or advancement by letter to Commander, (CGPC-epm). In making such a recommendation, the present commanding officer shall set forth in detail a full justification of the action recommended based on at least five, but not more than 36 months observation of performance of duty by the member concerned since reduction in rate. The observation time need not be totally at the present unit. Enlisted members E-7 and above, who have been reduced to a rate E-5 or below, may be recommended for restoration of rate up to and including E-6. However, in order for enlisted members to be advanced to E-7 or above, they must recompete in a SWE when considered fully qualified in accordance with Article 5.C.4.

3. Personnel who have been reduced in rate to pay grade E-1 are eligible for advancement to pay grade E-2 upon completion of confinement, or if no confinement is involved, when considered by their commanding officer to be deserving of advancement. This also applies to personnel reduced to E-2 from E-3. Personnel reduced from E-3 to E-1 may be advanced to E-2 in accordance with the above provision and must serve six months in pay grade E-2 before advancement to E-3.

4. Personnel who have been reduced in rate to pay grade E-3 and are Class "A" course graduates, will be recommended for restoration in accordance with subparagraph (2) above. It is not necessary for such personnel to compete in the SWE competition for advancement to E-4.

5.C.33.c. After Reduction for Incompetency

When the reduction was made for incompetency as distinguished from reduction as punishment, the individual may be recommended to compete in a SWE competition, if required, after meeting the service requirements for one-half the normal period.

5.C.33.d. After Voluntary Reduction

Voluntary reduction in rate is usually made in order that the individual concerned may gain a specific goal, such as an assignment to a particular course. ☛ Article 5.C.38.d. Personnel in pay grades E-4 or above, who are attending Class "A" or "C" courses for the purpose of change in rating, and who fail to complete the course of instruction because of lack of interest, application or ability shall be disenrolled from the course and reassigned commensurate with the duties of their present rate. Those who formerly held pay grade E-6 and were reduced in order to attend Class "A" course may be restored to their former pay grade provided their disenrollment was not due to lack of interest or application. Other cases of voluntary reduction which appear deserving of restoration may be referred to Commander, (CGPC-epm) for final decision.

5.C.34. Personnel Data Record Entries

At the time of advancement or change in rating effected by the Monthly Advancement Authorization, make the appropriate Personnel Data Record entries.

5.C.35. Master, Senior, Chief, and Petty Officer Certificates

5.C.35.a. Procedures

The following appointment certificates will be issued to Coast Guard members upon receipt of proper advancement authority:

1. Petty Officer Appointment Certificate, **DD-216 CG**.

2. Chief Petty Officer Appointment Certificate, DD-216 CG-4.

3. Senior Chief Petty Officer Appointment Certificate, DD-216 CG-1.

4. Master Chief Petty Officer Appointment Certificate, DD-216 CG-2.

5. Master Chief Petty Officer of the Coast Guard Appointment Certificate, DD-216 CG-3.

5.C.35.b. Procuring Petty Officer Appointment Certificates

Petty Officer Appointment Certificates shall be procured through the Coast Guard supply system. A sufficient quantity of DD-216's shall be maintained for all members being advanced to E-4, E-5, and E-6.

5.C.35.c. Issuing Petty Officer Appointment Certificates

Commanding officers shall issue Petty Officer Advancement Certificates, E-4 through E-6, to their personnel when each monthly advancement announcement is published.

5.C.35.d. Chief Petty Officer Appointment Certificates

HRSIC(adv) will issue Chief Petty Officer certificates when each monthly advancement announcement is published. The appointment certificates will be forwarded for presentation to the member and will bear the **Master Chief Petty Officer of the Coast Guard's** signature in the lower left hand corner and the Commandant's signature in the lower right hand corner.

5.C.35.e. Appointment Certificate after Reduction

When issued, the appointment certificate becomes the personal property of the recipient and shall not be recalled. It holds no further force if a reduction is effected in accordance with existing instructions. In the event of subsequent advancement after reduction, a new certificate reflecting the new date of rank will be issued.

5.C.35.f. Disposition of Petty Officer Certificates

Certificates received for personnel who are no longer attached will be handled in the following manner:

1. Transferred - Certificate will be forwarded to the new unit.

2. Discharged prior to effective date of appointment - Certificate will be returned to issuing office with an explanation.

3. Transferred to Reserve - Certificate will be forwarded to the member's new unit.

5.C.36. and 5.C.37. Vacant

5.C.38. Reduction in Rate

5.C.38.a. General Provisions

1. Reduction in a permanent rate may result from any one of five reasons:

   a. Punishment in accordance with Uniform Code of Military Justice

   b. Incompetency

   c. Request of the individual

   d. Erroneous advancement

   e. Fraudulent advancement

2. No enlisted person shall be reduced more than one pay grade at a time by reason of incompetency, nor shall any enlisted person be reduced for incompetency more than once within a period of three months.

3. When a fraudulent advancement is proven, the effective date of reduction is the date of the original advancement and the difference in pay and allowances will be recouped.

5.C.38.b. Reduction in Rate as a Punishment

1. Any enlisted person may be reduced in pay grade by sentence of court-martial in accordance with the provisions of the Uniform Code of Military Justice as set forth in the MCM. ☛ Military Justice Manual, COMDTINST M5810.1 (series).

2. Under the authority of Article 15 of the Uniform Code of Military Justice, a commanding officer may reduce an enlisted person in pay grades E-2 through E-6 to the next inferior pay grade as a NJP, if the individual concerned had previously been advanced or promoted to the pay grade from which demoted by the commanding officer concerned or by an equivalent or lower command. Commanding officers of all commands in the Coast Guard have equivalent authority to effect the authorized advancement of enlisted personnel, and are considered to exercise promotion authority within the meaning of Article 15(b)(2)(D), Uniform Code of Military Justice. Accordingly, commanding officers who have authority to impose NJPs under the provision of Article 15, may reduce an enlisted person, except a chief petty officer under their command, to the next inferior pay grade for disciplinary purposes.

5.C.38.c. Reduction for Incompetence

1. In effecting a reduction in rate for incompetence, these conditions shall govern:

   a. The reason for the reduction must be solely incompetence as evidenced by the fact that the person is not qualified to perform the duties of his or her rate.

   b. If an individual's evaluation mark for any factor is below a factor average of 2 for any evaluation period, or at any time in the member's commanding officer's judgment the member's competency is questionable, the commanding officer shall make an Administrative Remarks, CG-3307 entry in the Personnel Data Record stating that the individual is a candidate for reduction in rate by reason of incompetence and the following three-month period will constitute a formal evaluation of his or her competency. The entry will clearly identify the factor(s) involved and the exact areas that need improvement. The member will acknowledge this entry by signing the Administrative Remarks, CG-3307. A reevaluation will be performed at the end of the three month period. The reevaluation mark(s) will be entered on the Marks/Data Base Summary Printout, CG-3306, and an Administrative Remarks, CG-3307 entry will be made indicating progress (or lack of) during the three month period. If the individual responds to counseling and improves his or her evaluation(s), no further action is required. But if at the end of the three month period, the individual has failed to demonstrate the required level of professional competency, the reduction shall go into effect or be recommended to higher authority as befits the individual's rate. ☞ Article 12.B.9. If at the end of the three month period, the individual's factor scores meet the minimum requirements to eliminate the need for reduction of the member by reason of incompetence, but still fall short of the minimum requirements for reenlistment eligibility, the provisions of ☞ Article 12.B.9 may apply. In all cases where a reevaluation has been performed, the next regularly scheduled evaluation will be performed at the prescribed date.

2. Action toward reduction for incompetence may be taken as indicated by the following commands:

   a. Only the Commandant may reduce a chief petty officer in rate for incompetence and then only if a fact finding board finds the member unqualified. Boards for this purpose are administrative in nature, **and** will follow the **procedures** provided in the ☞ Administrative Investigations Manual, COMDTINST M5830.1 (series), with composition, rights of the party, and procedures as required for **a formal** investigation. The Board for CPO competency shall be forwarded via the member's commanding officer, district commander, Commander, Maintenance and Logistics Command, to Commander (CGPC-epm).

b. Area commanders, Commander, Maintenance and Logistics Command or district commanders may authorize reduction in rate for incompetence of any enlisted person in the first six pay grades.

c. A commanding officer of the grade of lieutenant commander and above may authorize and effect a reduction in rate for incompetence of any enlisted person in the first five pay grades in his or her command.

d. When a commanding officer who does not have authority to authorize the reduction considers an individual in his or her command to be incompetent, he or she shall comply with the procedures of this article and then forward a complete report, board of investigation in the case of a CPO, and a recommendation via the chain of command to the superior having the necessary authority. In each case, the member shall be informed, in writing, that a recommendation for reduction in rate is being submitted and be afforded an opportunity to make a statement in writing. If the member does not desire to make a statement, such fact shall be set forth in writing over the member's signature. If the member refuses to sign a statement, the member's commanding officer will so state in writing.

3. If a reduction for incompetence was made other than in conformity with this article, the next superior in command shall investigate the circumstances and take corrective action, if necessary.

5.C.38.d. Reduction in Rate Upon Request of the Individual

1. A request from a chief petty officer for voluntary reduction in rate will be submitted to Commander (CGPC-epm) for action.

2. A commanding officer may authorize and effect a reduction in rate of any enlisted person in his or her command in the first six pay grades at the member's own written request. The request with reason therefore shall be forwarded to Commander (CGPC-epm) with the action taken noted thereon. Due to the training investment involved, it will not normally be the practice to remove the designator in the case of reduction from E-4 to E-3. If the particular circumstances in a given case warrant removal of designator, such recommendation will be referred to Commander (CGPC-epm) in accordance with ☞ Article 5.C.29.c.

3. A petty officer, first class, who requests assignment to a basic petty officer course and receives orders to it, shall be reduced to pay grade E-5 prior to departing present unit.

5.C.38.e. Erroneous Advancement

If an enlisted member is advanced in error due to no fault of his or her own and solely as a result of administrative error, the member shall be reduced to the correct rate as of the date the erroneous advancement is noted. In such cases, time in grade in present rating will be computed from the date originally advanced to the correct rate. **The member shall not be required to repay any overpayments caused by this erroneous advancement if the following conditions are met:**

1. **The advancement must have been due to an administrative error.**
2. **The advancement must have been executed by a competent authority.**
3. **The member must have performed the duties of the higher grade to which erroneously promoted.**
4. **The member must apply for a waiver of indebtedness and show that he/she could not reasonably have been expected to know that he/she was being overpaid.**

5.C.38.f. Effective Date of Reduction in Rate

1. Reduction in rate as a punishment will be effective as specified in MCM 1969.
   ☛ Military Justice Manual, COMDTINST M5810.1 (series).
2. Reduction in rate for incompetency or at the request of the individual concerned will be effective on the date the action is taken, as follows:
   a. When Commander, CGPC, commander, maintenance and logistic command, or district commander authorizes a reduction in rate, the individual's commanding officer will effect the reduction upon receipt of such authorization.
   b. When the commanding officer by his or her own authority authorizes a reduction, such reduction will be effected when the action is completed.

5.C.38.g. Personnel Data Record Entries on Reduction in Rate

1. When a person has been reduced to the next inferior pay grade as punishment, entries will be made in the Personnel Data Record.
2. When a person is reduced:
   a. By reason of incompetency; or,
   b. At his or her own request.

5.C.39. Frocking of Enlisted Personnel

5.C.39.a. Commandant Authority

Under the authority of Section 632, Title 14, U.S. Code, the Commandant has the authority to frock Coast Guard enlisted personnel. Enlisted members above the cutoff on the current Advancement Eligibility List may be considered for "frocking" when:

1. The higher rate is necessary to clearly establish the individual's position when reporting to another agency/Service for duty.
2. The higher rate is necessary to ensure that the individual would be assigned Government quarters commensurate with the rate in which he or she would be serving.
3. In selected instances in which the higher rate is a significant factor in establishing the individual's stature, thereby enhancing his or her ability to carry out his or her duties successfully.

5.C.39.b. Request Submission

Requests to frock enlisted personnel, other than the Officers in Charge (OICs) and enlisted members to warrant officer, who meet any of the requirements in paragraph a. of this article will be considered on a case-by-case basis. Commanding officers may request authority from Commander (CGPC-epm-2) to frock enlisted personnel by submitting their request via their normal chain of command.

5.C.39.c. Authorization

Authorization to frock enlisted members ordered to fill (OIC) billets, whose names appear above the cutoff on the current Advancement Eligibility List, will be given automatically in the members' official transfer orders issued by Commander (CGPC-epm). Approved frockings will generally be effective upon detachment from a member's current assignment.

5.C.39.d. Authorization to Frock to Chief Warrant Officer

Authorization to frock enlisted members to warrant officer will be requested in accordance with ☞ Article 5.A.14.

5.C.39.e. Entitlements

1. Frocked individuals are authorized to assume the title and wear the insignia of the rate to which frocked.
2. Frocked individuals are entitled to housing commensurate with the rate to which frocked.
3. A new Armed Forces Identification Card, DD Form 2 CG, will be issued to reflect the higher rate.

4. Pay, allowances, and travel entitlements will continue to accrue at the lower permanent rate/pay grade. Pay and allowances of the higher rate/pay grade will accrue from the effective date of actual advancement as listed in the CGPC Advancement Announcement.

5. Enlisted performance evaluation forms shall continue to be submitted in the lower permanent rate as outlined in ☞ Chapter 10.B.

6. Frocking does not authorize increased disciplinary powers under Article 15, UCMJ.

7. Time-in-grade computation for retirement and advancement is computed from the date of actual advancement, not the date frocked.

5.C.40. Frocking of Enlisted Personnel to Chief Warrant Officer

5.C.40.a. Conditions for Frocking

Under the authority of 14 U.S.C. 632, the Commandant may authorize certain benefits of the higher grade to Coast Guard enlisted personnel selected for promotion to chief warrant officer. Enlisted members selected for appointment to chief warrant officer and in receipt of orders may be considered for "frocking" under these circumstances:

1. **The member is <u>required</u> to depart his/her unit in order to meet the operational needs of the receiving unit prior to their acceptance of the appointment; or,**

2. **The member is scheduled to attend Chief Warrant Officer Indoctrination prior to the date of acceptance of the appointment.**

5.C.40.b. Request Submission

Commanding officers or equivalent shall submit request to CGPC (opm-1) to frock members who meet the requirements of paragraph a.

5.C.40.c. Entitlements

Entitlements of frocked personnel are in accordance with ☞ Article 5.C.39.d.

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5.D. Procedures for Servicewide Examinations for Advancement or Change in Rating

5.D.1. Personnel Data Extract Description and Verification Process

5.D.1.a. General

The Personnel Data Extract (PDE) is the command and members' tool to verify that the information for correctly computing the Servicewide Examination (SWE) Final Multiple.

5.D.1.b. Collecting the PDE Information

Commanding Officer, Human Resouces Service and Information Center (HRSIC/adv) collects the PDE information from the members' PMIS data. A crucial part of accurate data collection is timely submission of PMIS transactions. Members, commands, and PERSRUs should ensure the necessary PMIS transactions are submitted promptly by the specified deadlines.

5.D.1.c. PDE Information

1. The following information is contained on the PDE.

2. Permanent Unit/OPFAC: Current duty assignment OPFAC.

3. PERSRU/OPFAC: Servicing PERSRU and PERSRU OPFAC.

4. Examination Board Unit/OPFAC: The unit to which Commanding Officer, (HRSIC/adv) sends the member's SWE for administration.

5. Rate/Name: Current rate/specialty, paygrade, and name; e.g., BM2 Right, I. M.

6. SSN: Social Security Number.

7. Time in Service/Rate: TIS and TIR are computed to the terminal eligibility date (TED).

8. CO Recommendation: This data is taken from the member's enlisted evaluation form. Members marked "Not Recommended" are ineligible for the SWE.

9. Examination for: Rate/rank of examination administered. (Refer to PDE remarks block).

10. Award Points: Total number of creditable award points shown in "CREDITABLE AWARDS" block. This block can show more than ten points; however, ten points is the maximum creditable for the SWE.

11. Marks Final Multiple: Average of performance evaluations converted into a score.

12. Sea Duty Qualification: "YES" or "NO" indicates if the member has met the sea duty requirement for the examination the member will be administered. "N/A" (not applicable) may appear in this block for some rates/ranks. ☞ Article 5.C.15.

13. Creditable SWE Sea **Duty**: Creditable **Coast Guard** sea **duty for whole months of sea time** earned after 1 Feb 94. **(See ☞ Article 5.C.16.)**

14. Active Duty Base Date: See ☞ Article 5.C.14.b.2.

15. Date of Rank: See ☞ Article 5.C.14.b.3.

16. Courses Completed: "YES" or "NO" indicates whether the member has completed all courses.

17. Evaluations: Shows evaluations used to calculate points for this SWE cycle. If an evaluation is not listed, a member is ineligible for the SWE.

18. Creditable Awards/Points/Date: List of awards received with point value and award date.

19. Courses Lacking: A list of uncompleted required courses. (Refer to PDE remarks block)

20. Ineligibility Reason(s): Reason(s) member is not eligible to take the SWE, if any; or if member elected not to participate. (Refer to PDE remarks block)

21. Signature Block: By signing, the member acknowledges the PDE is correct, PBQ's are completed/not completed, and requires no further changes. If changes are required, the member must address them prior to signing.

5.D.2. Candidates in Transit on Examination Date

5.D.2.a. General

Preferably every candidate who is fully qualified and recommended should be examined by his or her regularly assigned examining board. A regularly assigned examining board or Educational Services Officer (ESO) of any military service may administer an SWE to personnel in transit (PCS, TAD, or on leave) on the scheduled SWE date. Members in transit must pay for any travel expense necessary to arrive at the SWE administration location. The government will not reimburse members for these expenses.

5.D.2.b. Changing Exam Board OPFAC

If the unit administration or ESO knows a member will be TAD, PCS, or on leave on the test date, he or she should contact the member's servicing PERSRU. When advised, the PERSRU will submit the appropriate PMIS transaction to change the member's OPFAC to the unit that will be administering the SWE.

1. If the transaction is completed within the deadline stated in the Procedural Guidance for the Active and Reserve Servicewide Examination Cycles, PPCINST 1418 (series), the members PDE will reflect the corrected examination board OPFAC.

2. If the transaction is not completed within the deadline stated in Procedural Guidance for the Active and Reserve Servicewide Examination Cycles, PPCINST 1418 (series), Commanding Officer, (HRSIC/adv) will mail the examination to the OPFAC listed on the PDE. Submit requests for changing the Examination Board OPFAC to HRSIC/adv.

5.D.3. Substitute Examinations

5.D.3.a. General

1. The entire advancement system is based on the premise that candidates will participate for advancement on an equal basis. Substitute SWEs can be a source of inequities to candidates. Since the SWE given on a regularly scheduled date cannot be given as a substitute, the candidate must participate on a different basis. Although substitute SWEs are closely related, they are not identical. Therefore, substitute SWEs are discouraged.

5.D.3.b. Criteria for Substitute SWEs

To qualify for a substitute SWE, an individual must have been fully qualified for the normal SWE by 01 February for the May SWE or by 01 August for the November SWE. Each member is responsible for meeting qualifications before the deadline. If a member meets the qualifications before the established deadline and through administrative error does not receive an examination, the member may be allowed to take a substitute SWE. Commanding officers must justify each request for a substitute SWE using the following criteria:

1. The candidate must have been recommended for participation in the regularly scheduled examination.

2. The candidate's absence from the regularly scheduled examination must have been through no fault of his or her own and, due to:

a. Emergency leave where the situation precludes the candidate from participating; e.g., location, emotional state, etc.

b. Illness or hospitalization verified by a medical officer's statement that participation in the examination would be harmful to the candidate's health or performance.

c. Operational commitments of such nature that delaying administration of the regularly scheduled SWE was not feasible. ☛ Article 5.D.7.

5.D.3.c. Ordering Substitute SWEs

Send all requests for substitute SWEs to Commanding Officer, Human Resources Service and Information Center (HRSIC/adv). Include a complete report of the circumstances surrounding the request as described in Article 5.D.3.b. The local examining board should normally resolve the need and justification for a substitute SWE within a day or two of the regularly scheduled SWE date. Make requests within one week of the scheduled SWE date. Administer all substitute SWEs within three working days of receiving the substitute SWE and return them within thirty days of the regularly scheduled SWE date. When operational commitments do not allow administering the exam within three working days after receipt, the unit shall request an alternate date from Commanding Officer, (HRSIC/adv).

5.D.4. Receipt, Handling, and Accountability of Examinations

5.D.4.a. General

Commanding officers are responsible for receiving, handling, stowing, and accounting for SWEs. They must maintain SWE integrity to ensure equitable advancement opportunity. All echelons of the command must be constantly alert to prevent any unauthorized disclosure of the contents of the Servicewide examinations. Commands are also enjoined to continually review local examination custody procedures in order to ensure strict security and accountability of examinations. Examinations shall at all times be in sole custody of a commissioned officer except during actual administration. Relief of accountability will be established when all examinations have either been forwarded to another examining board for administration via Federal Express or Registered Mail, Return Receipt Requested, signed as received by the receiving command or returned to HRSIC. Registered Mail, Return Receipt Requested or Federal Express must be used in mailing all examination related material. Note: Classified examinations may only be mailed via Registered Mail.

5.D.4.b. Stowage of Examinations

The greatest care must be taken in stowing examinations. Some examinations are

classified CONFIDENTIAL, based on the contents. Although not classified, all other examinations, are FOR OFFICIAL USE ONLY and must be handled accordingly.

5.D.4.c. Minimum Requirements for Secure Stowage

The following minimum procedures must be observed in the stowage of Servicewide examinations:

1. Examinations and related material must be in the direct custody of a commissioned officer at all times, both prior to and after administration.

2. Examinations, completed answer sheets, and scratch paper used during administration of the examination must be stowed in a safe, vault, or other securely locked space fastened with a three-combination lock, accessible only to a commissioned officer.

3. The contents of an examination must not be available to enlisted personnel at any time, except during administration and then only to those personnel authorized to participate.

4. Reproduction or retention of any part of a Servicewide examination in any form, except by Commanding Officer, Human Resources Service and Information Center, is forbidden.

5.D.4.d. Report of Loss or Compromise of Examinations

1. In any case, where the loss or compromise of a Servicewide examination is discovered or circumstances indicate that loss or compromise is possible, a full report shall be immediately forwarded to Commander, (CGPC-epm-1), with a copy to the Commanding Officer, Human Resources Service and Information Center (HRSIC/adv).

2. If all facts are not readily available, the commanding officer should convene an investigation in accordance with the Administrative Investigations Manual, COMDTINST M5830.1 (series). The record of proceedings in the investigation shall be forwarded in accordance with the Administrative Investigations Manual, COMDTINST M5830.1 (series), with advance copies submitted to Commander, (CGPC-epm-1) and Commanding Officer, HRSIC (adv) in amplification of the report required above.

5.D.5. General Instructions for Administration of Servicewide Examinations

5.D.5.a. Establishment of Local Examining Boards

To ensure that candidates for advancement or change in rating are examined on an equitable basis, the procedures herein shall be followed for the establishment of local examining boards.

5.D.5.b. Eliminate Need for Substitute Examinations

Wherever possible, commands should revise watch lists, special duty assignment, etc., to preclude candidates from being penalized by lack of sleep, late reporting, etc., and further to eliminate the need for substitute examinations.

5.D.6. Local Examining Boards

5.D.6.a. Establishment

Local examining boards shall be designated for each unit. Commanding officers may establish their own boards or may join with other commanding officers to establish a single local board. The examining board shall consist of at least one commissioned officer. However, if additional personnel are needed to assist in monitoring the Servicewide examination, chief petty officers, and competent senior petty officer, who are not in the current examination cycle, may be assigned to assist in monitoring Servicewide examinations, as long as the examination they monitor is not above their current pay grade. This assignment should be made at least 45 days before the scheduled examination date.

5.D.6.b. Duties of Examining Boards

Examining boards are responsible for receipt, administration, and disposition of examinations in accordance with instructions in this section and "Instructions for the Administration of Coast Guard Servcicewide Examinations" provided by Commanding Officer, Human Resources Service and Information Center with each shipment of examinations. To achieve maximum efficiency and avoid delay, the examining board may communicate directly with Commanding Officer, HRSIC (adv), on matters related to administration of examinations. Examining Boards are the point of contact for members in the field with questions concerning the Servicewide examination.

5.D.6.c. Preparation for Administration

1. Approximately one month before the scheduled date of the examination, the

senior member of the examining board should conduct a meeting of the board to review all directives on the advancement system and explain any new procedures in the system. Preliminary arrangements should be made for the following:

a. Adequate examining room(s).

b. Proctors required to assist in administration.

c. Notification of examination date and times to candidates.

d. Materials required to administer the examinations.

e. Secure stowage for examinations and materials.

f. Preparation of a seating arrangement. Candidates taking examinations in the same rating should not sit next to or across from one another.

2. At least ten days before the scheduled date of examination, the examinations should have been received from Commanding Officer, Human Resources Service and Information Center. If they have not been received, notify HRSIC (adv) via message or E-mail.

3. On receiving the examinations, the examining board shall complete the following:

a. Open the outer and inner packages and check the individual examination envelopes against the shipping list. Do not open the plastic bag that the examination is sealed in. If discrepancies exist, the Pay and Personnel Center shall be notified by message or e-mail. Examination bags shall not be opened before the scheduled examination date. They shall be delivered sealed to each examinee.

b. Ascertain that the proper examination is on hand for each candidate assigned to the examining board. Accomplish that by obtaining from the executive officer, personnel officer, or unit yeoman a complete list of members recommended by the command to participate in the examinations and a list of the members who have reported or who have been transferred since submission of the respective evaluations. Compare these lists against the examinations on hand and take the following actions as appropriate:

(1) If an examination has been received for a rate other than the rate for which a member is to be examined, notify Commanding Officer, Pay and Personnel Center by message or E-mail immediately.

(2) If no examination was received, determine from the member's PDE, if the member was qualified to receive an examination. If the member is qualified, check the Examining Board OPFAC, to identify where the examination was mailed. The command is responsible for contacting the ESO of the command that the examination was mailed to and make

arrangements for the examination to be forwarded to the correct Examining Board.

(3) Forward examinations for personnel authorized to be examined by other examining boards. Annotate the shipping list to reflect the registered mail or federal express number.

5.D.6.d. Provision of Required Material

The following materials must be on hand for each candidate:

1. The unopened examination for the appropriate rating and pay grade.

2. Two sheets of scratch paper. Additional paper may be supplied during the examination, if required.

3. Two No. 2 lead pencils.

4. Maneuvering boards, parallel rulers, and dividers for candidates for the quartermaster, boatswain mate, and radarman ratings. NOTE: Slide rules and non-programmable electronic calculators may be used by candidates in any rating. Slide rules and calculators must be inspected by the examining board to ensure they do not have any formulas or other helpful information on them. The board shall also ensure that no programmable calculators are allowed into the examining room(s), the memory bank(s) of each calculator is vacant both before and after examination administration, and the instruction book for the calculator is not present.

5.D.7. Scheduling examinations

5.D.7.a. Semiannual Schedule of Examinations

Examinations for advancement or change in rating will be administered in May and November of each year in accordance with the schedule contained in Article 5.C.3. When necessary, deviations from this schedule will be announced in a CGPC ALCGENL before the examination period.

5.D.7.b. Administration Day

Examinations will normally be administered, by pay grade, on the first Thursday (E-5 AM and E-7 PM) and following Tuesday (E-6 AM and E-8/E-9 PM) of May and November. Administration dates will be announced by a CGPC ALCGENL message.

5.D.7.c. Deviation from Scheduled Administration Date

Examinations shall not be administered prior to the scheduled date. Commanding officers of vessels underway on the scheduled examination date may delay examinations up to ten days subsequent to the scheduled date. Commanding Officers exercising this option must ensure exam takers have not communicated with personnel who have already taken the examination(s). Examinations may not be delayed more than ten days from the scheduled date unless specifically authorized by HRSIC (adv).

5.D.7.d. Recommended Time Schedule for Administration

The exact time schedule is left to the discretion of the commanding officer. However, the time limits prescribed for the examinations shall not be exceeded and no break shall be allowed. Care should be taken that nearby activities do not conduct examinations at such time that compromise is possible. The following schedule shall apply unless deviation is considered necessary:

0800 Candidates with ID cards and proctors muster.

0810 Distribution of sealed examination envelopes and all other material required for administration.

0820 Reading of "Verbatim Instructions to Candidates" provided with the examinations, and filling in of required information, if needed.

0830 Commence examination. TIME LIMIT: THREE-AND-ONE-HALF (3½) HOURS.

The examining board verifies the candidates' returns before they may leave the examining room.

5.D.8. Administration of Examinations

5.D.8.a. Preliminary Arrangements

On the date scheduled for administration, the examining board will muster the candidates and seat them in the examining room(s) according to the planned arrangements. After distributing the required examination material, a member of the examining board will read the "Verbatim Instructions to Candidates" furnished by the Coast Guard Institute.

5.D.8.b. Supervision of Examinations

Each examining room shall be under the direct supervision of at least one member of

the examining board who will be present at all times during administration of the examinations. Proctors senior to those being examined shall be assigned to assist the examining board. A sufficient number should be assigned to achieve a ratio of not less that one examining board member or proctor to each 25 candidates. Proctors may be officers or chief petty officers. Officers should be assigned to proctor E-8 and E-9 examinations. Members of the examining board and proctors must have security clearance at least equal to the classified examinations.

5.D.8.c. Responsibilities of Board Members and Proctors

Examining board members and proctors may explain the meaning of the instructions on the face of the examination booklet but they shall never interpret examination items, engage in a discussion about items or assist in any way in their solution. Examining board members shall be alert for and report any collusion among candidates.

5.D.8.d. Candidates' Absence During Examination

Candidates will not be permitted to leave prior to completing their examination except for emergency reasons, and then only if accompanied by an escort designated by the examiner. A member of the examining board shall assume possession of all examining materials during the candidate's absence. Any candidate leaving without the permission of an examining board member shall be disqualified.

5.D.8.e. Completion of Examinations

After each candidate has completed the examination, a member of the examining board will collect the candidate's examination materials and ensure that his or her answer sheet is completed with proper coding.

5.D.8.f. Maintenance of Examination Materials

All examination booklets, examination envelopes, answer sheets, and related examination material shall be maintained in the secure custody of a designated examining board officer until after the last day of administration.

5.D.9. Returning Examinations

5.D.9.a. Annotation of Shipping List

Annotate the shipping list to show the disposition of each examination, i.e., "administered and returned answer sheets," "forwarded to OPFAC 12-14869 - Registered Mail No. _____, or Federal Express No. _____, "not administered." Make additions to the listing for all examinations received from other commands - show all identification data, including source of examination. Return the original

examination with the answer sheets and challenge questions, retain one copy of the completed list for future reference.

5.D.9.b. Destruction of Examination Materials

Return only the answer sheets and challenge questions to HRSIC. Authorized personnel with a security clearance matching the classified examination's security level will destroy all classified examinations within ten days after the administration date in accordance with CG Information Security Program Manual, COMDTINST M5510.21. The command's senior examining board member will burn or shred all unclassified servicewide examinations within ten days of the administration date. All scratch paper used shall be destroyed with the servicewide examination booklets. Destroy all unclassified examinations in the same manner as the classified examinations.

5.D.9.c. Returning Examinations

Care must be exercised to ensure that examination returns are completed and accurate. ☛ Article 5.D.14 is a check list which should be used by the commissioned officer responsible for returning the examinations.

5.D.9.d. Forwarding Answer Sheets

Forward all answer sheets and challenge questions to Commanding Officer, Human Resources Service and Information Center, (HRSIC(adv)), within three days of the last examination date, via Registered Mail, Return Receipt Requested or Federal Express. Units unable to meet this requirement because of operational commitments or mail schedules shall return examinations at the earliest opportunity.

NOTE: Do not return examination booklets to HRSIC. Authorized personnel and examining board's will destroy all examination booklets in accordance with ☛ Article 5.D.9.b and the Coast Guard Information Security Program Manual, COMDTINST M5510.21 (series).

5.D.10. Receipt and Administration of Substitute Examinations

5.D.10.a. Procedures for Substitute Examinations

The procedures outlined in ☛ Articles 5.D.4, 5.D.8, and 5.D.9 will be used for receipt, accountability, administration, and return of substitute examinations.

5.D.10.b. Administration of Substitute Examinations

Substitute examinations will be administered and returned to Commanding Officer, HRSIC within three working days after receipt. If command operations do not

permit, request additional time from HRSIC by message or E-mail.

5.D.11. Examinations received too late to administer

Examinations which are received too late to administer shall be returned to Commanding Officer, HRSIC unopened. Indicate the reason for late delivery on the shipping list, if known.

5.D.12. Examination Result Letters

5.D.12.a. Examination Profile Form, HRSIC-4336

Each candidate in the Servicewide examination will receive a servicewide examination profile form, HRSIC-4336, from Commanding Officer, HRSIC. The purpose of the letter is to inform the candidate of his or her strengths and weaknesses and to report his or her standing both on the examination competition and on the eligibility list. The text of the letter will supply the following information:

1. Candidate's numerical standing on the written examination in relation to the total number of candidates.

2. Candidate's final multiple standing on the eligibility list.

3. Candidate’s performance in the total examination, by percentage.

5.D.12.b. Examination Results Letter

Examination result letters will not be prepared for candidates who took the examination and are advanced or above the cut on the previous list.

5.D.13. Notes to Proctors

5.D.13.a. Preventing Collusion

Proctors and monitors must exercise great care to prevent collusion.

5.D.13.b. Information on Answer Sheets

Allow sufficient time for candidates to fill in information on answer sheets required by these instructions, if necessary.

5.D.13.c. Circulation of Proctors

Proctors should circulate to ensure compliance with instructions.

5.D.13.d. Check for Completeness

Before a candidate is permitted to leave the examination space, proctors will check answer sheets for completeness, ensuring that all information has been correctly entered.

5.D.14. Examination Returns Check List

This check list is provided as an aid in verifying examination returns prior to forwarding them to Commanding Officer, HRSIC. The examining board should ensure:

1. The candidate's name, social security number, and other required information are printed on the answer sheet.

2. All identification data is properly coded on the answer sheet.

3. All examination responses are properly marked.

4. All erasures are clean and all stray marks are removed.

5. Answer sheets and challenge questions are placed together and placed doubled wrapped with the inside envelope marked: FOUO TO BE OPENED BY PERSONNEL AUTHORIZED TO HANDLE EXAMINATIONS.

6. Prepare all examination and scratch paper for destruction. Unclassified examinations will be destroyed by the senior examining board officer. Classified examinations will be destroyed by the senior examination board officer or personnel authorized to handle and destroy classified material. Ensure the destroying officer has the appropriate security clearance. ☛ Article 5.D.12.b. and the CG Information Security Program Manual, COMDTINST M5510.21 (series).

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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.

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6.A Officer Qualifications

6.A.1. Coast Guard Aviators

6.A.1.a. Coast Guard Aviators

A Coast Guard aviator is a commissioned officer of the Coast Guard who has successfully completed an approved military flight training course and has been designated as a Coast Guard aviator by the Commandant.

6.A.1.b. Student Coast Guard Aviator

A student Coast Guard aviator is a commissioned officer or enlisted aviation cadet who is under instruction in an approved flight training program leading to designation as a Coast Guard aviator.

6.A.1.c. Aviator Insignia

Designation as a Coast Guard aviator carries authorization to wear the Aviator Insignia as prescribed in the ☛ Uniform Regulations, COMDTINST M1020.6 (series). The awarding of this insignia will be made with an appropriate accompanying ceremony. The initial issue will be provided to the individual by the Coast Guard, and will be procured from authorized sources with unit AFC-30 funds. Subsequent procurements are a responsibility of the individual.

6.A.1.d. Physical Standards and Disposition

1. Service Groups. A Service Group is an aviator classification based upon age and/or physical condition. The definitions, limitations, and physical requirements of the three Service Groups are set forth in the ☛ Medical Manual, COMDTINST M6000.1 (series).

2. Failure to Meet Physical Qualifications of Assigned Service Groups. Should any aviator fail to meet the prescribed physical standards for his/her Service Group for reasons other than obviously transient or temporary conditions, such failure shall be set forth in Report of Medical Examination, SF-88, and be forwarded to Commander, (CGPC-opm).

   a. The commanding officer, pending review of the SF-88 by Commander, (CGPC-opm), on advice of a military flight surgeon or a military aviation medical examiner, will either:

      (1) Ground the aviator if the defect is disqualifying (Refer to ☛ Article 6.A.1.f), or

(2) Restrict him/her to flight duties of the Service Group for which he/she was found qualified.

b. Commander, (CGPC) will make one of the following dispositions:

(1) Waiver of defect

(2) Change of Service Group.

(3) Restriction to flight duties of lesser tempo commensurate with present temporary physical condition. (Limited to pilots recuperating from injuries or illness.)

(4) Termination of flight status.

(5) Referral to the Board of Navy Flight Surgeons, Pensacola, Florida.

(6) Referral to a medical board.

6.A.1.e. Categories

Coast Guard aviators are also classified by age and/or number of years designated as an aviator. This classification has been established by the Commandant as part of a broader program related to flight requirements and incentive pay. The minimum and maximum flight requirements for the various categories are published in the ☛ Air Operations Manual, COMDTINST M3710.1 (series). Regulations and instructions for the payment of incentive pay for the various categories are set forth in the ☛ Pay Manual, COMDTINST M7220.29 (series). Orders to duty in flying status are a requisite for entitlement to incentive pay regardless of category. All aviators in a flying status, regardless of category, shall continue to fulfill current flight physical examination requirements and meet the standards prescribed in the Medical Manual for Class I aviation personnel. The four categories are as follows:

1. **CATEGORY I**. Those aviators under 45 years of age and designated less than 20 years.

2. **CATEGORY II**. Those aviators who are either:

   a. Forty-five years of age or more, or

   b. Designated 20 years or more.

3. **CATEGORY III**. Those aviators who are both 45 years of age or more and have been designated 20 years or more.

4. **CATEGORY IV**. Those aviators placed in this category by the Commandant who either:

   a. Have been designated 15 years or more, or

   b. Whose particular assignments outside the United States or in Alaska make it impracticable to participate in regular aerial flights.

6.A.1.f. Grounding

Grounding is an informal and temporary restriction of flight duties. It is normally applied as a consequence of transient illnesses or incapacitation's from which full recovery is expected within a six month period. It is normally applied before suspension and is an appropriate action pending confirmation or final diagnosis of any physical defect. Groundings are administered as prescribed by the cognizant commanding officer.

6.A.1.g. Suspension from Flight Status

Suspension from flight status is a formal restriction of flight duties which may develop into permanent termination of flight status.

1. Authority to Suspend Flight Status. The Commandant or the commanding officer of an air unit may suspend an officer from flying status when any of the conditions described in subparagraph (2) hereof exist. Suspension orders may be issued verbally or in writing. In those cases where suspension was imposed verbally, the suspending authority will confirm the action in writing as soon as practicable. Suspension orders will cite the appropriate paragraph as authority.

2. When Suspension May Be Imposed. Suspension orders may be issued when:

   a. An officer has been referred to an aviator evaluation board in accordance with paragraph h. of this article.

   b. An officer shows an incapacitating fear of flying. A suspending authority will suspend from flying status any officer who has professed in writing a fear of flying or who has been found so disposed by examination by a military flight surgeon. In the former case action will be taken in accordance with paragraph i. of this article. In those cases where action has been initiated by a military flight surgeon, but the diagnosis is not definite, the aviator shall be grounded and the case referred to Commander, (CGPC-opm). Commander, (CGPC) will make disposition in one or more of the following forms:

      (1)Return the aviator to flight duty.

      (2)Convene an aviator evaluation board.

(3) Order the aviator to be examined by the special Board of Flight Surgeons at Pensacola, Florida.

a. An Officer Voluntarily Requests Termination of Flight Status. Coast Guard aviators who voluntarily request termination of their flight status shall be immediately suspended from further flight duties by their commanding officer or administrative senior and shall be directed to submit an official request to Commander, (CGPC-opm) via the chain of command. An advance copy shall be forwarded directly to Commander, (CGPC-opm). A report on the case by a military flight surgeon. preferably CG, and a new Assignment Data Card, CG-3698A, shall accompany the request. The date that the flight status was suspended shall be included in the commanding officer's endorsement.

d. The Officer is Physically Disqualified. After an officer has been grounded for a physical defect for six months and the defect continues to be disqualifying, he/she shall be suspended from flight status. If the officer met flight requirements for entitlement to pay for the month in which he/she became incapacitated, the waiting period will begin on the first day of the following month, otherwise it will begin on the first day of the month in which the officer became incapacitated. It is emphasized that even though no suspension is imposed during the waiting period, an officer will not be permitted to fly until certified to be physically qualified for return to flight duties. When suspension becomes necessary, the commanding officer will issue written suspension orders which will include the original date of incapacitation. A copy of the orders will be sent directly to Commander, (CGPC-opm). In cases where the defect is "prima facie" permanently disqualifying or where qualification is not regained within six months, the case shall be referred to a medical board. For the effects of suspension upon incentive pay entitlements for all aviator categories, refer to the ☛ Pay Manual, COMDTINST M7220.29 (series).

3. Authority to Certify as Physically Qualified. Refer to ☛ Article 3-H-3, Medical Manual, COMDTINST M6000.1 (series).

4. Removal of Suspension. Except when imposed for voluntary termination (refer to subparagraph (2)(c). hereof), suspension may be revoked by the imposing command when the reason for suspension no longer exists. The Commandant may remove any suspension at any time.

6.A.1.h. A Coast Guard Aviator Evaluation Board

A Coast Guard Aviator Evaluation Board will be convened by Commander, (CGPC) when necessary to evaluate the performance, potential, and motivation for continued service in flight status of certain Coast Guard aviators. The Board will function in an advisory capacity to the convening authority and will recommend appropriate action to

ensure that only those aviators are continued in a flying status who can satisfactorily perform the duties required. The Board is not a disciplinary agency in any respect; any action resulting from Board recommendation is not disciplinary in nature but is intended solely to support the safety of flight operations. Where events leading to Board action also require disciplinary action, the commanding officer or administrative senior, whenever possible, should take such action before the Board is convened; however, it is not required or necessary that the Board be informed of the action taken.

1. When Convened. Commander, (CGPC) will normally convene a Coast Guard Aviator Evaluation Board within 30 days of advisement by the commanding officer or administrative senior of the Coast Guard aviator that any of the following conditions are considered to exist:

    a. The aviator has demonstrated faulty judgment in flight situations. This may be evidenced by serious or repeated violations of flight discipline or mishaps involving pilot judgment.

    b. The aviator has demonstrated a lack of general or specific flight skills. This may be evidenced by mishaps or near mishaps involving pilot skill, failure to satisfactorily complete all or any part of a prescribed training syllabus, or failure to comply with minimum annual flight requirements for reasons within his/her control.

    c. The aviator has demonstrated certain habits, traits of character, emotional tendencies, lack of mental aptitude, or motivation that makes questionable his/her continuance in assigned flying duties.

    d. The aviator is considered to be professionally unfit for flying for any reason not specified above.

    e. The aviator is considered by a military flight surgeon not to be aeronautically adaptable.

2. Commanding Officer's Preparation for Board. The most important reason for removing an aviator from flying status is safety, yet the ☛ Safety and Environmental Health Manual, COMDTINST 5100.4 (series) prohibits the use of an accident or incident report as evidence for evaluation boards. Therefore, documentation must be derived from other sources such as an informal board of investigation, Flight Examining Board minutes, notes to the file, evaluation reports, training records, etc. The following general guidelines shall be followed in preparing for the Board:

    a. Discuss the deficiencies with the aviator involved.

    b. If the commanding officer is current in the model aircraft flown by the aviator under question, then he/she should fly with him/her and evaluate his/her performance.

c. Several members of the Flight Examining Board should evaluate, in writing, the aviator's performance over a period of time.

d. When an aviator's performance is considered substandard, the commanding officer should direct, in writing, that a program or a plan for additional training be established with definite objectives outlined.

e. Evaluation report comments and marks should coincide with those of the aviator's training and/or syllabus records.

When the performance of an aircraft commander (AC) is questioned, then:

1. The commanding officer should counsel him/her and then write a memorandum to the file. Have the aviator read and sign the memorandum.

2. If the commanding officer revokes an aviator's AC designation, training objectives for requalification should be established unless this action is not feasible.

3. When an aviator, who is not an AC is having difficulties, comments reflecting his/her performance should be made in his/her training record after <u>every</u> flight.

3. <u>Data Required</u>.

a. The commanding officer shall forward the following material to Commander, (CGPC) when an aviator is to be considered by the Board:

b. A summary of the facts pertinent to the case, including documentation of the commanding officers preparatory action listed in paragraph (2) above.

c. Statement of witnesses, if applicable.

d. Notification in writing from the commanding officer to the officer that he/she is being recommended for an Aviator Evaluation/Disposition Board with specific references to the reasons for the recommendation

e. Written acknowledgment from the aviator concerned, including a statement that he/she fully understands the purpose of the Board.

f. A statement containing the commanding officer's evaluation of the individual's capabilities as a Coast Guard aviator.

g. The aviator's flight logs, training records, and any pertinent correspondence, such as ATC Mobile evaluation, minutes of Unit Standardization Board, etc.

h. A summary of total flight hours, total hours for the previous three months, total hours by model for the previous three months, and the types of aircraft which the aviator is currently qualified to fly.

i. An evaluation by a military flight surgeon, preferably CG.

4. Board members should be provided with a copy of the case file in advance of board proceedings.

6.A.1.i. Legal Counsel

Legal counsel is not a requirement for an informal board. If the evaluee requests and is afforded legal counsel by the convening authority, the Board should also be provided counsel.

6.A.1.j. Membership of Boards

A Coast Guard Aviator Evaluation Board shall consist of three Coast Guard aviators and a military flight surgeon, preferably CG. The aviator members shall be senior to the aviator whose performance is under evaluation and should be completely familiar with the type of flight operations involved. No member shall be appointed who is considered to be a prospective witness or interested party. The senior aviator shall act as senior member of the Board. Selections normally shall be made so as to provide representation from Officer Personnel Management, (CGPC-opm), Aviation Division, (G-OCA), and Operational Medicine Division, (G-WKH). Other aviators shall be designated by Commander, (CGPC) as required to complete the Board.

6.A.1.k. Board Action

1. The Board shall carefully consider the data listed above and make one or more of the following recommendations:

   a. Continuation in full flight status.

   b. Probationary flight status for a definite period.

   c. Additional training.

   d. Orders to duty not involving flying.

e. In the case of a Reserve officer, retention on or release from active duty.

2. Board proceedings are to be kept informal to permit a free exchange of information and development of additional relevant facts.

3. It is essential that the Board and the evaluee be given the opportunity to cross-examine witnesses. It is also important that the Board question the evaluee. The evaluee and a reasonable number of witnesses should appear in person during Board proceedings.

4. Sample opening comments and statements to witnesses by the senior member will be provided by Commander, (CGPC) for each Board.

6.A.1.l. Review and Notification

Upon completion, the Board will submit all pertinent documents together with its findings and recommendations, signed by all members, to Commander, (CGPC) for review. Letter notification of final action as approved by Commander, (CGPC) will be forwarded to the individual via the chain of command.

6.A.1.m. Minority Report

When the Board members are not unanimous in their recommendation, a minority report may be included.

6.A.1.n. Disciplinary Action

Situations involving aviators where disciplinary action is indicated shall be handled in accordance with instructions applicable to all Coast Guard officers. Suspension from duty involving flying is not a disciplinary measure. Further, since the action of an Aviator Evaluation Board is not of a disciplinary nature, its recommendations do not create a bar to disciplinary measures.

6.A.1.o. Reassignment Upon Termination of Flight Status

Aviators whose flight status has been terminated as a result of actions taken under paragraphs d., g., or h. will be reassigned to duty or released as required by the needs of the Service at that time.

6.A.1.p. Restoration to Duty Involving Flying

A former Coast Guard aviator will not normally be reinstated in flight status when the removal from flight status was a result of any of the following:

1. Voluntary request.

2. Recommendation of the Aviator Evaluation Board.

3. Voluntary acceptance of a change in status or entry into a program which does not require flight status, e.g., RPA Program. Regardless of the reason for original removal from flight status an aviator will not normally be considered for reinstatement if flight status was terminated more than 18 months prior to initiation of a request for reinstatement or his/her age, grade, specialty, or previous flight experience indicate that he/she cannot be expected to fill an operating flying billet satisfactorily. Requests for reinstatement shall be addressed to Commander, (CGPC-opm) via the chain of command and shall be accompanied by a completed Report of Medical Examination, SF-88.

6.A.2. Coast guard Astronaut Designation

6.A.2.a. Designation

The qualifications for astronaut pilot are as follows:

1. Currently on flying status as a Coast Guard pilot.

2. Trained, qualified and certified to fly a powered vehicle designed for flight above 50 miles from the earth's surface and/or serve as a mission specialist on a powered vehicle designed for flight above 50 miles from the earth's surface.

3. Minimum of one flight as a pilot or mission specialist on an extraterrestrial vehicle in a flight above 50 miles from the earth's surface.

4. Only the Commandant may designate Coast Guard astronaut pilots.

5. The designation specified above carries the authorization to wear the Coast Guard Astronaut Pilot Insignia prescribed in the Uniform Regulations, COMDTINST M1020.6 (series).

6.A.2.b. Flight Officer Designation

The qualifications for astronaut flight officer are as follows:

1. Currently on flying status as a flight officer.

2. Trained, qualified and certified to fly as a mission or payload specialist in powered vehicles designed for flight above 50 miles from the earth's surface.

3. Minimum of one flight as a mission or payload specialist in powered vehicles designed for flight above 50 miles from the earth's surface.

4. Only the Commandant may designate astronaut flight officers.

5. The designation specified above carries the authorization to wear the Coast Guard Astronaut Flight Officer Insignia prescribed in the Uniform Regulations, COMDTINST M1020.6 (series).

6.A.2.c. Astronaut Specialist Designation

The qualifications for astronaut specialist are as follows:

1. Currently on flying status as a shuttle astronaut mission or payload specialist but not qualified as a Coast Guard pilot or flight officer.

2. Trained, qualified and certified as a mission or payload specialist aboard an extraterrestrial vehicle in a flight above 50 miles from the earth's surface.

3. Minimum of one flight as a mission or payload specialist aboard an extraterrestrial vehicle in a flight above 50 miles from the earth's surface.

4. Only the Commandant may designate astronaut specialists.

6.A.3. Aviation Maintenance Officer

An aviation maintenance officer is a designated aviator who has successfully completed an approved course of instruction or program in aircraft maintenance procedure or administration, or a chief warrant officer (AVI). Commander, (CGPC-opm) designates qualified officers as aviation maintenance officers.

6.A.4. Technical Observers

6.A.4.a. General

1. The term "technical observer" is applied to officers who do not possess an aviation designation but who are detailed to duty involving flying. A technical observer is listed as a noncrew member aboard an aircraft. Refer to the Management and Administration of Aviation Incentive Pays, COMDTINST 7220.39 (series) for application criteria to receive flight orders as noncrew members.

2. A technical observer is not a designation and carries with it no authority to wear an insignia or identification.

3. Technical observers are required to meet the physical standards set forth in Chapter

3, Section G, Medical Manual, COMDTINST M6000.1 (series).

4. Officers, except Coast Guard aviators and flight surgeons, may be detailed to duty involving flying as technical observers to perform essential in-flight duties.

6.A.4.b. Requests for Detail of Officers as Technical Observers

1. A commanding officer may request from Commander, (CGPC-opm) that an officer be detailed to perform in-flight duties when the following general provisions are met:

   a. Such in-flight duties are essential in the execution of the command's mission or in maintaining operational readiness, usually to complete a specific project or in conjunction with special duties.

   b. Such in-flight duties cannot be performed by any other individual, officer or enlisted, available in the command who is already under orders to duty involving flying.

   c. Such in-flight duties require the individual to participate in frequent and regular flights.

   d. Individuals have been certified by a military flight surgeon as being physically qualified, temperamentally suited, and aeronautically adapted for duty involving flying in connection with indicated flight duties.

2. Request by a commanding officer are not required in the following instances:

   a. For chief warrant officers (AVI) and (ELC) assigned to aviation units. A technical observer's orders will be issued by Commander, (CGPC-opm) concurrently with the basic assignment orders.

   b. For ice observers for scheduled icebreaker deployments when helicopters are attached. Technical observer orders for the commanding officer, executive officer, and operations officer will be issued automatically by Commander, (CGPC-opm) in advance of the scheduled sailing date. In both instances, the provisions of subparagraph d. hereof apply.

6.A.4.c. Standard Request Format

1. Submit requests for technical observers in the following format:

From: Commanding Officer, __(unit)__
To: Commander, (CGPC-opm)
Via: Commander, ____ Coast Guard District

Subj: REQUEST FOR ORDERS TO DUTY INVOLVING FLYING AS A TECHNICAL OBSERVER

Ref: (a) Article 6.A.4, Personnel Manual, COMDTINST M1000.6 (series)

1. It is requested that (grade, full name, service number) be detailed to duty involving flying as a technical observer in connection with his/her duties as a (describe duties in detail to permit comprehensive review).

2. It is requested that these orders be effected for the period_____.

Encl: (1) Statement of flight surgeon establishing physical qualifications for duty involving flight.

2. Addressees in the chain of command shall familiarize themselves with the respective command needs and make positive comments and recommendations concerning such requests. If approved, orders detailing officers to duty involving flying as technical observers will be issued by Commander, (CGPC-opm) to meet the needs of the Service, within budgetary limitations. Such orders become effective on the day the individual reports to his/her commanding officer for duty involving flying and cannot be made retroactive.

6.A.4.d. Statement of Flying Time

An officer detailed to duty involving flying as a technical observer shall, on the last day of each fiscal year and on termination of orders for any reason, submit an original statement of flying time to Commander, (CGPC-opm) via the chain of command. The following standard format shall be used for the submission of the annual or termination of flying time:

From: (Grade, full name, service number)
To: Commander, (CGPC-opm)
Via: (1) Commanding Officer, __(unit)__
(2) Commander,_____ Coast Guard District

Subj: STATEMENT OF FLYING TIME (ANNUAL) (TERMINATION) AS TECHNICAL OBSERVER

Ref: (a) Article 6.A.4, Personnel Manual, COMDTINST M1000.6 (series)

1. As directed by reference (a), the following statement of individual flying time is submitted:

a. Annual.

(1) Total flight time this fiscal year: _____

(2) Total sorties this fiscal year: _____

(3) Nature of airborne duties: _____

b. Termination.

(1) Total flight time this fiscal year: _____

(2) Technical Observer orders expired on: _____

or

(3) Technical Observer orders revoked/suspended (give date and reason).

Encl: (1) Original statement of flying time

6.A.4.e. Termination of Technical Observer Orders

1. Orders to duty involving flying as a technical observer will be terminated by:

   a. Change of assignment.

   b. Change of duty from that upon which orders were justified, even though within the same command.

   c. Termination of the special project for which the orders were issued.

   d. Failure to remain physically qualified and aeronautically adapted for flight.

2. In those cases where an officer flying as a technical observer requests termination of orders to duty involving flying, or a commanding officer deems it necessary or desirable to terminate an officer's detail to duty involving flying because of loss of motivation, unsatisfactory performance, and/or similar reasons, the commanding officer shall immediately suspend the individual from further flight duties and submit a termination report, including the flight surgeon's comments and recommendations where required by the circumstances, to Commander, (CGPC-opm) via the district commander.

6.A.4.f. Command Responsibility

Commands having officers detailed to duty involving flying as technical observers shall institute appropriate procedures to ensure submission of required reports and termination of orders to duty involving flying when the justification of such orders is changed, or no longer exists. Individuals detailed to duty involving flying as technical observers will be identified as noncrew members on all flight reports and certificates.

6.A.5. Flight Surgeons and Aviation Medical Examiners

Refer to article 19.A.7.

6.A.6. Coast Guard Law Specialist

6.A.6.a. Coast Guard Law Specialist

A Coast Guard Law Specialist is a commissioned officer of the Coast Guard who has successfully completed all requirements specified in paragraph b. of this article and has been designated as a law specialist by the Commandant.

6.A.6.b. Eligibility

Active duty commissioned officers of the Coast Guard and commissioned officers of the Coast Guard Reserve serving on active duty or in a Coast Guard Reserve legal billet if not on active duty are eligible to be designated a law specialist provided they are:

1. A graduate from a law school accredited by the American Bar Association.

2. An active member of the bar of a Federal court or the highest court of a state or territory of the United States or the District of Columbia.

3. Assigned to PCS duty as a law specialist, or approved for such designation by the Chief Counsel, e.g., serving in a Coast Guard Reserve legal billet if not on active duty.

6.A.6.c. Procedures

Commissioned officers desiring designation as a law specialist shall submit a letter request via their chain of command **to** Commandant (G-LPD) **for determination by the Chief Counsel. When a designation is made, G-LPD will notify Commander, (CGPC-opm) for appropriate documentation in the records. The letter should contain the following information:**

1. Name of the law school attended and graduation date.

2. Name of the bar in which admitted to practice law and admission date(s).

3. The officer billet code number and specific legal duty to which assigned, or other basis for requesting designation.

NOTE: Evidence of law school graduation and a license to practice law shall also be enclosed with the basic letter.

6.A.7. Command at Sea Insignia

6.A.7.a. Recognition

The Coast Guard Command at Sea Insignia has been established to provide recognition to those officers who are in command of, or who have successfully commanded as commissioned officers or chief warrant officers, cutters of the Coast Guard. The Command at Sea Insignia shall be worn in accordance with ☛ Uniform Regulations, COMDTINST M1020.6 (series). Only officers below flag rank are authorized to wear this insignia.

6.A.7.b. Eligibility

Commissioned officers and chief warrant officers of the Coast Guard and Coast Guard Reserve in the grade of captain or below are eligible for the Coast Guard Command at Sea Insignia providing they:

1. Are currently in command, or have successfully commanded for a period of six continuous months, commissioned cutters of the Coast Guard.

2. Are currently in command, or have successfully commanded for period of six continuous months, divisions of cutters.

3. Are currently in command, or have successfully commanded for a period of six continuous months, aids to navigation facilities (ANFAC).

4. Are currently assigned or have been assigned to a cutter with an augmented crew and must have successfully acted in the capacity as commanding officer for a total of six months.

5. Are currently assigned or have been assigned to a division of cutters in the capacity as one of the commanding officers and must have successfully acted in the capacity as commanding officer for a total of six months.

6. Active duty officers who meet the above criteria and who are not authorized by nature of their current assignment to wear this insignia shall submit requests via the chain of command to Commander, (CGPC-opm) setting forth their qualifications for this insignia. Retired active duty officers who desire authorization should submit requests directly to Commandant (G-WPM). Inactive duty officers who desire authorization should submit requests directly to district commander (a). If district commander (a) cannot make a determination, the request shall be forwarded to Commandant (G-WT).

NOTE: For Reserve officers to achieve eligibility, they must meet or have met the above criteria while on active duty.

6.A.7.c. Authority

Authorization to wear this insignia shall be granted in writing by the area or district commander, as appropriate, as follows:

1. For active duty officers currently in command pursuant to orders issued by Commander, (CGPC-opm); and for active duty officers upon successful completion of command using the criteria in paragraph d. below.

2. For inactive duty officers who successfully completed a command afloat tour while on active duty, using the criteria in paragraph d. below.

6.A.7.d. Successful Completion of Command

The below criteria are considered mandatory for successful command completion. The area or district commander will be guided by them in making his/her determination unless unique circumstances dictate additional criteria are necessary.

1. The officer has fulfilled the eligibility requirements in paragraph b. above.

2. The officer has not been removed for cause during the tour.

3. The officer has not been the subject of any disciplinary action during the tour, or the disciplinary action was a result of a minor, isolated incident which was not indicative of the officer's overall performance in command.

NOTE: The decision NOT to award a command insignia and certificate must be based on documented facts rather than empty generalities or vague impressions. Any such decisions against granting the insignia and certificate must be forwarded in writing to Commander, (CGPC) for appropriate filing.

6.A.7.e. Issue and Procurement

The awarding of this insignia should be made with an appropriate accompanying ceremony. The initial issue of this insignia shall be provided to the officer by the Coast Guard, and shall be procured from authorized sources with unit AFC-30 funds. Subsequent procurements are a responsibility of the officer. A Command Afloat Certificate, CG-5065, shall be issued by the area or district commander, as appropriate, upon successful completion of command or when directed by Commander, (CGPC-opm) or Commandant (G-WT).

6.A.8. Officer in Charge Insignia

Refer to ☛ Article 6.B.1.d.

6.A.9. Command Ashore Insignia

6.A.9.a. Recognition

The Command Ashore Insignia has been established to provide recognition to those officers who are in command of, or who have successfully commanded as commissioned officers or chief warrant officers, shore units of the Coast Guard or Coast Guard Reserve. The Command Ashore Insignia shall be worn in accordance with ☛ Uniform Regulations, COMDTINST M1020.6 (series). Only officers below flag rank are authorized to wear this insignia.

6.A.9.b. Eligibility

Commissioned officers and chief warrant officers of the Coast Guard and Coast Guard Reserve, in the grade of captain or below are eligible for this insignia when the below criteria is met:

1. They are currently in command, or have successfully commanded for a period of six continuous months, a shore unit of the Coast Guard or Coast Guard Reserve.

2. Command must be inherent in the billet, and there must be 10 or more military personnel permanently assigned or attending schools operated by the unit on a continuing basis. (Includes group, section, and activity commands when such units exercise command over subordinate units having 10 or more military personnel permanently assigned.)

3. Active duty officers who meet the above criteria and who are not authorized by nature of their current assignment to wear this insignia, or who command a unit where permanently assigned military billets exceed 10 for a limited period of time, shall submit requests via the chain of command to Commander, (CGPC-opm), or to district commander (a) in the case of inactive duty officers, setting forth their qualifications for this insignia. Retired active duty officers who desire authorization should submit requests directly to Commandant (G-WPM). Retired inactive duty officers who desire authorization should submit requests directly to the area or district commander (a), as appropriate. If the area or district commander (a) cannot make a determination, the request shall be forwarded to Commandant (G-WT).

6.A.9.c. Authority

The authority to wear this insignia shall be granted in writing by the area or district commander, as appropriate, as follows:

1. For active duty officers currently in command pursuant to orders issued by Commander, (CGPC-opm); and for active duty officers upon successful completion of command using the criteria in paragraph d. below.

2. For inactive duty officers currently in command pursuant to orders issued by the area or district commander; and for inactive duty officers upon successful completion of command using the criteria in paragraph d. below.

6.A.9.d. Successful Completion of Command

The below criteria are considered mandatory for successful command completion. The area or district commander will be guided by them in making his/her determination unless unique circumstances dictate additional criteria are necessary.

1. The officer has fulfilled the eligibility requirements in paragraph b. above.

2. The officer has not been removed for cause during the tour.

3. The officer has not been the subject of any disciplinary action during the tour, or the disciplinary action was a result of a minor, isolated incident which was not indicative of the officer's overall performance in command.

NOTE: The decision NOT to award a command insignia and certificate must be based on documented facts rather than empty generalities or vague impressions. Any such decisions against granting the insignia and certificate must be forwarded in writing to Commander, (CGPC) or (G-WT) for appropriate filing.

6.A.9.e. Issue and Procurement

The awarding of this insignia should be made with an appropriate accompanying ceremony. The initial issue of this insignia shall be provided to the officer by the Coast Guard, and shall be procured from authorized sources with unit AFC-30 funds. Subsequent procurements are a responsibility of the officer. A Command Ashore Certificate, CG-5257, shall be issued by the district commander upon successful completion of command or when directed by Commander, (CGPC-opm) or (G-WT).

6.A.10 Physicians Assistant/Nurse Practitioner Insignia

6.A.10.a. Eligibility

Regular and Reserve commissioned officers, chief warrant officers and Public Health Service officers serving with the Coast Guard are eligible to wear the Physician Assistant Insignia if they fulfill these conditions:

1. Completed an approved physician assistant or nurse practitioner training program.

2. Successfully passed a certification or re-certification examination.

6.A.10.b. Procedures

Physician Assistants and Nurse Practitioners desiring to wear the Physician Assistant Insignia shall submit a letter request via their chain of command to Commandant (G-WKH). The letter should contain the following information:

1. A notarized copy of a diploma from training school attended and graduation date.

2. Proof of certification.

6.A.10.c. Authority

Authorization to wear this insignia shall be granted in writing by Commandant (G-WKH).

6.A.10.d. Manner of Wearing

As prescribed in the ☞ Uniform Regulations, COMDTINST M1020.6 (series).

6.A.10.e. Issue and Procurement

The awarding of this insignia should be made with an appropriate accompanying ceremony. The initial issue of this insignia shall be provided to the officer by Commandant (G-WKH). Subsequent procurements are the responsibility of the officer.

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6.B Enlisted Personnel Qualifications

6.B.1. Officer in Charge (OIC) Insignia

6.B.1.a. Afloat Eligibility

Enlisted personnel of the Coast Guard and Coast Guard Reserve are eligible to wear the Coast Guard Officer in Charge Afloat Insignia provided they:

1. Are currently assigned by Commander, (CGPC-epm) as the designated, not acting, Officer in Charge (OIC) of a floating unit with an OPFAC number and the OIC billet requires certification per ☛ Article 4.C.24.

2. Are verified and documented by proper authority as having satisfactorily served as the designated OIC of a floating unit with an OPFAC number for a minimum period of six months.

6.B.1.b. Ashore Eligibility

Enlisted personnel of the Coast Guard and Coast Guard Reserve are eligible to wear the Coast Guard Officer in Charge Ashore Insignia provided they:

1. Are currently assigned by Commander, (CGPC-epm) as the designated, not acting, OIC of a shore unit with an OPFAC number, and the OIC billet requires certification per ☛ Article 4.C.24.

2. Are verified and documented by proper authority as having satisfactorily served as the designated OIC of a shore unit with an OPFAC number for a minimum period of six months.

6.B.1.c. Authority

The authority to wear the appropriate OIC Insignia shall be granted as follows:

1. OICs who meet the above requirements and are currently assigned pursuant to orders issued by Commander, (CGPC-epm) are authorized to wear the appropriate OIC Insignia.

2. Upon permanent detachment from the OIC duty, the command having custody of the member's Personnel Data Record will, in appropriate cases, grant authority to wear the appropriate insignia for the successful completion of at least six months as OIC.

3. Enlisted personnel on active duty who are not currently serving as OIC but who have met the eligibility requirements as outlined herein may submit a request to the command having custody of their Personnel Data Record for authorization.

4. Retired personnel and inactive reserve personnel who believe they meet the eligibility requirements may submit requests directly to Commandant (G-WPM).

6.B.1.d. Manner of Wearing

These insignia shall be worn in accordance with the Uniform Regulations, COMDTINST M1020.6 (series). Only one size OIC insignia is authorized for wear on all occasions. Enlisted personnel who have been awarded an Officer in Charge Insignia and are subsequently advanced to officer status may continue to wear the enlisted insignia until they qualify for the Command at Sea or Command Ashore Insignia.

6.B.1.e. Officer in Charge Certificate

Enlisted personnel of the Coast Guard and Coast Guard Reserve who are eligible for either Officer in Charge Insignias shall be furnished the appropriate Officer in Charge Certificate. The certificate shall be furnished by the command who certified eligibility.

6.B.1.f. Issue and Procurement

The initial awarding of these insignias will be made with an appropriate ceremony. The initial issue of these insignias will be provided to the individual by the Coast Guard, and will be procured from authorized sources with unit AFC-30 funds. Subsequent procurements are the responsibility of the individual.

6.B.2 Coxswain Insignia

6.B.2.a. Eligibility

Enlisted personnel of the Coast Guard and Coast Guard Reserve, including inactive reservists, are eligible for the Coxswain Insignia provided they:

1. Complete six months' satisfactory service at an operational unit as a certified boat coxswain and be assigned a minimum of two qualification codes for coxswain, one of which must be SE, SF, SG, SH, SI, SJ, SK, SL, or SM.

2. Have appropriate entries made in the Personnel Data Record to reflect certification.

6.B.2.b. Authority

The authority to wear the Coxswain Insignia shall be granted as follows:

1. Enlisted personnel on active duty who are currently serving as coxswains and who have completed the eligibility requirements as outlined herein, may submit requests to the command having custody of their Personnel Data Record for an appropriate CG-3307, Administrative Remarks, entry and authorization.

2. Personnel who once qualify for the Insignia may continue to wear it without regard to the method of obtaining the qualification or their present rate or grade.

3. Reservists who complete the eligibility requirements during INACDUTRA or ACDUTRA and are certified by an active duty commanding officer or group commander may submit requests to District Commander (a) for authorization.

6.B.2.c. Manner of Wearing

This Insignia shall be worn in a similar manner as prescribed for other breast insignia. Only one size insignia is authorized for wear on all occasions. (☛Refer to Uniform Regulations, COMDTINST M1020.6 (series))

6.B.2.d. Issue and Procurement

The awarding of this Insignia will be made with an appropriate accompanying ceremony. The initial issue will be provided to the individual by the Coast Guard, and will be procured from authorized sources with unit AFC-30 funds. Subsequent procurements are the responsibility of the individual.

6.B.2.e. Coxswain Certificate

Enlisted personnel of the Coast Guard and Coast Guard Reserve who are eligible for the Coxswain Insignia shall be furnished a Coxswain Certificate, CG-5063. This certificate shall be furnished by the command who certified eligibility.

6.B.3 Aircrewman Insignia

6.B.3.a. Designation

To be designated as aircrewman, personnel must successfully complete the Aircrewman Training Program and be physically qualified. The program will consist of correspondence courses combined with flight syllabus, on-the-job training, and locally administered check flights. The Aircrew Training Program recognizes the various levels of expertise of Coast Guard aircrewmen and permits a step progression through several levels of training.

6.B.3.b. Authority

Commanding officers of air units may award Aircrew Insignia in recognition of designation as aircrewman when the candidate has successfully completed the Aircrewman Basic Course and demonstrated an aeronautical adaptability by completion of the units syllabus for aircrew designation. The right to wear the aircrew breast insignia is rescinded when any of the following occurs:

1. The commanding officer determines that the individual is no longer professionally qualified and revokes the designation; or

2. The individual no longer volunteers for aircrew flight duty.

6.B.3.c. Manner of Wearing

The Aircrew Insignia consists of a breast insignia prescribed by Uniform Regulations, COMDTINST M1020.6 (series). Designated (current or lapsed) aircrewmen are authorized to wear the breast insignia.

6.B.3.d. Issue and Procurement

The awarding of this Insignia will be made with an appropriate accompanying ceremony. The initial issue will be provided to the individual by the Coast Guard, and will be procured from authorized sources with unit AFC-30 funds. Subsequent procurements are a responsibility of the individual.

6.B.4 Surfman Insignia

6.B.4.a. Eligibility

Enlisted personnel of the Coast Guard and Coast Guard Reserve are eligible to wear the Surfman Insignia provided they:

1. **Certify as a coxswain at an operational unit as detailed in 6.B.2.a.**

2. **Certify as a Surfman at an operational unit or the National Motor Lifeboat School and be assigned a SJ, SK, or SM (47'MLB) qualification code, or have been previously certified as a Surfman with the old HW qualification code and have served at a station with a MLB or SRB attached.**

3. **Have appropriate entries made in the Personnel Data Record (PDR) to reflect certification, or provide supporting documentation to verify previous certification.**

6.B.4.b. Authority

The authority to wear the Surfman Insignia shall be granted as follows:

1. **Enlisted personnel on active duty and reservists who are currently serving as Surfman or who have previously served as Surfman and can document that certification, may submit requests to the command having custody of their PDR for an appropriate qualification code entry.**

2. **Personnel who qualify to wear the insignia, or have met these eligibility requirements during a previous assignment, may wear the insignia without regard to the method of obtaining the qualification or their present rate or grade.**

3. **Assignment of the appropriate qualification code shall serve as authorization to wear the Surfman Insignia.**

6.B.4.c. Manner of Wearing

This insignia shall be worn in accordance with COMDTINST M1020.6 (series), Uniform Regulations.

6.B.4.d. Issue and Procurement

The awarding of this insignia and certificate will be made with appropriate accompanying ceremony. The initial issue will be provided to the individual by the Coast Guard, and will be procured from authorized sources with unit AFC-30 funds. Subsequent procurements are the responsibility of the individual.

6.B.4.e. Surfman Certificate

Enlisted personnel of the Coast Guard and Coast Guard Reserve who are eligible for the Surfman Insignia shall be furnished a Surfman Certificate, CG-5063C, by the Command who certified eligibility.

6.B.5 Company Commander Insigina

6.B.5.a. Permanent Eligibility

Enlisted personnel of the Coast Guard and Coast Guard Reserve, including active reservist, are eligible to permanently wear the Company Commander Insignia provided they:

1. **Have successfully completed a Company Commander assignment (regardless of duration) prior to August 1996, or**

2. **Have successfully met all requirements of a Company Commander assignment after August 1996 and completed 12 consecutive months of Company Commander assignment. Detached reservists who meet these requirements may waive the consecutive duty requirements as necessary to achieve 12 months of assignment as a Company Commander, and**

3. **Have appropriate entries made in PMIS to reflect eligibility.**

6.B.5.b. Temporary Eligibility

Personnel serving as Company Commanders and have met all requirements of a Company Commander assignment established after August 1996, but have not yet completed 12 consecutive months are eligible to temporarily wear the Company Commander Insignia.

6.B.5.c. Authority

The authority to wear the Company Commander Insignia shall be granted as follows:

1. **Enlisted personnel on active duty and reservists serving as Company Commanders or who have previously served as Company Commander and can provide supporting documentation may submit requests to the command having custody of their PDR to have the appropriate entries made.**

2. **Personnel who qualify, may wear the Insignia without regard to the method of obtaining the qualification or their present rate of grade.**

6.B.5.d. Manner of Wearing

This Insignia shall be worn in accordance with COMDTINST M1020.6 (series), Uniform Regulations.

6.B.5.e. Issue and Procurement

The awarding of this Insignia will be made with appropriate accompanying ceremony. The initial issue will be provided to the individual by the Coast Guard, and will be procured from authorized sources with unit AFC-30 funds. Subsequent procurements are the responsibility of the individual.

6.B.6 Flight orders for Enlisted Personnel

Refer to the Management and Administration of Aviation Incentive Pays, COMDTINST 7220.39 (series).

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6.C. Qualifications for Officers and Enlisted Personnel

6.C.1. Duty Involving Diving (DUID)

6.C.1.a. Policies

Policies concerning the Coast Guard Diving Program are contained in the ☛ Coast Guard Diving Policies and Procedures, COMDTINST M10560.4 (series).

6.C.1.b. Procedures

☛ COMDTINST M10560.4 sets forth procedures for commanding officers to ensure candidates are fully qualified to attend the Navy Underwater Diving Schools. It promulgates guidelines for establishing and disestablishing diving allowances, updating approved equipment lists, and provides guidelines on application procedures and requalifications.

6.C.2. Cutterman Insignia

6.C.2.a. Eligibility Requirements

Eligibility requirements for the officer and enlisted Cutterman Insignia are contained in the ☛ Cutter Training and Qualification Manual, COMDTINST M3502.4 (series). Entitlement to wear the Insignia will now represent an individual's desire to pursue a seagoing career, and is based on the successful completion of specific Personnel Qualification Standards (PQS), or unit job Qualification Requirements (JQR) where no fleet PQS exists.

6.C.2.b. Temporary Entitlement

Personnel permanently assigned sea duty may wear the Insignia, while so assigned, upon completion of at least six months continuous satisfactory service aboard such cutter and having been certified by their commanding officer. Personnel previously certified may wear the Insignia when reporting aboard for a subsequent tour of sea duty. Upon completion of each tour afloat, the Insignia shall be removed from the uniform except when cumulative total of sea duty exceeds five years.

6.C.2.c. Permanent Entitlement

Multiple assignments at sea, totaling not less than five years of sea service, must be completed before an individual is eligible to wear the Cutterman Insignia.

6.C.2.d. Manner of Wearing

The manner of wearing the Cutterman Insignia shall be in accordance with the ☛ Uniform Regulations, COMDTINST M1020.6(series).

6.C.3. Port Security Unit (PSU) Insignia

6.C.3.a. Eligibility Requirements

The PSU Insignia was created to recognize the accomplishments of becoming qualified in the area of port security unit operations. The PSU Insignia will be awarded to those who have qualified in the areas of PQS/basic skills courses for PSUs, served as a member of a PSU for a given time, and demonstrated a practical application of those skills in a PSU setting. The PSU Insignia will be issued as a permanent award only.

6.C.3.b. Qualifications

The PSU insignia qualification is divided into three areas based upon the date of the formal commissioning of the first PSU, 1 May 1995:

1. Qualifications for those who served with PSUs and deployed to an in-theater operation prior to 1 May 1995

   a. Graduate of the Camp Blanding PSU course or a member of PSU 310/302/303 and attended the Dessert Shield or Uphold Democracy ramp up training at Camp Perry or the U.S. Marines Combat Skills Course at Quantico, VA; and,

   b. Successfully deployed as a member of a PSU during Operation Desert Shield, Desert Storm for a minimum of 30 days, or Operation Uphold Democracy for its duration.

2. Qualifications for those who completed PSU Skills training but did not deploy to Desert Shield, Desert Storm or Operation Uphold Democracy; served with a PSU, and participated in two PSU deployment operations prior to 1 May 1995 are:

   a. Graduate of the Camp Blanding PSU course or the Dessert Shield ramp up training at Camp Perry in 1990 or the U.S. Marines Combat Skills Course at Quantico, VA; and,

   b. A member of a PSU for two years prior to 1 May 1995; and,

   c. Successfully completed ADT periods for at least two of the listed deployments: Flame River 92, Forward Sentinel 93, Flame River 93, PSU Focus Training 94, Allegiant Sentry 94, Allegiant Sentry 95, Freedom Banner 95.

3. Qualifications for those who served with PSUs after 1 May 1995:

   a. Completion of PSU Basic Skills formal training conducted at either an established school, by a specific port security unit, or by a PSU training team approved by Commandant (G-OPD) (e.g., Phoenix Readiness at Fort Dix, USMC Basic Training at Camp Pendleton or PSU TRADET); and,

   b. A minimum two-year assignment to a PSU; and,

   c. Completion of all billet assigned PQS unique to the WQSB as outlined in the ☛ Operational Logistics Support Plan for PSUs, COMDTINST 4081.8 (series) as well as mandatory all hands PQS training requirements (sections 0.1, 1.6, 3.1, 3.2, 7.1, 7.2) as outlined in the the ☛ PSU Personnel Qualification Standard, COMDTINST 1540.11 (series); and,

   d. Fully met all overseas deployment qualification standards during the two-year period (Waiverable through Area staff (AOFP/POFT)).

6.C.3.c. Applications

1. Current PSU members requesting award of the insignia will submit a package illustrating their completion of PQS to the unit command to evaluate the member's qualifications for the PSU insignia. If it is determined that a candidate meets all qualifications, the unit CO will award the insignia to the candidate.

2. SELRES members who are not currently assigned to a PSU shall submit their package to their respective command for validation and award of the insignia. COs are authorized to award the PSU insignia upon presentation of the application package and determination that the award criteria have been met. The application package shall provide evidence of PQS completion and performance (post 1 May 95) or evidence of completion of Camp Blanding PSU Course, Desert Shield Ramp-Up Training at Camp Perry in 1990, or the U.S. Marine Combat Skills Course at Quantico, VA. Members in this category who apply for the insignia will be notified in writing of the results of the review.

3. Persons no longer in the Coast Guard or Coast Guard Reserve who meet the criteria in ☛ Article 6.C.3.b. may submit completed packages to Commandant (G-WTR-1), U.S. Coast Guard, 2100 Second Street, S.W. Washington, DC 20593. Members in this category who apply for the insignia will be notified in writing of the results of the review.

6.C.3.d. Issue and Procurement

The awarding of the insignia will be made with appropriate accompanying ceremony. The initial issue will be provided to the individual by the Coast

Guard, and will be procured from authorized sources with unit AFC-30 funds. Subsequent procurements are the responsibility of the individual.

6.C.3.e. Manner of Wear

This insignia shall be worn in accordance with ☛ Uniform Regulations, COMDTINST M1020.6 (series).

1. The PSU insignia will be the senior insignia of precedence if the member is a current member of a PSU and is authorized to wear another insignia. If the member is authorized to wear two insignia and is not attached to a PSU or a unit authorized to wear the other insignia (e.g., wearing a cutterman's pin and being assigned to a cutter), both insignia can be worn simultaneously. The current or most recently earned insignia will be the senior insignia worn uppermost.

2. Enlisted personnel entitled to wear the PSU insignia, who are subsequently advanced to officer status (including Warrant Officers) may continue to wear the enlisted device until qualifications to wear an officer's device have been met, at which time, the officer's device shall be worn.

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7.A. Leave

7.A.1. Statutory Authority

7.A.1.a. Title 10, USC

10 USC **Chapter** 40 as amended, is authority for leave for military personnel.

7.A.1.b. Public Law 93-344

The Congressional Budget and Impoundment Control Act, Public Law 93-344, enacted 1 July 1976, established new dates for fiscal years: they begin on 1 October and end on 30 September. Service members are allowed to carry over only 60 days of leave into a new fiscal year unless embarked away from homeport on a vessel or aircraft for more than 60 consecutive days. If attached to an eligible unit, personnel may carry over leave up to a maximum of 90 days. (☛ Article 7.A.15.)

7.A.1.c. Public Law 94-361

The DOD Appropriation Authorization Act of l977, Public Law 94-36l, Section 304, enacted l4 July l976, amended 37 USC 50l to provide as follows:

1. Effective l4 July l976, payments for leave may not be made to a member who is discharged for the purpose of accepting a commission, appointment as a warrant officer, or entering into an enlistment, in any Uniformed Service.

2. Effective l4 July l976, where payment for accrued leave is authorized, the member may elect to receive payment for a portion of the accrued leave, and have the remaining accrued leave carried forward to a new enlistment in any Uniformed Service.

3. For any service performed by a member on or after 09 February 1976, lump-sum leave payments may be authorized not to exceed a career total of 60 days. The number of days upon which payment may be based shall be determined without regard to any break in service or change in status in the Uniformed Services.

4. Under the savings provisions of the amended Section 50l (h), Title 37, USC, members who had leave balances of 60 days or less of accrued leave on 3l August l976 shall, at their option, continue to be paid for lump sum leave based on basic pay, Basic Allowance for **Housing Type II (BAH-II**), Basic Allowance for Subsistence (BAS), and personal money allowance, as appropriate. Cash settlement of leave accrued on and after 0l September l976 will be on the basis of basic pay only. Should a member reduce the 3l August l976 leave balance through usage of leave

subsequent to 3l August 1976, the new balance establishes the amount of accrued leave for which **BAH-II**, BAS, and personal money allowance may be paid during subsequent leave settlement.

7.A.2. Definitions

7.A.2.a. Leave

Leave is the authorized absence of an individual from a place of duty, chargeable against such individual in accordance with applicable law.

7.A.2.b. Earned Leave

"Earned leave" describes the amount of leave accrued to an individual's credit as of any given date. Earned leave may indicate a minus leave balance; a minus leave balance must not exceed the amount of leave a member normally would during the remaining period of obligated active duty.

7.A.2.c. Advance Leave

Advance leave is leave granted a service member, with pay and allowances, prior to its actual accrual based on the reasonable expectation that the amount advanced will be earned prior to the member's separation.

7.A.2.d. Excess Leave

Excess leave is authorized leave over and beyond any earned or advance leave that can be granted during which the member is not entitled to pay and/or allowances. A minus leave balance at the time of discharge, first extension of an enlistment, separation from active duty, desertion, or death is considered as excess leave without regard to the authority under which the leave resulting in a minus balance was granted. ☛ Article 7.A.22 for instructions on checkage of pay and allowances for excess leave.

7.A.2.e. Sick Leave

"Sick leave" describes a period of authorized absence granted to persons while under medical care and treatment. Sick leave is not chargeable as leave, but periods which exceed two days will be reported in accordance with the ☛ Personnel and Pay Procedures Manual, **HRSIC**INST M1000.2 (series).

7.A.2.f. Academy Graduation Leave

"Graduation leave" describes a period of absence authorized by the Commandant to be taken as delay en route to the first duty station in the case of graduates of the Coast Guard Academy who are appointed commissioned Coast Guard officers. Graduation leave is not chargeable as leave.

7.A.2.g. Advance Leave That Becomes Excess Leave

Advance leave that becomes excess leave when a member accepts an appointment as a warrant or commissioned officer of the Armed Forces, or is discharged for the purpose of reenlisting within 24 hours, may be carried over to the new term of service as advance leave, not to exceed 30 days or the maximum number of days that could be earned in the new term of service, whichever is less. Any leave carried forward will count against leave that is earned during the new term of service. For excess leave that cannot be carried forward under this section, instructions regarding the checkage of pay and allowances will apply. (☞Article 7.A.22.)

7.A.2.h. Leave to Visit Foreign Countries and Places Outside CONUS

The provisions of ☞ Section 16.J. apply for requests for leave to visit foreign countries.

7.A.3. General Instructions for Granting Leave

7.A.3.a. Opportunity to Take Leave

Insofar as Service requirements permit, all personnel shall be afforded the opportunity and be encouraged to take leave annually. Personnel not taking leave when afforded should be cautioned that such refusal may result in a loss of earned leave at a later date.

7.A.3.b. Yard Periods

Officers authorized to grant leave should consider the character and extent of work to be undertaken by the individual units at the time when leave periods and overhauling periods coincide in order that the work planned may be accomplished without resorting to curtailment of leave, liberty, and recreation normally given at such times. The accumulation of the maximum leave or loss of accrued leave at the end of the fiscal year is discouraged.

7.A.3.c. While Assigned INCONUS

To avoid the possibility of forfeiting leave or of taking leave in remote localities while on duty overseas or in remote areas, all personnel should request and be granted leave during tours of duty within the United States.

7.A.3.d. Combining Leave and Liberty

Officers authorized to grant leave shall not authorize two or more requests for leave which immediately precede and immediately follow a regular liberty period. A member may not be on leave, immediately return to liberty status, then immediately resume leave status. Instead, the whole period of absence is charged as leave.

7.A.3.e. Financial Responsibilities

Officers authorized to grant leave shall assure themselves that personnel going on leave, particularly to places of considerable distance from their duty station, not only have sufficient funds to reach the stipulated leave address but also to return to their duty station. Although provisions exist to furnish transportation to personnel on leave requiring assistance, the fact such transportation costs are eventually checked against the accounts of personnel should not be considered as relieving them from all liability to disciplinary action for failure to comply with such orders as the officer granting leave may issue on the subject. (☞ Article 7.A.16.)

7.A.3.f. Leave Address

Personnel on leave shall keep their commanding officers advised of their leave address.

7.A.3.g. Leave Status

Since the number of days service members may be absent and still be entitled to pay is fixed by statute, each individual must be informed of his or her current leave status at the time of each request for leave.

7.A.3.h. Expiration of Leave

Upon expiration of leave, an individual will rejoin the vessel or other unit to which attached. If the vessel to which assigned changes location while the person is on leave, the following applies:

1. When the member arrives at a port to which directed to return from leave and the vessel is not inport, the member shall report immediately to the senior officer present or to the district commander by rapid means and request instructions.

2. If the member was advised of the relocation prior to departure on leave, the member must return to the vessel at his or her own expense when leave expires.

3. If the member did not know of the vessel's relocation before he or she departed on leave, when directed by competent authority, he or she will be transported at Government expense as authorized by the Joint Federal Travel Regulations, Vol. 1, U7215.

7.A.4. Granting and Charging Leave

7.A.4.a. Amount of Leave Granted

The amount of leave a command may grant depends on the occasion for the leave and the further limitations outlined in ☛ Article 7.A.5. With each occasion for leave are instructions on limits on granting each. Senior command may further limit leave.

7.A.4.b. Advance Leave

In no case will any command grant more than earned leave plus 30 days advance leave without approval of the Commandant except that on transfer overseas, advance leave may be granted in an amount that will not result in more than a minus balance of 30 days at the beginning of the next fiscal year. Officers granting leave should caution personnel that advance leave resulting in a minus balance on the date of discharge, first extension of enlistment or separation from active duty becomes excess leave and is subject to checkage of pay and allowances.

7.A.4.c. Additional Advance Leave

When advance leave has been taken previously and not yet fully earned, additional advance leave may be granted only in such amount as will ensure that the total leave advanced, but not yet earned, does not exceed 30 days, or the total amount of leave that may be earned by the date of discharge, first extension of enlistment or separation from active duty, whichever is the lesser.

7.A.4.d. Requests to Commandant (G-WPM)

Requests for leave in excess of that which can be granted in the field must be submitted with recommendation to Commandant (G-WPM) for approval.

7.A.5. Occasion for Leave and Authority to Grant

7.A.5.a. Area and District Commanders

Only the Commandant grants leave to area and district commanders. Commanding officers of headquarters units shall submit requests for leave as directed by the chief of the headquarters office having technical control over their commands.

7.A.5.b. Regular Leave

District commanders, commanders of maintenance and logistics commands, commanding officers of headquarters units, commanding officers of district units or such officers as they may designate, may grant any amount of regular leave to which officers and enlisted personnel may be entitled, subject to the

limitations of ☛ Article 7.A.4, and subject to such restrictions as may be imposed by higher authority.

7.A.5.c. Delay En Route

Delay en route, chargeable as leave, is granted in connection with transfers to a new duty station, to and from school, or to and from temporary duty station. Provided reporting dates specified in orders are met, district commanders and commanding officers may grant delay en route chargeable as leave, not to exceed these limitations:

1. Officers - 20 days or amount of delay en route specified in orders.

2. Enlisted Members - 60 days or amount of delay en route specified in orders. The command from which a person is transferred shall inform the individual about leave and proceed time. The applicable information in the following sample statements should be included in the orders:

   You are authorized _____ days delay en route to count as follows: ___ _____ days leave, ____ days proceed time, days travel time. Report by _____.

7.A.5.d. Emergency Leave

Emergency leave, and extensions to it, may be granted to Service members for emergencies within their or their spouses' immediate family whenever the circumstances warrant and the operational situation permits, based on the judgment of the officer granting the leave and the desires of the Service member. Immediate family means: father, mother, person standing in loco parentis, spouse, children, brother, sister, or only living relative. Since most family emergencies are highly time-dependent, swift, sensitive action on emergency leave requests is essential. Circumstances which warrant granting emergency leave include:

1. Death of a member of the service member's or spouse's immediate family.

2. Presence will contribute to the welfare of a dying member of the Service member's or spouse's immediate family.

3. Serious illness of a member of the service member's or spouse's immediate family resulting in family problems which impose a responsibility on the service member or spouse which must be met immediately and cannot be accomplished from the duty station or by other means.

4. Failure to return home will cause severe or unusual hardship to the service member, his or her household, or immediate family. Exercise

care to ensure an emergency exists and the member's presence can resolve or alleviate the situation. Should a question about the validity of an emergency situation exist, request assistance in determining its validity from the Service activity nearest the location of the emergency or an American Red Cross office. However, exercise caution that delays in verifying emergency conditions do not result in the member's arriving too late to accomplish the purpose for which the leave is intended. Disciplinary or administrative action, as appropriate, in cases of abuse are more acceptable alternatives. Before granting extended emergency leave involving excess leave, consider the advisability of hardship transfer or discharge. District commanders and commanding officers may grant emergency leave to officers not to exceed 30 days at any one time and to enlisted members not to exceed 60 days at any one time.

7.A.5.e. Home Awaiting Orders Status

A member whom a Physical Evaluation Board (PEB) finds unfit for continued service and who does not need further hospitalization may be ordered to a home awaiting orders status pending final action on the board's findings, with the approval of Commander, (CGPC-opm) or (CGPC-epm). Use a home awaiting order status only when the member's separation is assured, not in situations when limited duty or sick leave are more appropriate. These procedures apply when assigning a home awaiting orders status to a physical disability evaluee. His or her commanding officer shall advise the evaluee of these procedures.

1. Any time spent in a home awaiting orders status will be charged against the evaluee's leave account as long as there is a leave balance.

2. Pay in a home awaiting orders status as a result of disability evaluation will be in accordance with the ☛ U.S. Coast Guard Pay Manual, COMDTINST M7220.29 (series).

3. While in a home awaiting orders status, evaluees have the option of residing at one of the following locations to await final orders in connection with retirement, discharge, or release:

   a. The vicinity of their current duty station.
   b. Their home of record.
   c. The place where ordered to active duty.
   d. The place where they accepted initial commission or accepted enlistment.

4. In connection with (3) above, evaluees must report any change of address to their unit.

5. Travel, transportation of dependents, and shipment of household goods shall comply with Chapter 5 of the Joint Federal Travel Regulations (JFTR), Vol. 1.

6. Evaluees are entitled to a travel allowance to their home of record or other "waiting point" authorized in the orders, and then travel from there to the place of final retirement, discharge, or release in accordance with JFTR, Par. U5125-E.

7. An officer placed in a home awaiting orders status who desires orders to a "waiting point" during the interim period shall submit a letter request to Commander (CGPC-opm).

8. An enlisted member in a home awaiting orders status who desires orders to a "waiting point" during the interim period shall submit a letter request to Commander (CGPC-epm).

9. The evaluee shall notify the cognizant district or commanding officer of a Headquarters unit, Commander (CGPC-adm-1), (CGPC-opm), or (CGPC-epm) of the date and hour of arrival at a "waiting point" or home. A form for use by the evaluee stating travel itinerary and arrival at the point of selection will be prepared as follows on a separate sheet and enclosed with the orders:

   Enclosure (1) to orders of (Name of Evaluee) Dated (Date): Departed (Duty Station) at (Hour), (Date), by: (Transportation Mode: Private Auto, Rail, Commercial Air, etc.). Arrived (Home of Record or Other Place Selected) at (Hour), (Date).

   (Evaluee's Signature)

10. Before leaving the current duty station, those parts of the separation or release process, including applicable portions of DD Form 214, requiring the presence of the evaluee shall be completed so final retirement, discharge, or release action can be accomplished by mail, when later directed.

7.A.5.f. Sick Leave

1. Sick leave is granted for illness, injury, and convalescence. In all cases, sick leave which exceeds two days will be reported in accordance with the ☞ Personnel and Pay Procedures Manual, HRSICINST M1000.2 (series). Sick leave, not to exceed a cumulative total of 30 days (42 days for postnatal recovery) for any one illness or injury, may be granted by district commanders and commanding officers without approval of the Commandant under the following conditions:

   a. To personnel who have been under medical treatment and whose physical condition precludes a return to duty, but does not necessitate further active treatment, and for whom a period of sick leave has been recommended by a medical officer of one of the Uniformed Services, or, in the absence of such

officers, by a practicing physician. To personnel who have been excused from duty for treatment, or medically directed self-treatment, in home, barracks, or other non-hospital facilities (hotel, motel, occupying beds in dispensaries, etc.), when such absence is accounted for by a certificate from a medical officer of the Uniformed Services, or, in the absence of such officers, by a certificate from a practicing physician showing that the person has been unable to perform duty.

b. Upon recommendation of a medical board or a physical evaluation board.

2. When a hospital used by a member of the Coast Guard is located some distance from the district office, the district commander may designate a command, so located as to be more appropriate, to take action in granting sick leave.

3. Requests to **Commander (CGPC-opm) or (CGPC-epm)** for approval of sick leave beyond the limits mentioned above shall include full justification by competent medical authority as to why additional sick leave is needed. Prepare requests in the following format:

ALPHA	Name, rate or grade, social security number.
BRAVO	Duty station where member will be assigned if sick leave is not granted.
CHARLIE	Date last fit for duty. In traumatic injury cases, indicate date of injury.
DELTA	Diagnosis. **Use only ICD-9 code. Do not use plain language.**
ECHO	Medical or surgical treatment received including dates (briefly in six words or less). **Do not describe the specific treatment beyond such descriptions as physical therapy, general surgery, outpatient surgery, etc.**
FOXTROT	Present medical care status (inpatient, outpatient or discharged).
GOLF	Prognosis for return to duty, include date.
HOTEL	Possibility of convening medical board and date.
INDIA	Amount of sick leave utilized to date.
JULIET	Amount of additional sick leave requested.
KILO	Provide medical reason why member cannot perform light desk work duties, full or part time.
LIMA	Medical point of contact (name and phone).

4. Do not grant sick leave to personnel awaiting administrative processing for discharge who have been evaluated by medical authorities as unsuitable for further service by reason of a character and behavior disorder. Refer exceptional cases to Commander (CGPC-opm) or (CGPC-epm) with full documentation.

7.A.5.g. Maternity Leave

District commanders and commanding officers may grant maternity leave without the Commandant's approval for prenatal periods up to a cumulative total of 30 days. A medical officer or practicing physician shall certify all periods of prenatal leave as necessary. In addition, postnatal leave of 42 days shall be granted without referral to Commandant. Members on postnatal leave may, with their physician's concurrence, terminate their leave status sooner. Forward requests for approval of prenatal and postnatal leave beyond these limits as prescribed in ☞ Article 7.A.5.h.

7.A.5.h. Elective Medical Care

1. When an active duty member pursues elective medical care (i.e., care not required to maintain fitness for duty) from either a civilian or military provider, the command must make a personnel decision regarding use of regular duty time for both treatment and, if needed, convalescent absence. Sick leave is not normally appropriate for elective surgeries and although the command may authorize an administrative absence (i.e., time to attend a doctor's appointment), the member is not entitled to this. Elective care should normally be obtained on the member's own time which may include the use of regular leave for convalescence. The member must fund elective care obtained from a nonfederal provider, except as authorized by the ☞ Medical Manual, COMDTINST M6000.1 (series). Follow-up care from a nonfederal provider due to complications must also be funded by the member, even if the follow-up procedures are NOT elective, and even if the original elective care was rendered at a federal facility.

2. When requesting command approval **of leave associated with** elective care, members are not required to state the procedure being done or provide specific details. They must, however, provide an estimate of the time period required for the care and subsequent rehabilitation and the extent to which fitness for duty will be effected, e.g., will require crutches for 10 days, etc.

3. Because any medical condition, procedure or treatment, could possibly lead to complications and subsequent action by the physical disability evaluation system, and to protect the interests of both the service member and the Coast Guard, the command is responsible to ensure the member provides a letter to the command in which the member states and accepts the following:

   a. action to be taken by the command regarding the granting of administrative absence (i.e., regular leave or sick leave);

   b. that the service member was instructed regarding the provisions of this section; and,

   c. that the service member must, upon completion of the procedures and any follow ups, obtain copies of all treatment records from the provider for inclusion into the health record (initial evaluation, treatment plan, operative report, lab reports, follow-up care, etc).

7.A.6. Leave in Connection with Temporary Additional Duty

7.A.6.A. Delay En route

At his or her discretion the commanding officer may grant delay, to count as leave, in connection with temporary additional duty, including courses of instruction, in any amount of leave to which officers and enlisted personnel may be entitled, subject to ☞ Article 7.A.4. limitations and such restrictions as higher authority may impose.

7.A.6.B. Careful Screening of Leave Requests

Commanding officers shall carefully screen each request for leave to ensure that temporary additional duty orders are not being requested as a means to defray transportation expenses to and from place of leave. Leave will be approved only when it is clearly indicated that the temporary additional duty is essential and no additional cost to the Government is involved. If approved, the leave will be incorporated in the orders or by endorsement thereof.

7.A.7. Emergency Leave Transportation

7.A.7.a. Statutory authority

Individual's Status	Relevant JFTR Paragraph
Member Serving on Permanent Duty OCONUS	**U7205-B1a**
Command-Sponsored Dependents Residing OCONUS	**U7502-B2a**
Member Serving on Permanent Duty in CONUS with Domicile OCONUS	**U7205-B1c**
Dependents Residing in CONUS	**U7205-B2c**
Member Performing Temporary Duty or Assigned to a Ship Away from Homeport	**U7206**

7.A.7.b. Alternate Locations

Request for travel to an alternate location OUTCOUNUS under JFTR, para. U7205-C1b(3) will be submitted to Commandant (G-WPM-2) for approval.

7.A.7.c. Using Government and/or Commercial Transport

A member may use commercial transport only when space-required Government transportation is not reasonably available to him or her, the dependents, or if seemingly available does not satisfy the emergency circumstance. Transportation at Government expense is authorized on a space required basis on military-owned or -controlled or commercial transportation subject to the JFTR paragraphs cited above. This policy does not preclude using Government aircraft or vessels for which there is no charge.

7.A.7.d. Funding for Emergency Leave Travel requests

District commanders, **commanders of maintenance and logistics commands**, and commanding officers of Headquarters units **will provide** emergency leave **travel funding for members whose emergency leave has been approved under Article 7.A.5.f and will issue Document IDs (TONOs) and accounting data for members of their command and eligible dependents**. The provisions of this article **and the appropriate JFTR paragraphs** must be strictly adhered to when approving emergency leave **travel** requests.

7.A.7.e. Criteria for Approving Funded Emergency Leave Travel

The Coast Guard assumes the cost of emergency leave travel, as authorized above, whenever any of the conditions specified in ☛ Article 7.A.5.f. exist.

7.A.7.f. Submitting Requests

Send all requests for travel via Government or commercial conveyance while in an emergency leave status to the proper **funding** authority in accordance with this Article's paragraph **d**. Commanding officers of personnel who will be traveling to overseas destination via Government-controlled transportation and via the 11th Coast Guard District shall forward a copy of all requests for travel to Commanding Officer, Coast Guard Training Center, Petaluma, CA, and must direct personnel granted emergency leave to report to the AMC terminal at Travis AFB for issuance of AMD and flight arrangements. All requests for travel shall include this information:

1. Name, grade or rate, and social security number of the person concerned.

2. Ultimate overseas destination or port of entry in CONUS.
3. Date individual is available to perform travel.
4. Basis for request with source of information.
5. Whether or not convenient Government transportation is available for the member. If not, state reason.
6. Definite recommendation concerning the request.

7.A.7.g. Authority to Travel by AMC

1. Upon approval of the request, the district commander or commanding officer of Headquarters units shall provide the following:

    a. Priority certification for AMC travel

    b. Customer Identification Code (CIC)

    c. Air Movement Designator (AMD) (except as shown in subparagraphs (2) and (3) below)

2. Commanding officers of personnel traveling from overseas points to a AMC port of aerial entry into the United States will make a request for an AMD to the Navy commander of the area or air traffic coordinating officer in the area in which the traveler is on duty. This request shall be submitted only after receiving proper authorization for travel. In this instance the Navy area commander or air traffic coordinating officer will obtain reservations and assign the necessary AMD to the nearest port of aerial entry into the United States.

3. When time does not permit, or under extenuating circumstances, the Navy air traffic coordinating officer at the aerial ports of embarkation may issue AMDs for personnel traveling in an emergency leave status from CONUS to overseas areas.

4. Overseas commands will not issue an AMD for travel from CONUS, nor will the issuing activity in CONUS issue AMDs for return travel from overseas areas unless prior clearance and AMDs have been requested from appropriate authority.

5. The emergency leave travel order will direct personnel authorized emergency leave in a TAD status to report to the appropriate AMC terminal of departure for assignment of a return AMD, and return transportation.

7.A.7.h. Action Before Departing on Emergency Leave

Prior to departure of an individual on emergency leave, the commanding officer will ensure that:

1. Original and five copies of orders completed in the following format are prepared:

Document ID:

From:
To:

Subj: TRAVEL FOR EMERGENCY LEAVE

Ref: (a) Approving msg, ltr, etc.

1. In accordance with reference (a), you are hereby granted ___ days emergency leave to visit .

2. You are directed to report to _____ for travel (to) (from) CONUS in connection with the above emergency leave.

3. *Travel on Government transportation is authorized outside the CONUS. The following priorities are certified for travel via Government aircraft, chargeable against the appropriate district AFC-30 funds.

   a. Class ___ priority certified en route to leave destination.

   b. Class ___ priority certified for return to duty station.

   *USE IN CASE AMC TRAVEL UTILIZED.

3. **Travel on commercial transportation is authorized outside the CONUS.

   **USE IN CASE COMMERCIAL TRAVEL UTILIZED.

4. Your emergency leave will begin the day of departure from port of debarkation and terminate at (time) ___ days thereafter when you will report to _____ for return travel.

5. If using Government transportation, you will present these orders at ports of embarkation and debarkation for endorsement as to the date and time of arrivals and departures. While awaiting Government transportation you will be in a duty status. In addition to your ___ days of emergency leave, all time spent in travel within the United States will be charged as leave.

6. No per diem is authorized under this order.

7. Transportation charges in connection with this order will be limited to travel (from CONUS to point of debarkation) (from point of embarkation to point of debarkation in CONUS) (between overseas area from point of embarkation to point of debarkation) from Government transportation, and from point of embarkation on Government transportation to point of entry on return trip.

8. It is understood that your address on leave will be _____.

9. Delivered and departed this unit at ___ this date.

_____
_____

2. A copy of this letter of authorization shall be included in the member's Personnel Data Record and one copy sent to Commander, (CGPC-adm-3).

3. All pertinent information covering the flight assigned such as time and place passenger must report, AMC flight number and AMD, are endorsed on original and all copies of the travel orders. This information must be made available to MAC personnel. Omission of this information will result in a delay in departure.

4. In cases where the traveler is bound to an overseas destination, any immunization requirements are completed prior to commencement of travel.

5. The following information is furnished by message to the Coast Guard district commander nearest to the point of embarkation from the CONUS or to the commanding officer of the overseas unit to which the member will report while under emergency leave travel orders:

   a. Name, grade or rate, SSN of the person traveling under emergency leave TAD orders.
   b. Priority certification authorized.
   c. Ultimate overseas destination.
   d. Date individual is available to perform travel.
   e. Customer Identification Code (CIC) number.

Note: Department of Defense policy provides for the transportation of dependents when an emergency occurs in the service member's or spouse's immediate family as defined in ☛ Article 7.A.5.f. More detailed information must be obtained from an appropriate transportation officer.

7.A.8. Leave Involving Travel Outside the Continental United States

7.A.8.a. Other than Emergency Leave

Except for emergency leave involving travel outside the contiguous 48 states, leave commences upon departure from and terminates upon return to the duty station in accordance with ☛ Article 7.A.l2.

7.A.8.b. Emergency Leave

Emergency leave so granted shall be subject to the following conditions in computing leave:

1. Emergency leave to visit continental United States shall commence on date of departing from the port (or aerial port) of debarkation in continental United States for leave destination. (☞ Article 7.A.7.)

2. Personnel on emergency leave shall be considered as returned to a duty status upon reporting at a port (or aerial port) of embarkation in continental United States for return to duty outside continental United States. (☞ Article 7.A.7.)

3. Emergency leave to visit at a place other than in the continental United States will commence upon the individual's departure from the port (or aerial port) of debarkation in the area of the emergency and will terminate upon return to such port or other designated station.

4. Leave will be charged for any travel performed in continental United States.

5. The following example is set forth to aid in determining inclusive leave dates:

   a. The member departs his or her duty station in Naples, Italy, on 0l July and arrives at McGuire Air Force Base, New Jersey, on 03 July; departs McGuire Air Force Base, New Jersey, on 03 July and arrives Travis Air Force Base, California, 0800, 07 July; departs Travis Air Force Base, California, on 09 July and arrives Hickam Air Force Base, Hawaii, on 09 July and departs for emergency leave in Hawaii on 09 July. Granted total of 30 days emergency leave excluding time chargeable as leave in United States. Member returns to Hickam Air Force Base, Hawaii, 0800, 09 August. The member departs Hickam Air Force Base, Hawaii, on l2 August and arrives Travis Air Force Base, California on l3 August; departs Travis Air Force Base, California, on l3 August and arrives McGuire Air Force Base, New Jersey, ll00, l6 August; departs McGuire Air Force Base, New Jersey, l8 August and arrives at his or her duty station in Italy on 20 August. The periods chargeable as leave would be accounted for as follows:

      - 04 July to 08 **July** inclusive - three days - period of travel time in the United States chargeable as leave.

      - l0 July to 08 August inclusive - 30 days - period of emergency leave.

      - l4 August to l6 August inclusive - three days - period of travel time in the United States chargeable as leave.

   b. The actual period to be charged as leave will be determined by "in" and "out" endorsements on leave authorization or travel orders.

7.A.9. Christmas and New Year's Leave for Training

7.A.9.a. General

A consistent policy for suspending regular instruction during the holidays facilitates the long range planning of training cycles. The Christmas and New Year holidays slow down recruiting and create an appropriate period for reduction of training activities and granting of leave to training staffs.

7.A.9.b. Holiday Period

The l6 day period commencing l630 the Friday before Christmas and ending at 0745 the Monday following New Year's Day is established as the annual holiday period for all Coast Guard training centers. Commanding officers may extend, advance, or retard this schedule by two days, as may be necessary to ensure safe and convenient travel for personnel on leave. In addition, commanding officers shall schedule modified or supplementary training programs so that personnel not taking leave may be gainfully employed.

7.A.10. Administrative Absences

7.A.10.a. When Authorized

Administrative absence is a period of authorized absence, not chargeable as leave to:

1. Attend or participate in activities of a semi-official nature that benefit the Coast Guard;
2. Search for a residence at the new duty station when in receipt of PCS orders; or,
3. Allow members to return to their old duty stations to move their families to their new duty stations when PCS orders were issued and executed on short notice (fewer than 60 days).
4. **Allow retiring and involuntarily separated members time to participate in pre-separation job search and house hunting activities prior to separation.**

7.A.10.b. Authorized Activities

Care must be taken to ensure that the absence contemplated falls clearly within the criteria provided. If it does not, the absence shall be handled under normal leave and liberty procedures. Administrative absences may be authorized for the following purposes.

1. Attendance at professionally sponsored technical, scientific or educational meetings, when the meeting bears a direct relationship to the Coast Guard's primary duties or the member's professional background. Also included are Service related professional organizations; e.g., NNOA, ANSO, WOPA, etc. Attendance should clearly enhance the member's value to the Service.

2. Attendance of a member of the Board of Directors of a Coast Guard credit union at meetings of associations, leagues, or councils formed by Coast Guard credit unions, which has a purpose directly relating to the Coast Guard Credit Union Program.

3. Participation in inter- or intra-Service sporting events. Participation includes providing essential support services.

4. Participation in U. S. Olympic or other national or internationally sanctioned athletic competitions or tryouts.

5. Participation in other official or semi-official programs of the Coast Guard for which TEMADD or TEMDU is not appropriate. The programs shall enhance the member's value to the Coast Guard or understanding of the Coast Guard.

6. Participation in Scouting and American Legion Americanism programs is authorized within the limits of manpower availability. Commanding officers are authorized to issue permissive travels orders for personnel to participate in activities associated with the following programs:

   a. Boy Scouts of America.

   b. Girl Scouts of America.

   c. Camp Fire Girls, Inc.

   d. Explorers.

   e. American Legion Boys State or Boys Nation.

   f. American Legion Girls States or Girls Nation.

7. Relocation and Familiarization: Members in receipt PCS orders are authorized up to ten consecutive days of administrative absence to travel to the area of their new duty station for house hunting and familiarization. The ten days may be extended by combining with weekends, holidays, leave, liberty, or TAD. Commanding officers shall carefully screen requests for TAD to ensure these orders are not being used as a means to defray transportation expenses to and from the place of permissive travel. (Note: This should not be confused with "Operational Familiarization" travel, which is a member's travel to the new permanent duty station when the receiving command has an operational need for that member. TAD travel is appropriate for this type of travel). To avoid any perception of abuse, combining funded Operational Familiarization with no cost Relocation or Familiarization travel is not authorized. While the purpose of this "administrative absence" is to travel to the new duty station, there are limited circumstances when it may be appropriate for the new duty station to grant up to ten consecutive days absence after reporting. Those circumstances are when the member:

   a. Was unable to execute permissive orders under this section due to distance, cost, absence on temporary duty, or family relocation problems, and

   b. Will not be authorized government-owned or leased housing at the new station.

8. Family Relocation to the area of the member's new duty station. If a member is issued and must execute PCS orders on short notice (less than 60 days), commanding officers may authorize up to ten consecutive days absence to allow the member to return to their old duty stations to relocate their families to their new duty stations. The ten consecutive days absence may be extended under the same conditions as ☞ Article 7.A.10.b.7. Any members transferred PCS under this condition are entitled to ten days administrative absence even if they are authorized Government-owned or -leased housing at the new duty station.

9. The Hometown Recruiting Program, for graduates of Recruit Training, Class "A" Training, the Coast Guard Academy, and Officer Candidate School, allows them an opportunity to return to their recruiting offices before reporting to or while serving at their first duty station for a period of up to 30 days. Their task is to relate recruit training, "A" School, Academy, and officer training experience to prospects and applicants in the recruiting office or during school visits, career fairs, and public displays. Participating in the Hometown Recruiting Program depends on recruiting needs, the impact on the graduate's career, and affect on the new duty station. The recruiting office must request the graduate before permissive orders will be granted. Based on recruiting needs, these officers may authorize up to 30 days of permissive orders to participate in the Hometown Recruiting Program:

   a. Commanding Officer, Training Center Cape May for those who have successfully completed recruit training.

   b. The commanding officer of the cognizant training command for those who have successfully completed Class "A" School training.

10. Up to five days can be authorized to attend to associated family needs immediately following the birth or adoption of a child. Female members may not combine this with maternity leave.

11. **Retiring members and members separated involuntarily may be authorized up to 20 days (if separated INCONUS), or 30 days (if separated OCONUS), of administrative absence to conduct pre-separation job search and house hunting/relocation activities prior to the effective date of separation. The administrative absence can be taken in consecutive days, including weekends and holidays; in increments, not to exceed the authorized total based on the location of their last duty station; or, in connection with leave enroute to home with no intent to return to their last permanent duty station. This includes leave enroute to a retirement processing point. ☞Article 12.C.1.d.**

7.A.10.c. Unauthorized Travel

Permissive Travel for relocation or familiarization shall not be authorized in the following circumstances:

a. New accessions to active duty.

b. Members being discharged or released from active duty.

c. Members retiring.

d. Members receiving PCS orders to continue medical treatment.

e. Members transferred within a local area.

2. Permissive travel for family relocation is not authorized in these circumstances:

a. New accessions to active duty.

b. Members receiving PCS orders to continue medical treatment.

c. Members receiving PCS orders to a resident training school.

d. Members transferred within a local area.

7.A.10.d. Prior to Isolated Duty

Permissive orders may also be granted to members prior to their assignment to isolated duty under the same criteria provided in ☛ Article 7.A.10.b. Such orders are contingent on the member's desire to relocate dependents closer to family and/or to seek a more appropriate geographical location for them.

7.A.10.e. Authority to Issue Orders

Authority to issue permissive orders for administrative absences is contained in ☛ Article 4.A.9. Permissive orders will be reported in accordance with the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

7.A.11. Entitlement

7.A.11.a. Exceptions

Each member serving in the Coast Guard on active duty, or active duty for training with pay for 30 consecutive days or more, shall be entitled to leave at the rate of 2 1/2 calendar days for each month of active duty (☛ Article 7.A.19. for entitlement for fractions of a month), except for the following:

1. Periods of unauthorized absence of more than one day.

2. Periods of confinement of more than one day under sentence of court-martial which has become final.

3. Periods of confinement of more than one day while awaiting trial by court-martial and disposition of the case, and conviction has become final.

4. Periods of absence of more than one day caused by intemperate use of drugs or alcoholic liquor, or by disease or injury resulting from own misconduct.

5. Periods of excess leave or leave without pay.

7.A.11.b. Deductions

Periods listed in ☞ Article 7.A.11.a. are deducted from active service on a day-for-day basis.

7.A.12. Day of Departure, Day of Return

7.A.12.a. Commencement of Leave

Leave-granting authorities shall not normally authorize the commencement of annual leave prior to the expiration of the member's working hours on a day of duty. The day of departure from the duty station is a day of duty not chargeable to leave. If no duties are scheduled for that day (i.e., regular day off), leave may commence anytime during the day. The day of return from leave shall be counted as a day of leave, except when such return is made at or before 0900, in which case the day of return shall be counted as a day of duty. These instructions apply only in cases where personnel are granted leave not involving a change of station or emergency leave.

7.A.12.b. Examples

These three examples are set forth to aid in determining the commencement of leave:

1. Example No. l

   Member works Monday through Friday, 0800 to l630. The member wants to commence leave at l630 on Thursday. Having worked that day, he or she may be authorized leave at l630 Thursday. Thursday is a day of duty, and Friday is the first day of chargeable leave.

2. Example No. 2

   Member works Monday through Friday, 0800 to l630. The member wants to commence leave at l200 on Tuesday. He or she cannot be authorized to commence leave at l200 because it is before l630, when his or her working hours expire. Leave is authorized either: (l) at l630 on Tuesday or (2) at l630 on Monday. In case (l), Tuesday is a day of duty since member worked until l630. In case (2), Tuesday is a day of leave, provided member commences leave Monday between l630 and 2400. Special liberty cannot be granted at l200 to allow the member to combine special liberty and leave.

3. Example No. 3

Member works Monday through Friday, 0800 to l630. The member wants to commence leave 000l Sunday. Member can be authorized to commence leave at 000l Sunday. If telephone check-out is authorized, member is in regular liberty status until leave commences. Sunday is counted as a day of duty, and Monday is the first day of leave.

7.A.12.c. Equivalent Schedules

For members on shift work and afloat units, equivalent schedules should be arranged, though the days of the week may vary.

7.A.13. Hospitalization while on Leave

Personnel hospitalized while on leave will be regarded as sick in the hospital as of the day of entry in the hospital and will revert to leave status for the unexpired portion of authorized leave upon release from the hospital unless otherwise directed. Day of entry into and departure from hospital will not be charged as days of leave. No charge against the leave account will be made for the period of hospitalization. Commanding officers should be advised upon entry into a hospital and instructions requested. Proof of hospitalization must be provided upon return from leave. When an individual is unable to return to his or her station at the expiration of leave due to sickness, the member shall notify his or her commanding officer as soon as possible, but not later than the expiration of leave. Upon return the member shall submit to his or her commanding officer a statement regarding his or her physical condition from a medical officer or civilian physician.

7.A.14. Orders to Temporary Duty or Temporary Additional Duty while on Leave

7.A.14.a. Endorsement of Orders

Personnel ordered to temporary duty or temporary additional duty while on leave and ordered to resume leave status upon completion of such duty enter into a duty status upon departing from their leave address in compliance with such orders. On completing such temporary duty or temporary additional duty, personnel so ordered shall, unless otherwise directed in the order, revert to leave status upon arrival at their leave address for the unexpired portion of the leave previously granted. A charge against leave shall not be made for the period of such duty, including the time required to travel to and from the leave address in the execution of such duty via the orders. Personnel so ordered shall endorse on their orders the date and hour of departure from and return from and return to their leave address.

7.A.14.b. Recall to Duty

When member is on authorized leave and it becomes necessary to recall him or her to duty for reasons of military necessity, the period of absence shall not be charged to the leave account when the period between departure on leave and the member's receipt of the recall is 72 hours or less. The remaining time of absence is to be considered travel time unless it is clearly excessive in the circumstances. Then, the entire absence will be charged as leave. In circumstances where the member will be entitled to travel reimbursement, orders authorizing travel should be issued.

7.A.15. On Earned Leave

7.A.15.a. Maximum Number of Days

Earned leave may exceed 60 days during a fiscal year, but must be reduced to 60 days on the first day of the next fiscal year except as outlined in paragraphs b. through d. below. The amount so reduced is irrevocably lost without compensation. (☛ Article 7.A.l.)

7.A.15.b. Members Entitled to Special Pay for Duty Due to Hostile Fire

Personnel who serve on active duty for at least 120 days continuously in an area where they are entitled to special pay for duty subject to hostile fire may accumulate up to 90 days leave at the rate of 2 1/2 days per month for each month of service.

7.A.15.c. Members Serving Aboard Ship or Aircraft

Personnel serving aboard any ship or aircraft which deploys and operates away from its homeport or homebase for more than 60 consecutive days may accrue leave in excess of 60 days to a maximum of 90 days. This provision does not apply to units undergoing maintenance or repair at a shipyard or drydock facility. Personnel serving less than 60 consecutive days on an eligible unit are not entitled to carry over leave in excess of 60 days. Personnel who will not lose leave at the end of the fiscal year are not affected by this entitlement regardless of the number of days served away from homeport or homebase on a ship or aircraft.

7.A.15.d. Other Duty

Personnel serving on other prescribed duty for a continuous period of 60 days or more during a fiscal year may also qualify for accrued leave. The situation preventing the member assigned to this duty from using leave must have been caused by unscheduled operational commitment, national emergency or crisis, or operations in defense of national security. This duty must preclude the member from taking leave to reduce their leave balance to 60 days prior to the end of the fiscal year.

7.A.15.e. Using Accrued Leave

Special leave accrual is creditable in the fiscal year in which the required continuous period of duty is reached. The qualifying duty need not have commenced in the same fiscal year. Leave accrued in excess of 60 days as discussed in ☛ Articles 7.A.15.b. through 7.A.15.d. is lost if not used before the end of the third fiscal year following the fiscal year in which the qualifying duty is terminated. Monetary compensation of accrued leave in excess of 60 days is not authorized. 37 USC 501 limits the number of days of leave a member may sell to 60 days regardless of breaks in service or transfers between the services.

7.A.16. Absence without Leave

7.A.16.a. General

1. In general, a member who absents him- or herself or remains absent through his or her own fault and without authority from the place where required to be at a prescribed time, is absent without leave.

2. Where an absence was avoidable, but the commanding officer in his or her discretion decides not to take disciplinary action against the absentee, the absence is neither excused nor excusable, and must be carried on all personnel records as an unauthorized absence. If mast was held, the mast action should be recorded as "charge dismissed" rather than "excused."

3. Personnel absent without proper authority in excess of 24 hours will forfeit leave credit for each day or part of day absent unless such absence is excused as unavoidable in accordance with paragraph b. hereof. When absence is not excused, leave will not be charged; however, time lost will be charged as deductible time.

4. A member of the Coast Guard cannot avoid absence without leave by reporting to another military unit prior to the expiration of his or her leave because there can be no exercise of military control sufficient to avert unauthorized absence when an individual is still accountable to his or her parent organization. However, a moment after leave has terminated the member can report to another military unit disclosing their identity and status, and, if military control is exercised, the status of unauthorized absence will be terminated. A member who reports immediately after the absence status begins can limit the maximum punishment imposable for unauthorized absence to one day.

7.A.16.b. Absence Excused as Unavoidable

1. If, in the judgment of Commandant (G-WP) in the case of an officer, or the commanding officer in the case of an enlisted member, an absence was unavoidable, it shall be ruled that the absence is excused. An excused absence ceases to be unauthorized absence and will be charged as leave. A determination that absence was unavoidable must be based on reason; an unreasonable determination is subject to reversal by the Commandant. A person who is unable to return to his or her duty station for causes beyond their control will immediately advise their commanding officer of the circumstances.

2. Absences over leave or liberty caused by mental incapacity, detention by civilian authorities, or early departure of a mobile unit due to operational commitments, whether determined to be avoidable or excused as unavoidable, shall not be charged as leave, regardless of duration. Absences caused by mental incapacity, if excused as unavoidable, shall be considered as time served. If not excused as unavoidable, absences caused by mental incapacity shall be considered as lost time. Absence due to detention by civilian authorities shall be considered as lost time if not excused as unavoidable. Rules for determining whether absence is unavoidable are contained in the ☛ Pay Manual, COMDTINST, M7220.29 (series). Absence due to early departure of a mobile unit because of operational commitments shall be considered as time served provided the member reports to a Coast Guard command. Certain other unusual circumstances may occur resulting in a member being absent from his or her duty station. If an exception is considered appropriate by the commanding officer, details of such cases should be forwarded to Commandant (G-WP) for determination.

7.A.17. Release by Civil Authorities on Bail or Otherwise

7.A.17.a. Granting Leave

When a member of the Coast Guard is arrested by Federal, State, or local civil authorities and returns, on bail or otherwise, to the unit to which attached, the responsible officer may grant the member leave of absence to appear for trial on the date set. Leave granted will only be for the period of the trial. If the trial results in conviction any further detention by civil authorities is considered to be "civil arrest" and as such is deductible time under the provisions of the ☛ Pay Manual, COMDTINST M7220.29 (series). **This includes periods of confinement executed during periods which would normally be considered liberty time for the member.** The requirements of the ☛ Military Justice Manual, COMDTINST M5810.1 (series), will be complied with.

7.A.17.b. Confinement by Civil Authorities

Under no conditions will a member be granted leave to cover a period of confinement by civil authorities.

7.A.18. Administrative Status of Persons Subpoenaed or Otherwise Served with Process

7.A.18.a. When Serving in an Official Capacity

Whenever process is served on a member, by any method, in a matter which involves the United States or the member in his or her official capacity, the cognizant legal officer shall be immediately notified. If compliance with any legal process, whether addressed to the individual in his official capacity or as a private person, will significantly interfere with the functioning of the command, it must be brought to the attention of the cognizant legal officer immediately. ☛ Article 18-B, Claims and Litigation Manual, COMDTINST M5890.9 (series).

7.A.18.b. Member Testifying

A member testifying (other than as the defendant) in any proceeding in which the United States is a party, including Federal criminal prosecutions, does so in an official duty status. If the appearance in such a proceeding requires travel, the member shall be provided with TAD orders, funded in accordance with the Chapter 18, Claims and Litigation Manual, COMDTINST M5890.9 (series).

7.A.18.c. United States or Member Not Involved as a Party

Whenever a member testifies in a state criminal prosecution, or in any civil proceeding not involving the United States or the member as a party, but in which the substance of the member's testimony is expected to concern knowledge of facts acquired by the member in the performance of official duties, the member is considered to be acting in an official duty status. This policy applies when the member has been validly subpoenaed or, in the absence of a valid subpoena, when the cognizant legal officer had determined that the member's appearance will be in the best interest of the United States.

1. Although, in either circumstance, the member is considered to be acting within the scope of his or her Coast Guard employment while responding to such a request, funding for any necessary travel costs should be provided in advance by the party seeking the testimony. When the cognizant legal officer determines that there is insufficient time to allow coordination of direct advance funding by the requesting party, however, funding may be by the Government. The legal officer will subsequently seek reimbursement to the Government from the party soliciting the member's testimony.

2. No matter how travel funding is coordinated, the member shall be provided with TAD orders, issued and funded by the same command which would issue orders if the U.S. were a party. ☛ Chapter 18, Claims and Litigation Manual, COMSTINST M5890.9. Any travel claim submitted by the member pursuant to such orders shall clearly indicate in the remarks that all costs should be paid by the party seeking the testimony, and shall reflect any and all expenses previously paid directly or reimbursed to the member by that party.

7.A.18.d. Regular Leave

If a member is served with a valid subpoena to testify in a civil proceeding about knowledge not gained in performing official duties or is required to appear as a party to such a civil proceeding, the individual shall be granted regular leave for this purpose, unless the legal officer has obtained leave of court or quashed the subpoena on the member's behalf because of interference with operational requirements.

7.A.18.e. Leave for Testimony not Under Compulsion of any Valid Legal Process

A member may be granted regular leave, if he or she desires to testify in any proceeding not described in the preceding paragraphs, even though not under compulsion of any valid legal process.

7.A.18.f. Title 49, Code of Federal Regulations

The attention of members intending to testify in any proceeding should be directed to the regulations governing Department of Transportation employees, at Title 49, Code of Federal Regulations, Part 9.

7.A.19. Computing and Verifying Leave

7.A.19.a. Times when Computed

Leave to which a member is entitled in accordance with ☛ Article 7.A.11. shall be computed on each of the following occasions:

1. At the end of each month to determine the amount of leave to be credited to the leave account. It is the responsibility of the Military Pay and Personnel Center to credit leave increments to Leave and Earning Statements.

2. At the time a member requests leave, to determine whether the amount of leave requested will result in excess leave.

3. At the time of separation from active duty (other than active duty or active duty for training for a period of less than 30 consecutive days) including separation for the purpose of continuing on active duty in a different status, upon first extension of enlistment, or when the Personnel Data Record is closed out by reason of death or desertion.

7.A.19.b. Method of Computing

Effective 0l February l980, leave is credited at the rate of 2 1/2 days for each full calendar month on active service and as outlined below for fractional parts of a calendar month served.

1. Intermediate Date to End of Month. This table shows the leave earned from the date of enlistment, first extension of enlistment, reenlistment or entry on active duty to the end of the same month.

Date of Month Entered on Active Duty, 3l-Day Month	
l-7	2.5 days
8-l3	2.0 days
l4-l9	l.5 days
20-25	l.0 days
26-3l	0.5 days

Date of Month Entered on Active Duty, 30-Day Month, Including February	
l-6	2.5 days
7-l2	2.0 days
l3-l8	l.5 days
l9-24	l.0 days
25-30	0.5 days

2. Beginning of Month to Separation Date. This table shows the leave earned from beginning of month to date of separation.

Date of Month of Separation	
l-6	0.5 days
7-l2	l.0 days
l3-l8	l.5 days
l9-24	2.0 days
25-3l	2.5 days

3. Deduction for Lost Time. When a member has lost time for any reason shown in ☛ Article 7.A.11., the amount of leave otherwise creditable in accordance with paragraph b. and subparagraphs (l) and (2) hereof will be reduced day-for-day by determining from the table in subparagraph (4) the amount of leave the member would have earned during the period of lost time and deducting this amount from the amount of leave otherwise creditable.

4. Table for Fractional Parts of a Month.

Number of Days Lost	Number of Days' Leave Credit Deducted
0.5	0.0 day
l.0-6.5	0.5 day
7.0-l2.5	l.0 day
l3.0-l8.5	l.5 days
l9.0-24.5	2.0 days
25.0-3l	2.5 days

5. Fraction of a Day. When computing leave at the end of a period of active service for the purpose of making cash settlement, if the final balance produces a fraction of a day, the cash settlement will be figured for that fraction of a day. If a minus balance includes a fraction of a day, that fraction of a day will be entered as such. A fraction of a day will not be advanced to the next highest full day.

7.A.20. Lump Sum Leave Payments

7.A.20.a. Entitlement

Each member on active duty, except those listed in paragraph b. below, is entitled to a lump sum leave payment for unused earned leave accrued to his or her credit on date of discharge, separation from active duty, or the date preceding the effective date of first extension of enlistment regardless of duration, to a maximum career total of 60 days. A combination of cash settlement and carryover of unused leave is permissible in addition to any leave accumulated due to service in a hostile fire pay area. (☛ Article 7.A.l5.b. and the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).) The Pay Manual, COMDTINST, M7220.29 (series) contains detailed instructions on paying a lump sum for unused leave.)

7.A.20.b. Exceptions

The following members are not entitled to lump sum payment for unused earned leave on date of discharge, release to inactive duty, or extension of enlistment:

1. Members of the Regular Coast Guard or Coast Guard Reserve discharged before their enlistment expires for the purpose of enlisting, reenlisting, or accepting an appointment in any Uniformed Service, if continued on active duty. This includes temporary commissioned officers who revert to enlisted status and warrant officers discharged from their officer status and who immediately reenlist in an enlisted status. (A member who is discharged within three months of the date of expiration of enlistment and immediately enlists or reenlists under the provisions of ☛ Article l2.B.7. is not considered as having been discharged for the purpose of enlisting or reenlisting within the meaning of this subparagraph.)

2. Members electing to carry such unused leave to a new enlistment in any Uniformed Service on the day following discharge.

3. Members electing to carry such unused leave forward on first extension of enlistment.

4. Members of the Coast Guard Reserve released to inactive duty for the purpose of reporting for active duty the following day in the same or in another status.

5. Members discharged under other than honorable conditions.

6. Members on training duty without pay.

7. Members on training duty with pay for periods less than 30 consecutive days.

8. Members serving on active duty for periods less than 30 consecutive days.

9. Members retired and continued on active duty after retirement without a break in active service.

10. Members of the Coast Guard Reserve being paid on a "Disability" Military Pay Record, DD-113, under the provisions of 10 USC 6148.

11. **Members discharged due to fraudulent enlistment.**

7.A.20.c. Entering a Service Academy

When an enlisted member enters one of the Service academies, the leave record will be closed out on the effective date of execution of the oath of office. The member is entitled to lump sum payment for unused leave that exists at that time.

7.A.20.d. Reserve and Retired Personnel

Upon release from active duty of Reserve personnel or retired personnel recalled to active duty the constructive date of separation is the constructive date of arrival home and such computation will be made in accordance with the Pay Manual, COMDTINST M7220.29 (series). Payment for unused leave for these members will be based upon the date of separation so computed.

7.A.21. Appellate Leave

7.A.21.a. Voluntary Appellate Leave

If a military member is sentenced by court-martial to dismissal or punitive discharge but the court-martial convening authority has not yet approved the sentence, the member may request voluntary leave in writing. The commander exercising court-martial authority may approve the requested leave at his or her discretion if the Coast Guard's best interest would be served by granting the member's request. However, before such leave is approved, all adjudged confinement must be served, commuted, remitted, suspended, or deferred. Before the appropriate authority approves the court-martial sentence, this voluntary leave may be terminated on the member's written request and the member's commanding officer otherwise may terminate the leave. When the officer exercising court-martial jurisdiction approves the court-martial sentence, the Service member's leave status changes from voluntary to required appellate leave, and the command notifies the Service member in writing of the change in status. A sample letter appears at the end of this article.

7.A.21.b. Options for Accrued Leave

Members who have accrued leave may elect one of the following options:

1. Receive pay and allowances during the period of accrued leave and then continue on unpaid voluntary appellate leave.
2. Receive pay for the accrued leave, as of the day the voluntary appellate begins, and serve the entire period of voluntary appellate leave in an unpaid status.

7.A.21.c. Restrictions on Leave Pay

A member on voluntary appellate leave is not entitled to transportation or household goods shipments at Government expense.

7.A.21.d. Member's Rights and Obligations

While in voluntary appellate leave status, a member has certain rights and obligations to the Coast Guard. To ensure he or she understands these rights and obligations, a letter will be given to each member placed on voluntary appellate leave. Use the following example.

SAMPLE LETTER

From: (Member's Name)
To: Court Martial Convening Authority

Subj: VOLUNTARY APPELLATE LEAVE

Ref: (a) Article 7.A.21., Personnel Manual, COMDTINST M1000.6 (series)

1. In accordance with reference (a), I understand I will be in a voluntary appellate leave status.

2. I shall advise my commanding officer of my current mailing address, which I understand will be used to serve or attempt to serve the staff judge advocate's recommendation and the convening authority's action. I further understand if I fail to advise my commanding officer of my current mailing address, my voluntary appellate leave status may be terminated and I will ordered to return to duty.

[Select one of these paragraphs:]

3. Because I have no accrued leave, I will be in a leave without pay status.

or

3. Because I have accrued leave, I understand I may choose to :

   a. receive pay and allowances during the period of accrued leave and then continue on unpaid voluntary appellate leave; or
   b. receive payment for the accrued leave, as of the day the voluntary appellate leave begins, and serve the entire period of the voluntary appellate leave in a leave without pay status.

SAMPLE LETTER

From: Commanding Officer
To: (Member's Name)

Subj: CHANGE IN STATUS

Ref: (a) Article 7.A.21, Personnel Manual, COMDTINST M1000.6 (series)
(b) Article 7.A.21.f., Personnel Manual, COMDTINST M1000.6 (series)

1. In accordance with reference (a), this notifies you your status has been changed from voluntary appellate leave to required appellate leave.

2. The convening authority has acted on your case which is pending appellate review. You will be notified of your rights and obligations in separate correspondence under reference (b).

7.A.21.e. Required Appellate Leave

All military members who receive a court-martial sentence, including a punitive discharge or dismissal from the Service approved by the convening authority, are placed in a required appellate leave status, with command approval. Required appellate leave is the member's leave of absence (excess leave) from the Coast Guard without pay and allowances, unless he or she has accrued earned leave, while legal review of the court-martial occurs. Appellate leave begins the date after the convening authority approves the punitive discharge or dismissal portion of the sentence, if it does not include confinement. If the sentence includes confinement, required appellate leave begins the day released from confinement. If the convening authority or a higher appellate authority disapproves, suspends, or sets aside the punitive discharge or dismissal by the date the required appellate leave is to begin, the member will not be placed in a required appellate leave status. If the Court of Military Review, Court of Military Appeals, or U.S. Supreme Court remits or sets aside the punitive discharge after the member begins appellate leave, he or she is entitled to all back pay and allowances accruing from the date he or she began appellate leave, less the period of accrued leave taken or for which paid and less deductions for earned civilian income received during leave. Civilian income includes wages, salaries, tips, other personal service income, unemployment compensation, and public assistance benefits from any Government agency.

7.A.21.f. Leave Payment Options

Members who have accrued leave may elect either to be paid a lump sum for that leave or to use the accrued leave. If they use leave, they will be granted leave with pay and allowances up to the amount of leave accumulated to the date on which their

leave begins. The lump sum settlement is based on the rate of basic pay to which the member is entitled on the day before being placed on leave, even though the member may be in a non-pay or reduced pay status. When exhausted, leave continues as leave without pay and allowances. Pay and allowances end on the day before either the first day of appellate leave or the date earned leave expires, as applicable. An enlisted member on appellate leave remains on appellate leave even if his her enlistment has expired.

7.A.21.g. Members Serving Abroad

Members serving outside the continental United States who have received a court-martial sentence including a punitive discharge or dismissal from the Service approved by the convening authority transfer under orders to report to the office of the district commander within the continental United States nearest the member's home of selection to begin required appellate leave. Complete as many of the actions listed in ☛ Article 7.A.21.e. as possible before transferring the member to the continental United States. Appellate leave begins the day the member arrives if the sentence does not include confinement. If it does, required appellate leave begins the day released from confinement.

7.A.21.h. Member's Entitlements

The member's entitlements are:

1. The member and his or her dependents are entitled to Government transportation by the least costly means available from the permanent duty station to the home of record or place where he or she entered the Service.

2. If a rehearing is ordered, the member may be recalled from leave for further court-martial proceedings. Travel is at Government expense.

3. Shipment of household goods may be authorized. Once the appellate review process is completed, if it upholds the member's punitive discharge or dismissal, Commander, (CGPC-epm) or (CGPC-opm) will effect the discharge. If the sentence is set aside and charges dismissed during the appellate process, dismissal or punitive discharge is remitted or set aside, or the Commandant grants clemency, the member has 15 days from the date he or she is notified (date of service) or the date of attempted service to petition Commander, (CGPC-epm) or (CGPC-opm) for restoration to duty or reenlistment. If Commander, (CGPC-epm) or (CGPC-opm) denies the member's petition, discharge for the convenience of the Government or enlistment expiration with the type of discharge warranted by the member's service record will be directed. Unless discharge Under Other than Honorable Conditions is contemplated, the member's presence is not required to effect the discharge. If the member is restored to duty or allowed to reenlist, he or she is entitled to travel at Government expense.

7.A.21.i. Responsibilities

1. Commandant

   a. On action on the punitive discharge or dismissal by appellate authorities as affirmed by the officer exercising general court-martial jurisdiction, Commander, (CGPC-epm) or (CGPC-opm) shall ensure the retention or discharge is recorded on PMIS documents prepared under COMDTINST M1080.9 (series).

   b. If the convening authority orders a rehearing of the case, Commander, (CGPC-epm) or (CGPC-opm) will administratively assign the member back to the convening authority and notify the member of the new administrative command.

   c. On receiving of the Supplemental Court-Martial Order directing the member's punitive discharge, Commander, (CGPC-epm) or (CGPC-opm) shall ensure appropriate PMIS documents are prepared.

2. Convening Authority.

   a. The convening authority notifies Commander, (CGPC-epm) or (CGPC-opm) and the Human Resources Service and Information Center (HRSIC) by message of all members placed in a required appellate leave status, who, in turn, also informs the member's assignment officer that a replacement is necessary. The message must include the date the member departs on appellate leave and how much of that leave, if any, is accrued leave.

   b. If the member waives any further appellate review of court-martial with a punitive discharge, notify Commandant (G-LMJ) and Commander, (CGPC-epm) or (CGPC-opm) by message.

3. Commanding Officer. Before a member departs on appellate leave, the commanding officer (the district commander nearest the member's home of selection for OUTCONUS personnel) shall ensure:

   a. The member has been given a physical examination as prescribed in the CG Medical Manual;

   b. A Report of Separation from Active Duty, DD Form 214, has been completed to the extent possible and the member signs it;

c. Both member and dependents surrender Armed Forces Identification Cards and receive replacement identification cards that expire six months from the issue date. Before laminating, the card shall be stamped on both sides in ink (preferably red), "APPELLATE LEAVE." When these identification cards expire, they shall be reissued semi-annually for as long as the member is on appellate leave;

d. Proper PMIS documents are prepared per COMDTINST M1080.9 (series) to indicate the convening authority approved the court-martial sentence and the member completed confinement (if any);

e. The member may retain one uniform and one overcoat. If Commandant directs the member's discharge, he or she must surrender the uniform;

f. The member's pay, allowances, and allotments are stopped on the same date, either the day before the first day of appellate leave or the date accrued leave expires, as applicable;

g. A cash allowance is not paid and civilian clothing is not furnished;

h. Orders and appropriate PMIS documents are prepared to indicate the member has been administratively assigned to Commanding Officer, Human Resources Service and Information Center, that the PMIS documents indicate the nature of duty as pending appellate review, and the member's records (PDR, health record, etc.) are sent to HRSIC.

7.A.21.j. Letter to Member

A member in a required appellate leave status has certain rights and obligations to the Coast Guard while in this status. To ensure the member understands these, give this letter to each member placed in a required appellate leave status.

SAMPLE LETTER

From: Commanding Officer
To: (Member)

Subj: APPELLATE LEAVE

Ref: (a) Article 7.A.21., Personnel Manual, COMDTINST M1000.6 (series)

1. In accordance with reference (a), you are being placed on required appellate leave pending appellate review of your (general/special) court-martial which sentenced you to (dismissal/a punitive discharge) from the Coast Guard.

(select one of these paragraphs)

2. Because you have no accrued leave, you will be in a leave without pay status.

(or)

2. Because you have accrued leave, you may elect either a lump sum payment for your accrued leave or to use the accrued leave. In the latter case, you will be granted leave with pay and allowances up to the amount of leave accumulated to date.

3. When exhausted, leave with full or partial pay and allowances continues as leave without pay and allowances. Your leave authorization shall reflect the kind of leave granted and no indication you are to return to a duty station when this leave expires. You are permitted to retain one uniform, one overcoat if needed, and such uniform items as Commander (CGPC-epm-1) or (CGPC-opm-1) may direct. Your pay and allowances terminate the day before the first day of appellate leave or the date your earned leave expires, as applicable. When your pay and allowances stop, your allotments also will stop, either at the end of the month before or after your placement on appellate leave status. Servicemen's Group Life Insurance (SGLI) coverage will continue after your pay and allowances stop, unless you specifically decline coverage. You will continue to be charged monthly SGLI premiums, which you will have to pay in advance in quarterly installments to HRSIC. Your SGLI coverage will be stopped if your premiums are more than 4 months in arrears. Unless you totally forfeited your pay and allowances for at least 31 days before you began appellate leave. If the Court of Military Review or Court of Military Appeals sets aside the sentence and dismisses charges during the appellate process, or remits or sets aside the (dismissal/punitive discharge) without a rehearing, you are entitled to full back pay and allowances accruing from the date you began appellate leave less any accrued leave you took or were paid for. Your pay and allowances will be reduced by will the total amount of your income from wages, salaries, tips, other personal service income, unemployment compensation, and public assistance benefits from any Government agency during this period.

4. Before departing, you will undergo a thorough physical examination as prescribed in the Coast Guard Medical Manual, COMDTINST M6000.1(series). A Report of Separation from Active Duty (DD Form 214) will be completed to the extent possible and you will sign it before you depart. You will surrender

your Armed Forces Identification Card (and Dependent's Uniformed Services Identification and Privilege Card(s), if applicable) and receive replacement identification cards that expire six months from issue date. If you remain on appellate leave after your temporary identification card expires, you may obtain a new card from the nearest Coast Guard facility capable of issuing this card. You remain subject to the orders of competent Coast Guard authority while on appellate leave.

5. You must inform Commander (CGPC-epm-1) or (CGPC-opm-1), whose address is listed below, of your current address. Failure to do so may result in your being declared on unauthorized absence and subject to further disciplinary action.

Commander, (CGPC-epm-1) or (CGPC-opm-1)
U.S. Coast Guard
2100 Second Street, SW
Washington, DC 20593-0001

6. (Name of trial defense counsel), your trial defense counsel, will continue to advise you about your post-trial rights. You may reach (name of counsel) at this address:

Name of trial defense counsel
Address
Telephone Number

If you do not waive appellate review, you will be appointed an appellate defense counsel to represent you. You are encouraged to participate in the appellate process even though you are on appellate leave. If you decide to exercise your right to appellate review, when the review is completed you will be served copies of the decision of the Coast Guard Court of Military Review and any related papers by certified mail, return receipt requested. If the Court of Military Review decision cannot be delivered because you failed to notify Commander (CGPC-epm) or (CGPC-opm) of your current address, you may be charged under the UCMJ with being in an unauthorized absence status and lose your opportunity to have the United States Court of Military Appeals or the United States Supreme Court review your case. Regardless of the nature of the discharge granted after the appellate review is completed, your presence will not be required to complete the separation processing unless Commander, (CGPC-epm-1) or
(CGPC-opm-1) contemplates a discharge Under Other than Honorable Conditions.

7. ENLISTED: If the sentence is set aside and charges dismissed, or if the punitive discharge is remitted or set aside, or clemency is granted, Commander (CGPC-epm-1) may direct and effect

discharge for the Government's convenience or enlistment expiration, with the type of discharge your service record warrants. Your presence is not needed to effect separation unless Commander, (CGPC-epm-1) contemplates a discharge Under Other than Honorable Conditions. If your sentence is set aside and no rehearing is to be held, you have 15 days from the date you are served with notice (date of service) or attempted service of such action in which to petition the Commandant to restore you to duty or reenlist, you via the convening authority. Unless you submit and Commandant grants such petition for restoration, Commander, (CGPC-epm-1) may otherwise discharge you with the type of discharge your Service record warrants.

(or)

7. OFFICER: If the sentence is aside and charges dismissed, or if the dismissal is remitted or set aside, or if clemency is granted, Commander, (CGPC-opm-1) may direct and effect dismissal according to Article 12.A.15., Personnel Manual, COMDTINST M1000.6 (series). If your sentence is set aside and no rehearing is to be held, you have 15 days from the date you are served with notice (date of service) or attempted service of such action in which to petition the Commandant to restore you to duty, via the convening authority. Unless you submit and the Commandant grants this petition, Commander, (CGPC-opm-1) may otherwise dismiss you.

(or)

7. CHIEF WARRANT OFFICER: If the sentence is aside and charges dismissed, or if the dismissal is remitted or set aside, or if clemency is granted, Commander, (CGPC-opm-1) may direct and effect dismissal according to Article 12.A.21. .Personnel Manual, COMDTINST M1000.6 (series). If your sentence is set aside and no rehearing is to be held, you have 15 days from the date you are served with notice (date of service) or attempted service of such action in which to petition the Commandant to restore you to duty, via the convening authority. Unless you submit and the Commandant grants this petition, Commander, (CGPC-opm-1) otherwise may dismiss you.

8. If a rehearing is ordered, you may be recalled from leave for further court-martial proceedings. This travel will be considered as being performed under orders on official business while away from your designated duty station, so that your personal transportation at Government expense may be authorized.

9. You and your dependents are allowed Government transportation by the least costly means available from your permanent duty station to your home of record or place you entered the Service.

Shipping household goods is authorized if stationed within the continental United States. If you are required to return to your permanent duty station or other designated place to participate in further judicial proceedings or for other official purposes, your return travel will be at Government expense.

_____
Commanding Officer's signature

I acknowledge and understand this letter.

_____
Member's signature

Copy: COMDT (G-LMJ)
COMDT (G-WPM)
CGPC-opm-1 or CGPC-epm-1
MLC (pp)
District (a)
District (dl)
CG HRSIC
PERSRU PDR
Unit PDR

7.A.22. Checkage of Pay for Excess Leave

7.A.22.a. On Return from Excess Leave

Checkage of pay for excess leave shall be made immediately upon return from excess leave. When the total excess leave produces a fractional part of a day, excess leave shall be checked as a fractional part of a day. (Example: l/2 day excess leave will be considered l/2 day for the purpose of checkage.) Where excess leave of more than l/2 day has been taken as a result of an administrative error, a checkage shall be made immediately upon discovery that such leave has been taken and shall be based on the pay and allowances received by the member at the time the excess leave was taken.

7.A.22.b. Minus Leave Balance

When the leave record accounting at the time of separation from active service, including first extension of enlistment regardless of duration, desertion or death produces a minus leave balance; such minus leave balance is considered excess leave and proper checkage for such excess leave shall be made at the time of closing the pay record, except in the situations listed in paragraph c. Checkage shall be based on the pay and allowances received by the member when excess leave was taken.

7.A.22.c. Exceptions to Checking Pay and Allowances

When a negative leave balance exists at the time of separation under any of these circumstances, checkage of pay and allowances shall not be made for any portion that the member is authorized and elects to carry forward to the new term of service.

1. Discharge from an enlistment for the purpose of accepting a permanent or temporary commission or warrant appointment in any Uniformed Service and continuing on active duty. The number of days of advanced leave carried forward cannot exceed 30 days

2. Discharge from the Service as a warrant officer with immediate reenlistment in enlisted status. The number of days of advanced leave carried forward cannot exceed 30 days or the maximum number of days of leave that could be earned in the new term of service, whichever is less.

3. For termination of a temporary commission, reverting back to enlisted status, the number of days advanced leave carried forward cannot exceed the maximum number of days leave that can accrue under the enlistment contract.

4. Enlisted members separated by reason of other than expiration of enlistment for the purpose of continuing on active duty in the same or another status in any Uniformed Service. The number of days of advanced leave carried forward cannot exceed 30 days or the maximum number of days of leave that could be earned in the new term of service, whichever is less.

7.A.22.d. Entering a Service Academy

When an enlisted member enters one of the Service academies, the leave record will be closed out on the effective date of execution of the oath of office. Checkage will be made for any minus leave balance that exists at that time.

7.A.22.e. Result of Being Declared a Deserter

When a member who has been checked for excess leave due to being declared a deserter returns to a duty status after completing disciplinary action which resulted in his or her conviction of the lesser charge of unauthorized absence or acquittal and the mark of desertion is removed as provided in ☛ Article 8.C.6., the minus leave balance will be reentered on the leave record and the amount of pay and allowances for which checked will be recredited on his or her pay record.

7.A.22.f. Fractional Part of a Day

In the checkage of pay and allowances for excess leave upon separation, release or retirement a fractional part of a day of excess leave shall be checked as a fraction of a day. (Example: 1 1/2 days excess leave is considered 1 1/2 days for the purpose of checkage.)

7.A.22.g. Overpayment from a Checkage of Pay

Personnel will not be retained in the Service to liquidate an overpayment at the time of separation resulting from a checkage of pay for excess leave.

7.A.23. Pay and Allowances during Absences

7.A.23.a. Authorized Leave or Liberty

Personnel on authorized leave or liberty while in active duty status are entitled to full pay and allowances except for periods of excess leave and periods of unauthorized absence over leave or liberty, unless excused.

7.A.23.b. Unauthorized Absence

Personnel absent over leave or liberty in excess of 24 hours, or absent without leave in excess of 24 hours, forfeit all pay and allowances during such absence, unless such absence is excused as unavoidable, except that entitlement to basic allowance for quarters to which an enlisted member serving in pay grades E-l, E-2, E-3, and E-4 (four years or less service) with dependents is otherwise entitled terminates at the end of the second month following the month in which such unauthorized absence begins.

7.A.23.c. Absence due to Sickness or Injury

Personnel on active duty and when absent due to sickness or wounds (except sickness as misconduct because of intemperate use of alcoholic liquor or habit forming drugs) or when ordered to be absent from duty to await orders pending action on disability retirement proceedings are entitled to otherwise proper credit of pay and allowances for the entire period of such absence. A member who is absent from his or her regular duties for a continuous period of more than one day because of a disease directly caused by and that immediately follows his or her intemperate use of alcoholic liquor or habit forming drugs is not entitled to pay for the period of such absence. However, each member whose pay is so forfeited for more than 1 month is entitled to $5.00 for personal expenses for each full month that their pay is forfeited.

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7.B. LIBERTY AND COMPENSATORY ABSENCE

7.B.1. Definition of Liberty

7.B.1.a. Liberty

Liberty is defined as any authorized absence granted for short periods to provide respite from the working environment or for other specific reasons. Liberty includes regular and special liberty periods. It is not chargeable as leave and leave rations shall not be paid to enlisted members.

7.B.1.b. Regular Liberty

Regular liberty is a period, not to exceed three days, commencing at the end of the normal working hours on a given day and expiring with the start of normal working hours on the next working day. Public holiday weekends and periods which, by the direction of the President, are extended to exceed 72 hours are considered regular liberty periods.

7.B.1.c. Special Liberty

Special liberty is a period granted outside regular liberty periods for unusual reasons, such as compensatory time off, emergencies, exercising voting responsibilities of citizenship, observing major religious events requiring the individual to be continuously absent from work or duty, or for special recognition. Special liberty periods of three or four days may only be granted for special occasions outlined in ☛ Article 7.B.2.c.

7.B.2. Policy on Liberty

7.B.2.a. Granting of Liberty

Liberty, an instrument of command management, normally is granted outside of normal working hours to personnel not required to be physically present for work assignments which should have been completed, for additional essential work, or for the currently required level of operational readiness. Special liberty during working hours may be granted for its defined purposes when considered appropriate.

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.

7.B.3. Liberty Incentive for Aiding the Coast Guard Recruiting Effort

7.B.3.a. Special Liberty Incentive for Recruiting

Any active duty Coast Guard member (enlisted or officer) who is instrumental in the enlistment of an individual into the Coast Guard or the Coast Guard Reserve is entitled to a special 72-hour liberty. This special liberty shall be in addition to any liberty which the member is otherwise entitled and is subject to the guidelines in ☛ Article 7.B.2. of this Manual. The earned special 72-hour liberty will be granted at the convenience of each command and should not be allowed to interfere with the operational commitments of the unit. No member may earn more than one special 72-hour liberty per quarter.

7.B.3.b. Statement Requesting Special Liberty Incentive for Recruiting

Recruiting officers shall forward by Rapidraft Letter the name, rate, SSN, and unit of any active duty member who has earned a special 72-hour liberty to the Recruiting Command, with a copy to the member's district (ap) and commanding officer. The letter will also contain a statement to the effect that the member was instrumental in the enlistment of SA John Doe 000 00 0000 in the following way (e.g., how the member directly contributed to Doe's enlistment decision).

7.B.3.c. Certifying Special Liberty Incentive for Recruiting

Regional recruiting commanders shall certify that the member was/was not instrumental in the enlistment of SA Doe. They shall then notify the member's commanding officer that the member is or is not entitled to a special 72-hour liberty.

7.B.3.d. Unit Responsibilities

Unit commanding officers shall grant a special 72-hour liberty to each member entitled, consistent with the unit's operational commitments. They shall also monitor each member's participation to ensure that the member does not accumulate more than one special 72-hour liberty per quarter.

7.B.4. Liberty-Granting Authority

7.B.4.a. Commanding Officers

Subject to such restrictions and instructions as may be made by higher command, commanding officers are authorized to grant liberty within the limitations set forth in ☛ Article 7.B.2.

7.B.4.b. District Commander

In the case of chief petty officers and petty officers in charge of units within a district, the district commander or the commanding officer, if one is placed between the district commander and the officer in charge, in the chain of command, exercises for these units those responsibilities of a commanding officer, which an officer in charge is not authorized to exercise. It is necessary that these units be specifically authorized to grant liberty. This authority may be included in the rules governing liberty formulated by the district commander, or commanding officer as approved by the district commander, and, insofar as possible, these rules shall be uniform throughout the district.

7.B.5. Absence over Liberty

An absence over liberty, if excused as unavoidable (☛ Article 7.A.16.b.), will be processed as follows

1. Absence over regular liberty in excess of 24 hours, if excused as unavoidable, shall be charged against the member's leave account. Leave shall be charged commencing the day regular liberty status expired through the day of return provided the hour of return was after 0900.

2. When liberty was special liberty, and period of unauthorized absence excused as unavoidable is involved, the entire period shall be charged as leave commencing with the day special liberty status commenced through the day of return, provided the hour of return was after 0900 when:

   a. The period of excused unauthorized absence exceeded 24 hours; or

   b. The period of special liberty plus excused unauthorized absence exceeding 72 hours.

3. When the absence over liberty is determined to be avoidable, it shall be considered as absence without leave and shall be charged as lost time.

4. Periods of absence over regular liberty and special liberty, excused as unavoidable, charged as leave shall be computed as follows:

   a. Absence in excess of 24 hours over regular liberty: Member departed on regular liberty on Friday at 1630, 13 September, to expire on board Monday at 0730, l6 September. Member returned at l000, l8 September, UA excused as unavoidable. Member would be charged three days' leave for period 16-18 September (day regular liberty expired through day of return since return was after 0900).

b. Absence in excess of 24 hours over special liberty: Member departed on special liberty on Tuesday at l000, l0 September, to expire on board Wednesday at 0830, 11 September. Member returned l500, 12 September, UA excused as unavoidable. Member would be charged three days' leave for period l0-l2 September (day special liberty commenced through day of return since period of UA exceeded 24 hours). Note that had the period of UA been less than 24 hours, no leave would have been charged.

c. Total absence (special liberty plus period UA excused as unavoidable) exceeds 72 hours: Member departed on special liberty on Monday at l000, 09 September, to expire on board Thursday at 0830, l2 September. Member returned at 0600, l3 September, UA excused as unavoidable. Member would be charged four days leave for 9-l2 September (day special liberty commenced through day prior to day of return, since member returned prior to 0900 l3 September). Note that the period of UA was less than 24 hours but the period of special liberty plus UA exceeded 72 hours.

7.B.6. Compensatory Absence

7.B.6.a. Definition

Compensatory absence is a form of liberty granted to personnel serving on isolated duty; e.g., specified LORAN stations, when conditions of duty result in confinement because of isolation, or in long periods of continuous duty. Only such units which are not easily accessible, or which are remote from towns wherein usual places of recreation, stores, homes, and facilities may be found, are to be considered "isolated" for the purpose of granting compensatory absence. Leave rations shall not be paid during compensatory absence (14 USC 511).

7.B.6.b. Purpose

Compensatory absence is not a right to any individual. It is authorized for the purpose of maintaining the morale and efficiency of the Service. It provides a means of compensating for normal liberties forfeited in conjunction with service under staffing requirements of the Most Effective Organization (MEO) at certain isolated units. In the case of certain restricted overseas isolated units, it also exists for the purpose of rehabilitation.

7.B.6.c. Limitations

District commanders may authorize the commanding officers in charge of isolated LORAN stations to grant compensatory absence within the limits set forth below:

1. A commanding officer grants compensatory absence at his or her discretion, taking into account the impact on unit readiness, safety, and effectiveness.

2. A cumulative 2 1/2 days per month, not to accumulate in excess of 60 days.

3. Compensatory absence may be authorized by commanding officers in conjunction with regular or emergency leave.

4. Compensatory absence may not be carried over as a credit after a person's transfer from such isolated duty. Any balance due shall be granted at the time of detachment and used en route to the next non-isolated duty station or canceled.

7.B.6.d. Leave with compensatory absence

District commanders shall determine which LORAN stations under their command are isolated within the meaning of ☛ Article 7.B.6.a. and establish the departure and return points to begin and end compensatory absence, respectively.

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7.C. Sailing Lists

7.C.1. General

In the event of a disaster to a Coast Guard vessel resulting in the loss of personnel, it is important that there be readily available ashore an accurate record of the names of the persons aboard such vessel.

7.C.2. Type of List Required

A sailing list as such will not be required to serve this purpose. Instead, a gangway list may be used to show personnel (civilian and military) on board at the time of sailing. A gangway list is a list of all personnel attached to the vessel. The personnel are grouped by sections so the list can be used as a liberty list at the gangway. Before furnishing the list to the gangway watch, the ship's office will annotate it to show the duty status of personnel. The gangway watch will enter changes which occur while the list is at the gangway, check off each person ashore on liberty, and make all other entries to show changes in status occurring during the watch. Entries should be neat and clear and may be made in pencil. Full names and service numbers are required only to prevent any confusion which might result in some cases. This gangway list serves the purpose of a sailing list. When submitted, it shall contain the estimated time of departure and the Officer of the Day's signature.

7.C.3. Submitting Lists

7.C.3.a. With a Personnel Allowance

The commanding officer or officer-in-charge of each vessel having a personnel allowance shall, upon sailing on a mission outside the harbor limits, submit the list or copy thereof, to the next senior officer in the chain of command.

7.C.3.b. Without a Personnel Allowance

The commanding officer or officer-in-charge of units with vessels not having a personnel allowance shall record the desired information when such vessels sail on a mission outside the harbor limits.

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8.A. Code of Conduct and Uniform Code of Military Justice for Members of the United States Armed Forces

8.A.1. General

8.A.1.a. Code of Conduct

The taking of the oath of allegiance is the pivotal fact which changes an individual's status from that of a civilian to that of a member of the United States Armed Forces. There are a number of requirements and responsibilities which fall on the member at that time. One is adherence to the Code of Conduct for Members of the United States Armed Forces, Executive Order No. 10631 dated 17 August 1955 (as amended).

8.A.1.b. Uniform Code of Military Justice (UCMJ)

The substance of Article 137, UCMJ, shall be carefully explained to each new Coast Guard member at the time of entrance on active duty, or within six days thereafter.

8.A.2. Code of Conduct for Members of the United States Armed Forces

Section 1

By virtue of the authority vested in me as President of the United States, and as Commander in Chief of the armed forces of the United States, I hereby prescribe the Code of Conduct for Members of the Armed Forces of the United States which is attached to this order and hereby made a part thereof.

All members of the Armed Forces of the United States are expected to measure up to the standards embodied in this Code of Conduct while in combat or in captivity. To ensure achievement of these standards, members of the armed forces liable to capture shall be provided with specific training and instruction designed to better equip them to counter and withstand all enemy efforts against them, and shall be fully instructed as to the behavior and obligations expected of them during combat or captivity.

The Secretary of Defense (and the Secretary of Transportation with respect to the Coast Guard except when it is serving as part of the Navy) shall take such action as is deemed necessary to implement this order and to disseminate and make the said Code known to all members of the Armed Forces of the United States.

Section 2

I. I am an American, fighting in the forces which guard my country and our way of life. I am prepared to give my life in their defense.

II. I will never surrender of my own free will. If in command I will never surrender the members of my command while they still have the means to resist.

III. If I am captured I will continue to resist by all means available. I will make every effort to escape and aid others to escape. I will accept neither parole nor special favors from the enemy.

IV. If I become a prisoner of war, I will keep faith with my fellow prisoners. I will give no information or take part in any action which might be harmful to my comrades. If I am senior, I will take command. If not, I will obey the lawful orders of those appointed over me and will back them up in every way.

V. When questioned, should I become a prisoner of war, I am required to give name, rank, service number and date of birth. I will evade answering further questions to the utmost of my ability. I will make no oral or written statements disloyal to my country and its allies or harmful to their cause.

VI. I will never forget that I am American, fighting for freedom, responsible for my actions, and dedicated to the principles which made my country free. I will trust in my God and in the United States of America.

8.A.3. UCMJ

A complete text of the UCMJ and the Manual for Courts-Martial shall be made available to a member on active duty upon their request, for the member's personal examination. Specific articles to be explained include Articles 2, 3, 7-15, 25, 27, 31, 38, 55, 77-134, and 137-139. In addition, service members will be informed of the Coast Guard policy on sexual conduct, including homosexual conduct.

8.A.4. Training

8.A.4.a. Code of Conduct

The Code of Conduct for members of the United States Armed Forces shall be carefully explained to each member upon entry into active duty. This training shall be conducted prior to completion of recruit training, graduation from Officer Candidate School or graduation from the Academy, as appropriate. The Code shall be explained again to enlisted members after six months of active duty and upon the time(s) of reenlistment.

8.A.4.b. UCMJ

Both Article 137 and sexual and homosexual conduct policies shall be explained again after the member has completed six month of active duty, and periodically thereafter, including upon reenlistment. For Article 137 briefings only, an entry will be made on an Administrative Remarks Sheet, CG-3307, in the members Personnel Data Record.

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8.B Civil Arrest and Conviction

8.B.1. General information

1. ☛ Article 7.A covers granting leave in connection with arrest by civilian authorities.

2. The ☛ Coast Guard Pay Manual, COMDTINST M7220.29 (series), covers deductible time due to arrest by civilian authorities.

3. The ☛ Manual for Courts-Martial, and the Coast Guard Military Justice Manual, COMDTINST M5810.1 (series), governs delivering Coast Guard members to civilian authorities.

4. The administrative requirements imposed by this article and the ☛ Coast Guard Personnel Security Program, COMDTINST M5520.12 (series), shall not be delegated to units below the Group level.

8.B.2. Report of arrest

8.B.2.a. Notification of Civil Arrest

Notifications of civil arrest shall be made using Personnel Action Security Request **CG-5588**, as required by the ☛ Coast Guard Personnel Security Program, COMDTINST M5520.12 (series). Letter reports of civil arrest are no longer authorized.

8.B.2.b. Required Reports

When it is anticipated that final action by civil authorities will occur within a few days of the arrest, the ☛ Coast Guard Personnel Security Program, COMDTINST M5520.12 (series) authorizes submission of a single report covering the arrest and subsequent action. When final action by the civil authorities will be delayed, an arrest report will be made promptly and followed by a final action report. In prolonged cases, interim reports should be submitted at 30-day intervals as required COMDTINST M5520.12 (series).

8.B.2.c. Notification of Next of Kin

1. When an enlisted member is awaiting trial in a civil court and charged with the commission of a felony, the commanding officer should impress upon the member the desirability of informing his or her parents, spouse, or guardian as appropriate, of the circumstances.

2. In those cases where the member is under 21 years of age, and where it appears that the parents, spouse, or guardian will not be otherwise informed of the proceedings, the commanding officer should inform the parents, spouse, or guardian, by letter or other form of communication, of the details considered pertinent and proper under the circumstances.

8.B.3. Report of civil conviction

8.B.3.a. Required Reports

All civil convictions shall be reported as required by the ☛ Coast Guard Personnel Security Program, COMDTINST M5520.12 (series).

8.B.3.b. Submission of Reports

A copy of the CG-5588 used to report any civil *conviction* shall be submitted to Commander, (CGPC-opm) or (CGPC-epm), as applicable, and (CGPC-adm-3).

8.B.4. Disciplinary Action after Civil Arrest and Trial

8.B.4.a. Coast Guard Policy

Coast Guard policy is against trial by court-martial for the same act(s) for which a member has already been tried by a state or foreign country; see ☛ the Military Justice Manual, COMDTINST 5810.1 (series), Article 2-B-4.

8.B.4.b. Performance Evaluations

Actions resulting in a civil court conviction bring discredit upon the Coast Guard and, except for minor traffic violations, shall be reflected in the performance evaluations of both officer and enlisted members. A description of the unacceptable conduct shall be set forth in the performance evaluation rather than merely referencing, without elaboration, the fact of conviction. For example, if a member stabbed a person, the circumstances surrounding the stabbing should be described, and not the legal conclusion that the member assaulted a person. The underlying conduct, not merely the fact of conviction, reflects negatively on the Coast Guard.

8.B.5. Acceptance of Coast Guard Personnel from Civil Authorities when Civil Charges are Pending

8.B.5.a. Granting Leave

Members released on bail or their own recognizance may be made available for trial as ☛ Article 7.A.17 provides.

8.B.5.b. Release to Coast Guard

Normally, it is desirable to have Coast Guard members placed in the Coast Guard's custody rather than remaining in jail. Commanding officers shall contact the civil authorities concerning the member's release. Members released to Coast Guard custody must be made available to civil authorities on demand.

8.B.5.c. Prior to Release

Before arranging for the release of a member to Coast Guard custody, consideration should be given to the following factors:

1. The nature of the alleged offense(s);

2. The physical and mental condition of the accused;

3. The impact of the member's presence on the unit; and

4. The unit's ability to ensure the member will be available at the request of the civilian authorities.

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(Detailed procedures for carrying out these policies are in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series))

8.C.1. Unauthorized Absence of Officers

In all cases of unauthorized absence, extended unexplained absence, or extended unexplained failure to report in compliance with official orders, the commanding officer shall notify Commander, (CGPC-opm) of the facts and circumstances. Appropriate documents must be submitted, as the unauthorized absence of an officer results in loss of pay and allowances. If it is manifest that the absentee does not intend to report or return to Coast Guard jurisdiction, the commanding officer will further notify the district commander or the immediate superior in command, as appropriate, and request advice or aid with a view of initiating all practicable and reasonable local action to return the absentee to Coast Guard jurisdiction.

8.C.2. Unauthorized Absence of Enlisted Personnel

8.C.2.a. Absentee

1. The term "absentee" denotes any member not classified administratively as a deserter who is absent without authority from their unit, organization, or other place of duty at which they are required to be present.

2. Any enlisted member absent from the Coast Guard without authority will normally be carried as an absentee during the first 29 days of their absence.

3. Commands are responsible for following the procedures in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series) when an enlisted member has been absent for any of the following reasons.

   a. Unauthorized absence from a permanent unit for a period in excess of 24 hours.

   b. Failure to report in compliance with PCS orders.

   c. Failure to report in compliance with TEMDU orders.

   d. Failure to report in compliance with TAD orders.

   e. Unauthorized absence status from a TAD unit for a period in excess of 24 hours.

   f. Unauthorized absence at time of sailing of cutter.

g. Notification to next of kin when a member has been an unauthorized absentee for 10 days, and has not been declared a deserter.

8.C.2.b. Deserter

1. The term "deserter" denotes a member who has been administratively declared a deserter on the 30th day of absence, or at any time during the first 29 days of absence when one or more of the following conditions exists:

   a. When the intent to remain away from the Service is evident from circumstances attendant on the absence.

   b. When the absence was evidently entered into to avoid hazardous duty or to shirk important service as defined in the Manual for Courts-Martial, United States. (☛ Manual for Courts-Martial (MCM), Part IV, paragraph 9.c.(2)(a))

   c. Where it is known that the member, concealing their existing Service, has enlisted or accepted appointment in another Service.

2. Commands are responsible for the following actions and shall follow the procedures in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series) when an enlisted member has been declared a deserter.

   a. On the 31st day of absence, or in those cases where the member is earlier declared to be a deserter, the member's commanding officer shall issue a Deserter/Absentee Wanted by the Armed Forces, DD-553. The command with administrative control of the member's unit will furnish necessary data, where the Personnel Data Record (PDR) is not at the unit.

   b. At the time the DD-553 is issued, the commanding officer shall appoint an inventory board, as prescribed in Article 11.A.11.b.2., and cause the absentee's personal effects to be collected and inventoried. Inventory shall be recorded on Personnel Effects Inventory and Disposition, CG-3853. (☛ Article 8.C.7).

   c. Entry in the PDR.

   d. Closing the health record.

   e. Complying with the rules covering dependents receiving medical care.

   f. Making an entry in the PDR of an enlisted member who is mentally irresponsible.

   g. Notification to next of kin.

h. Inventorying and disposing of deserter's personal affects (if not previously done).

i. Disposition of records.

8.C.2.c. Apprehension of Absentees and Deserters

Absentees and deserters may be apprehended by authorized members of the Armed Forces under the circumstances prescribed by Article 7(b) of the Uniform Code of Military Justice and the Manual for Courts-Martial, United States. Any civil officer having authority to apprehend offenders under the laws of the United States, the District of Columbia, a State, Territory, Commonwealth, or Possession may summarily apprehend a deserter from the Armed Forces and deliver them into custody of those forces (Article 8, UCMJ and the MCM). United States authorities may apprehend absentees and deserters in foreign countries only when authorized by an international agreement with the country concerned or by agreement with appropriate local authorities when such agreement is within the purview of an existing international agreement. In this latter case, careful consideration must be given to possible international implications and adverse foreign reactions. Where apprehension cannot be accomplished, or in any case where doubt exists as to apprehension authority, a report of the facts shall be forwarded to Commander, (CGPC-epm-1) for resolution. Outside the jurisdiction of the U. S., commanding officers shall take such initial actions as the local situation may warrant, within the primacy of international agreements, to secure cooperation in apprehension of members absent without leave.

8.C.2.d. Termination of Period of Absence or Desertion

The period of absence of absentees or deserters is terminated by their delivery or surrender to, or apprehension by, an activity or organization of the Armed Forces, provided that military control over them is exercised by the act of competent authority of any Armed Force having knowledge of their status and identity. For purposes in which the duration of unauthorized absence is a factor under the Uniform Code of Military Justice, but not for administrative purposes, the period of absence of absentees or deserters is terminated by their apprehension by civil authority if the apprehension is made at the request of competent authority of the Armed Forces through issuance of the Deserter/Absentee Wanted by the Armed Forces, DD-553, or by other means.

8.C.2.e. Complete and Accurate Recordkeeping to Ensure a Prompt Trial

The Commandant requires that every effort be made to bring returned absentees and deserters promptly to trial. To accomplish this desired end, strict compliance with instructions and procedures with respect to preparation and submission of reports and entries in the PDR is necessary. The PDR, in absentee cases, is often the only evidence available; therefore, it is essential that it contain definite entries setting forth all the facts in the case.

8.C.2.f. Unit to Which Absentee or Deserter is Attached

The Commandant considers that, as a general rule, an individual is attached to that unit which carries their records, except in the following cases:

1. A person who absents themself or deserts while assigned on board a Coast Guard cutter for transportation between stations is considered attached to the transporting cutter.

2. A person who absents themself or deserts while en route to the next Coast Guard unit to which ordered to report is considered attached to the unit to which ordered to report.

8.C.3. Return of Absentee or Deserter

8.C.3.a. General Information

When reporting the return of an absentee or deserter, the following general provisions apply.

1. Surrender or Apprehension of an Individual at a Unit Within Regularly Assigned District. Should an individual surrender to or be apprehended at a unit within their regularly assigned district, the district commander will take whatever action deemed necessary to return the member to their place of duty, including the issuance and funding of travel order numbers if appropriate. This is considered part of the district commander's discretionary authority, and there is no need to refer to the Commandant for other than information purposes.

2. Surrender of an Individual to a Unit Outside Regularly Assigned District. If an individual surrenders to a unit outside their regularly assigned district, the district commander in which the member's regular unit is located will order the member's return, issuing a travel order number chargeable to the member's pay account if required. Again, the Commandant is advised for information purposes only.

3. Apprehension of an Individual Outside Regularly Assigned District. Commander, (CGPC-epm) will take the necessary action in all cases to return an individual who is apprehended outside their regularly assigned district, issuing and funding travel order numbers as necessary for the apprehended individual and escort.

8.C.3.b. Return of an Absentee or Deserter to a Unit Not Having Adequate Facilities for Retention

When an absentee or deserter surrenders to, or is apprehended by, or delivered to a cutter or shore unit, which does not have adequate facilities for the retention of the absentee or deserter; e.g., general mess and quarters, or safekeeping facilities in the case of apprehension or delivery, disposition will be requested from the officer having operational control of the area or the district commander, as appropriate, and custody of the absentee or deserter will not be accepted until receipt of instructions in the specific instance. The minimal facilities of a shore unit must be equal to or exceed those of a fully operative Coast Guard station, and those afloat must be equal to or exceed those of a WLM class cutter in order to be considered as adequate facilities for retention of absentees or deserters.

8.C.3.c. Action by Commander of District From Which Absent

Upon receipt of notification of the surrender of an absentee or deserter, the commander of the district from which absent shall issue a travel order number chargeable to the individual's pay account and direct the individual's return to a selected unit in their district for disciplinary action. The unit chosen to take disciplinary action shall be at the discretion of the district commander. If the member has been temporarily assigned to a unit other than their regular unit for disciplinary action, assignment instructions shall be requested from Commander, (CGPC-epm) for all enlisted members.

8.C.3.d. Reporting Return of Absentee or Deserter

Commands are responsible for following the procedures in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series), when reporting the return of an absentee or deserter in the following categories.

1. Return to unit from which absent.
2. Return to unit within the same district from which absent.
3. Surrender of absentee or deserter to unit outside of the district from which absent.
4. Apprehension or delivery of absentee or deserter to unit outside of the district from which absent.
5. Return of absentee or deserter to a unit of a section or group.

6. Return of an absentee or deserter to a unit not having adequate facilities for retention.

8.C.3.e. Payment of Reward or Reimbursement of Expenses

Instructions concerning the procedures to be followed and conditions under which payments of rewards or reimbursement of expenses incurred incidental to the return to military control of absentees, deserters, or escaped military prisoners are contained in the Accounting Manual, COMDTINST M7300.6 (series).

8.C.4. Absentees and Deserters from other Branches of the Armed Forces

8.C.4.a. When a DD-553 Received

When copies of Deserter/Absentee Wanted by the Armed Forces, DD-553, are received by the Coast Guard from other branches of the Armed Forces, commanding officers will utilize available personnel and facilities to the maximum extent practical to effect apprehension, with emphasis on persons who have been absent less than 30 days.

8.C.4.b. When a Member Surrenders or is Delivered

When an absentee or deserter from the Army, Navy, Air Force, or Marine Corps surrenders, is delivered to, or apprehended by a Coast Guard unit follow the procedures in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

8.C.5. Delivery by Civil Authorities

8.C.5.a. Prior to Accepting an Absentee or Deserter

Before accepting delivery of an absentee or deserter by civil authorities, the commanding officer will obtain satisfactory assurance from the appropriate civil authorities, as well as the member, that no criminal charges are pending and will so report in the message prepared in accordance with procedures in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series). When charges are pending in any court a full report with copies of all correspondence with civil authorities shall be forwarded to Commander, (CGPC-epm-2), and no action will be taken pending receipt of instructions.

8.C.5.b. When Civil Charges are Made after Custody of Member

When civil charges are made after custody of an absentee or deserter has been accepted, the provisions of the Manual for Courts-Martial, United States, will apply.

8.C.5.c. Information Provided to Civil Authorities

No assurance shall be given civil authorities that an absentee or deserter will be tried by military court for violations of Federal or State laws, or that any particular individual will be retained in or discharged from the Service.

8.C.6. Removal of Marks of Desertion

8.C.6.a. Mark of Desertion

An enlisted member of the Coast Guard is not a deserter until they have legally been found guilty by a court-martial on the charge of desertion. Entry of a mark of desertion in an enlisted member's PDR is merely a matter of administration and is not intended to constitute a conclusive determination of the fact as to whether or not they are a deserter. Further, the Coast Guard may bring a person to trial by court-martial for unauthorized absence which resulted in a mark of desertion being entered in their PDR.

8.C.6.b. When Removal is Authorized

Commanding officers shall remove, as an erroneous entry, the mark of desertion from the enlisted member's PDR whose record was closed for desertion but who subsequently has been tried and convicted of unauthorized absence, or has been acquitted. All other cases regarding the removal of marks of desertion shall be referred to Commander, (CGPC-epm-2) for action. Cases falling in this category are:

1. Determination by a medical board that the individual was mentally incompetent at the time of absence.
2. Determination by the Commandant that the entry of the mark of desertion was the result of an error of fact or law.

8.C.7. Disposition of Personal Effects of Absentees or Deserters

8.C.7.a. Held at Member's Unit

The personal effects of an absentee or deserter shall be held at the member's unit, or at the unit to which transferred under Article 8.C.2, for three months. After three months, they are to be disposed of in accordance with paragraph c. of this article.

8.C.7.b. When Member Returns

An absentee or deserter, who returns within three months, may have personal effects returned at their own expense. If the absentee or deserter returns after three months, the personal effects may be forwarded to them at their own expense, provided the effects are at the time still in Coast Guard custody.

8.C.7.c. Disposition of Personnel Effects

If an absentee or deserter has not returned at the end of three months, the personal effects will be disposed of by one of the following methods:

1. If the next of kin, heir, or legal representative can be determined (☛ Article 11.A.11.b.8.), personal effects may be shipped to the next of kin, heir, or legal representative at no expense to the Government on a collect on delivery basis on a commercial Bill of Lading. However, shipment on a collect on delivery basis will be made only upon receipt of the ultimate consignee's agreement to accept the shipment on a collect on delivery basis. If the ultimate consignee fails to accept or to call for the collect on delivery shipment, the transportation agency then will be advised by the cognizant command to dispose of the shipment in accordance with the transportation agency's tariff regulations without recourse to payment by the Coast Guard.

2. If the next of kin, heir, or legal representative cannot be determined, or if that individual has not agreed to accept the personal effects on a collect on delivery basis, the effects will be shipped to the Coast Guard Supply Center, Baltimore, MD, on a Government Bill of Lading. The cost of the shipment will be charged against the pay account of the absentee or deserter. The officer issuing the Government Bill of Lading will ascertain the cost of the shipment and will prepare a Pay Adjustment Authorization, DD-139, against the pay account of the owner of the effects. A notation of the request for checkage and to whom forwarded will be entered on the original and all copies of the Government Bill of Lading. DD-139 and a copy of the Government Bill Lading will be forwarded to the Pay and Personnel Center. A copy of the accomplished DD-139 will be forwarded to the office effecting payment of the shipment under the Government Bill of Lading.

8.C.8. Reduction of Absenteeism Problems

8.C.8.a. Establish a Program of Education

Since unauthorized absenteeism is one of the most costly problems with which the Coast Guard must contend, it is essential that this type of offense be kept to an absolute minimum. Each commanding officer shall study this problem in his or her own command and establish a positive and continuing program of education and indoctrination to combat it. The absentee rate may be reduced appreciably by assuring, at all levels, that certain well established principles of leadership are soundly applied. Officers and petty officers must know and treat their people as individuals. No request, no matter how trivial, should be disapproved without an explanation of the reasons therefor. Members must be made to feel they can discuss their problems with their superiors at any time, since domestic and marital troubles, both real and imagined, are frequent causes of unauthorized absence. All members should be informed of available

facilities of the Red Cross, Coast Guard Mutual Assistance, and other social agencies for assistance in alleviating family difficulties. All members must be taught to realize that by absenting themselves they do a great disservice to themselves and their families. They should be impressed with the seriousness of unauthorized absenteeism as regards loss of possible privileges, pay, and future promotion.

8.C.8.b. Action Taken

Commanding officers shall take prompt, consistent, and uniform disciplinary action in accordance with prescribed procedures and standards. For most minor absence offenses, a liberal application of nonjudicial punishment, administered promptly, has a highly beneficial effect.

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8.D. Dissident and Protest Activities

8.D.1. Policy

The right of expression of a member of the Coast Guard should be preserved to the maximum extent possible, consistent with good order, discipline, and the national security. On the other hand, no commanding officer should be indifferent to conduct which, if allowed to proceed unchecked, would destroy the effectiveness of the unit. The proper balancing of these interests will depend largely upon the calm and prudent judgment of the responsible commanding officer.

8.D.2. Specific Guidelines

8.D.2.a. Possession and Distribution of Printed Materials

1. The commanding officer is not authorized to prohibit the distribution of a specific issue of publication distributed through official outlets such as post exchanges and military libraries. In the case of distribution of publications through other than official outlets, a commanding officer may require that prior approval be obtained for any distribution on a military installation in order that he or she may determine whether there is a clear danger to the loyalty, discipline, or morale of military personnel, or if the distribution of the publication would materially interfere with the accomplishment of a Coast Guard mission. When he or she makes such a determination, the distribution will be prohibited.

2. While the mere possession of unauthorized printed material may not be prohibited, printed material which is prohibited from distribution shall be impounded if the commanding officer determines that an attempt will be made to distribute.

3. The fact that a publication is critical of Government policies or officials is not, in itself, a ground upon which distribution may be prohibited.

8.D.2.b. Off-Post Gathering Places

Establishments may be placed "off-limits," in accordance with Armed Forces Disciplinary Control Boards and Off-Installation liaison and Operations, COMDTINST 1620.1 (series) when, for example, the activities taking place there, including counseling members to refuse to perform duty or to desert, involve acts with a significant adverse effect on members' health, morale, or welfare.

8.D.2.c. Servicemen's Organizations

Commanding officers are not authorized to recognize or to bargain with a so-called "servicemen's union."

8.D.2.d. Publication of "Underground Newspapers"

Members writing for publication may not be pursued during duty hours, or accomplished by the use of Government or non-appropriated fund property. While publication of "underground newspapers" by military personnel off-post, on their own time and with their own money and equipment, is not prohibited, if such a publication contains language, the utterance of which is punishable under Federal law, those involved in the printing, publication, or distribution may be disciplined for such infractions.

8.D.2.e. On-Post Demonstrations and Similar Activities

The commanding officer of a Coast Guard unit shall prohibit any demonstration or activity at the unit which could result in interference with or prevention of orderly accomplishment of the mission of the unit, or present a clear danger to loyalty, discipline, or morale of the troops. It is a crime for any person to enter a military reservation for any purpose prohibited by law or lawful regulations, or for any person to enter or re-enter an installation after having been barred by order of the commanding officer. (18 U. S. C. 1382)

8.D.2.f. Off-Post Demonstrations by Members

Members of the Armed Forces are prohibited from participating in off-post demonstrations when they are on duty, or in a foreign country, or when their activities constitute a breach of law and order, or when violence is likely to result, or when they are in uniform in violation of the Coast Guard Uniform Regulations, COMDTINST M1020.6 (series).

8.D.2.g. Grievances

The right of members to complain and request redress of grievances against actions of their commanding officers is protected by Article 138 of the Uniform Code of Military Justice. In addition, a member may petition or present any grievance to any member of Congress (10 U.S.C. 1034). An open door policy for complaints is a basic principle of good leadership, and commanding officers should personally assure themselves that adequate procedures exist for identifying valid complaints and taking corrective action.

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8.E. Court Memorandums, Punitive Letters of Censure, and Administrative Corrective Letters

8.E.1. Censure

Censure is a general term applicable to any form of adverse reflection upon individual character, conduct, performance, or appearance. Censure is a prerogative of command or administrative superiority, but certain exercises of the power of censure are governed by statute, regulations, and instructions. Censure includes both punitive and non-punitive measures.

8.E.2. Punitive Letters of Censure

8.E.2.a. Disposition

Instructions for the issuance of punitive letters of censure, as a result of Article l5, UCMJ, are contained in the Military Justice Manual, COMDTINST M5810.1 (series). One copy of the punitive letter of censure, issued under Article l5, UCMJ, with a copy of the individual's acknowledgment of receipt, shall be forwarded to Commander, (CGPC-opm) or (CGPC-epm), as appropriate. This punitive letter shall be held until the appeal period specified by Part V, Paragraph 7, Manual for Courts-Martial, (series), expires. Upon expiration of the appeal period, the punitive letter shall be inserted into the member's official Headquarters record.

8.E.2.b. Appeals

If the member receiving the punitive letter of censure chooses to appeal, Commander, (CGPC-opm) or (CGPC-epm) shall be notified by the officer who imposes punishment. The letter shall not be entered into the member's official Headquarters record until the appeal has been decided. If after action on the appeal, a punitive letter of censure remains effective, the authority who acts on the appeal shall forward a copy of the action on the appeal to Commander, (CGPC-opm) or (CGPC-epm), as appropriate, for attachment to the Headquarters copy of the punitive letter of censure, and filing in the member's official Headquarters record. If the appeal is granted, and a punitive letter of censure no longer remains effective, a copy of the action on appeal shall be forwarded to Commander, (CGPC-opm) or (CGPC-epm), as appropriate, and the punitive letter of censure shall not be placed in the Headquarters record.

8.E.3. Court memorandums

Commanding officers shall forward the original of all Court Memorandums, CG-3304, to Commander, (CGPC-opm) or (CGPC-epm) as appropriate. (☛ Personnel and Pay Procedures Manual, PPCINST M1000.2 (series)). The original of all Supplemental Court Memorandums shall be similarly forwarded. The Court Memorandums shall be subsequently filed in the individual's official record.

8.E.4. Administrative Letters of Censure

8.E.4.a. Purpose

Administrative letters of censure are intended to serve as a corrective measure. Commanding officers and warrant officers are authorized to use administrative measures of censure in furthering the efficiency of their commands and such censure may be administered either orally or in writing. It is not to be considered as punishment for an offense.

8.E.4.b. For Officers

Administrative letters of censure shall not be included in the unit files or in any of the official records of the recipient, nor shall they be quoted in nor appended to fitness reports. No command shall forward any non-punitive censure, or copy thereof, to the Commandant or district commander. However, the facts upon which an administrative letter is based may be the basis for adverse marking or comments in the next fitness report of an officer.

8.E.4.c. For Enlisted

Although not forbidden by law or regulation, it is felt that administrative letters of censure to enlisted members are not appropriate since more practical methods of correction are available.

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8.F. Military Corrections and Confinement

8.F.1. Purpose and Nature of Military Corrections

8.F.1.a. Definition

The term "Military Corrections" as used in this section refers to the entire array of formal programs committed to the confinement, care, and rehabilitation of military members awaiting trial or serving Courts-Martial sentences to confinement, along with the resources and administrative support comprising those programs. The system of formal correctional programs established by the Armed Forces is conducted within military correctional or confinement facilities. l0 U.S.C. 95l authorizes the Secretaries of the Armed Forces to establish and staff military correctional facilities for the purpose of punishing and rehabilitating military offenders. The philosophy of military corrections is based on recognition of the fact that punishment alone, whether it be confinement or some other form, is seldom corrective. Since Federal law makes rehabilitation a mandatory mission of military correctional centers, the highly-professional correctional programs developed by the Departments of the Navy, Army, and Air Force commonly provide for intensive counseling, specialized work assignments, medical and psychiatric counseling, training and education, and an achievement and conduct incentive system. The Armed Forces provide these correctional programs and resources in response to the task assigned to them by Congress, namely to establish within military confinement facilities corrections programs designed to assist willing offenders to reform their conduct by providing the opportunity to achieve either honorable restoration to duty or return to civilian life as useful citizens. Nevertheless, confinement remains first and foremost a punishment. Offenders leave the military correctional center with Federal conviction and prisoner records. Confinement is punishment because it denies the prisoner liberty and privileges and imposes separation from family, friends, and most normal activities. It further implies a loss of social status and inevitable post confinement social and professional handicaps. This section deals primarily with confinement imposed as a court-martial sentence-the administration of which is the purpose of the Military Corrections System. That system is staffed by both military and civilian career correctional specialists.

8.F.1.b. DoD Military Correctional System

Because the number of Coast Guard prisoners serving confinement at any given time is relatively small, the Secretary of Transportation has not invoked the statutory authority to establish a military corrections system within the Coast Guard. Accordingly, the Coast Guard has no capability to administer confinement within the Service, but relies instead on the resources of the other Armed Forces, principally the U. S. Navy. This section provides guidance to Coast Guard commanding officers and convening authorities who become participants in the DoD Military Correctional System upon ordering offenders into military confinement. While the Departments of the Navy,

Army, and Air Force have traditionally conducted their own separate military correctional programs and developed their own cadre of professional correctional specialists, the Secretary of Defense has directed the Armed Forces to strive for uniformity in the treatment of offenders, administration of military justice and in the conduct of military corrections programs. Nevertheless, full uniformity has yet to be achieved and the professional orientation of the Navy's military corrections program continues to conform most closely to Coast Guard requirements. Therefore, every effort will be made to confine Coast Guard prisoners at Naval brigs whenever these facilities are reasonably available. This section will primarily deal with utilizing Naval brigs. The terms "Correctional Center" and "Correctional Facility" refer to other than Navy DoD Military correction programs and may be substituted by the reader in the place of "Naval brig" when utilizing other DoD facilities. Naval brigs will accept Coast Guard prisoners at no cost, without requiring reciprocal staff augmentation and without the need for joint-Service agreements provided space is available. ☛ Exhibit 8.F.l contains a Navy Confinement Designation Chart to facilitate selection of a Naval brig. Policy governing the designation of places of confinement when Navy or other DoD correctional facilities are not available is contained in ☛ Article 8.F.4.

8.F.1.c. Professional Correctional Programs

Contrary to myth, the professional correctional programs which have been evolving over recent years have not rendered military confinement a pleasant experience. The military correctional center remains first and foremost a Federal prison. It also should be realized that no correctional program - no matter how elaborate - can rehabilitate the prisoner who is unable or unwilling to undertake the substantial personal commitment and effort required to initiate his or her own rehabilitation. Nevertheless, the military correctional system can and does render a valuable service to the Armed Forces and to society. Court-Martial convening and reviewing authorities should be mindful of the purpose, capabilities and limitations of military corrections when acting on sentences to confinement at hard labor.

8.F.2. Definitions

8.F.2.a. Adjudged Prisoner

Person serving a sentence to confinement as adjudged by court-martial.

8.F.2.b. Aggregation of Sentences

When a prisoner has two or more sentences to confinement standing to be served, the several sentences will be aggregated to determine the rate of earning good conduct time and parole eligibility date.

8.F.2.c. Apprehension

The taking of a person into custody. A person who is lawfully apprehended may be subjected only to that degree of physical restraint necessary to secure custody.

8.F.2.d. Arrest

The moral restraint and suspension from duty imposed upon a person by oral or written orders of competent authority, limiting the person's personal liberty pending the disposition of charges. The restraint imposed is binding, not by physical force but by virtue of the moral and legal obligation to obey the order of arrest. A person in arrest cannot be required to perform full military duty or any duties involving the exercise of command or the bearing of arms. If placed on duty inconsistent with arrest status, the arrest is thereby terminated. Persons in arrest may be required to do ordinary cleaning or policing within the limits of arrest.

8.F.2.e. Beginning Date of Confinement

A term of confinement served as sentence of a court-martial begins to run from the date the sentence is adjudged by the court, whether or not the person is placed in confinement, except that any period for which a sentence to confinement has been suspended or deferred shall be excluded in computing the service of the term of confinement. The day of commitment and the day of release are both considered full days of confinement for sentence computation.

8.F.2.f. Brig

Within the Department of the Navy, a Naval brig is a place of confinement established at a local command of the shore establishment and approved by the Secretary of the Navy as a Naval place of confinement. Naval brigs normally can accommodate both pretrial and sentenced confinement. Also, a Naval place of confinement aboard ships of the U.S. Navy included in the original construction or added during an authorized conversion. Although some Coast Guard ships have spaces referred to as brigs, none are certified as places of confinement and hence shall not be employed for either pretrial or sentenced confinement.

8.F.2.g. Clemency

Clemency is that action - other than correction of legal error - of an officer responsible for taking official action on the findings and sentence of courts-martial which results in the mitigation, remission, or suspension of all or any part of the unexecuted portion of a sentence. (☛ Article 8.F.6.d. for a definitive policy).

8.F.2.h. Clemency Board

The Clemency Board, as used herein, refers to a permanent group of senior commissioned officers who review the records of all courts-martial referred to the Commandant of the Coast Guard for residual clemency action. The Clemency Board renders nonbinding recommendations to the Commandant as to whether or not residual clemency should be granted.

8.F.2.i. Computation of Sentences

Sentences will be computed as provided for in the Department of the Navy Corrections Manual.

8.F.2.j. Confinement

The physical restraint of a person. As used herein, confinement normally means punishment imposed as a sentence of a court-martial. (☛ Article 8.F.3.a.)

8.F.2.k. Continuity of Sentences

A sentence to confinement is continuous until the term expires.

8.F.2.l. Correctional Centers or Facilities

A DoD confinement center or facility other than a Naval brig at which a formal correctional program for sentenced prisoners is conducted.

8.F.2.m. Correctional Custody

Correctional custody is a nonjudicial punishment imposed at mast under Article l5, UCMJ, which may extend to physical restraint of a person during duty hours, non-duty hours, or both and may include extra duty or hard labor.

8.F.2.n. Correctional Custody Unit (CCU)

U. S. Navy locally funded and staffed space in which to administer a program calculated to induce a modification in attitude and behavior upon minor or first-time offenders by use of a balanced program of punitive measures, directive counseling, restraining, and work assignments. (☛ Article 8.F.10.)

8.F.2.o. Detention

Detention is a term used in some instances to refer to pretrial confinement, confinement awaiting rehearing, or emergency short-term restraint imposed by a commanding officer.

8.F.2.p. Detention Center

A confinement facility operated by a Service of the Department of Defense specifically for detention of persons. Detention centers are not designated as correctional centers or facilities or Naval brigs, meaning that these facilities may not be designated as the place of confinement for sentenced prisoners. When detention centers are utilized for emergency detention of personnel, the provisions of ☛ Article 8.F.9 shall be followed.

8.F.2.q. Dischargee

A prisoner sentenced to a discharge which is not suspended, or who will be separated administratively after completion of confinement or of the appeals process, as appropriate. (☛ Article 8.F.8.b.)

8.F.2.r. Disposition Boards

These boards, also referred to as local boards, are internal review boards established within Naval brigs and comprised of designated staff members of the brig. These boards consider for appropriate institutional endorsement the parole and/or clemency petitions from eligible prisoners confined at the specific Naval brig. (☛ Article 8.F.6.d.)

8.F.2.s. Extra Good Time (in Confinement)

A deduction from the term of a prisoner's sentence to confinement based on a genuine offer of exceptionally meritorious service in the performance of duty connected with institutional operations.

8.F.2.t. Full Term

The entire sentence to confinement without reduction for good conduct time.

8.F.2.u. Good Conduct Time in Confinement

A deduction made from the term of a prisoner's sentence for good conduct based on faithful observance of all the rules and regulations of the brig. (☛ Article 8.F.6.c.)

8.F.2.v. Magistrate (Military)

A commissioned officer, appointed by a district commander to hold a neutral and detached hearing in each case of pretrial confinement to determine whether an accused may and should be retained in pretrial confinement. Definitive guidance is contained in ☛ Section 2-C-4, Military Justice Manual, COMDTINST M5810.1 (series).

8.F.2.w. Naval Clemency and Parole Board

The Naval Clemency and Parole Board is a permanent board established by precept of, and reporting to, the Secretary of the Navy. The Board's composition includes representatives from the Bureau of Naval Personnel, Marine Corps, Navy Judge Advocate General, and the Bureau of Medicine and Surgery. The Board is authorized to render only parole determinations for Coast Guard offenders. The Board has no authority to adjudicate Coast Guard clemency cases, but may render advisory recommendations.

8.F.2.x. Parole

Parole, as authorized by l0 U.S.C. 952, is a form of conditional release from confinement granted to carefully selected individuals who have served a portion of their sentences in confinement and whose release under supervision is considered to be in the best interest of the prisoner, the Service and society. (☛ Article 8.F.6.e.)

8.F.2.y. Parole Officer

An officer assigned to the Naval brig charged with the investigation, evaluation, and processing of requests for parole and the maintenance of necessary records of parolees.

8.F.2.z. Parolee

A prisoner conditionally released from confinement on parole as defined above.

8.F.2.aa. Parole Violator Term

The unexpired term of a sentence to confinement to be served by a prisoner who has violated parole. This term will be the difference in days between the actual date of release on parole and the full term date of sentence adjusted for good conduct time earned after return to confinement.

8.F.2.bb. Probation

Probation constitutes the set of conditions under which competent authority agrees to suspend execution of a sentence. As such, probation amounts to specification of the reciprocal terms of conduct, performance, and achievement with which an accused must comply to justify continuance of suspension.

8.F.2.cc. Probation Violator Term

The unexpired term of a confinement sentence remaining to be served by a person whose suspension of execution of sentence has been duly vacated. This term will be the difference in days between the actual date of release on probation and the full-term release date of the sentence adjusted for good conduct time earned after return to confinement.

8.F.2.dd. Probation Officer

An officer of the Federal Probation Service who has supervision over a prisoner on parole for the purpose of helping the parolee make a socially acceptable adjustment.

8.F.2.ee. Restoree

A prisoner not sentenced to or scheduled for discharge, and who will be restored to full duty status upon release from confinement

8.F.2.ff. Restriction

Moral restraint imposed upon a person by oral or written order of competent authority limiting the person's freedom to a specific area. Restriction may or may not include suspension from duty.

8.F.2.gg. Sentenced Prisoner

A prisoner whose sentence has been ordered into execution following the appropriate level of review. (☛ Rules 1101 and 1113, MCM (series)).

8.F.2.hh. Notification of Next of Kin

In cases where a member is to be tried by general court-martial or special court-martial, the commanding officer should impress upon the member the desirability of informing his/her parents, spouse, or guardian, as appropriate, of the circumstances. In those cases where a member is under 21 years of age, the commanding officer, when deemed appropriate, should inform the parents, spouse, or guardian, by letter or other form of communication, of the details considered pertinent and proper under the circumstances.

8.F.3. Pretrial Confinement

8.F.3.a. Policy

Pretrial confinement should be ordered only after careful consideration of and strict compliance with the provisions of Rules of Courts-Martial 304 and 305, Manual for Courts-Martial (series). The decision to order personnel into pretrial confinement is an important decision. A person shall not be retained in confinement solely on the basis of impending administrative discharge proceedings. Confinement pending trial should be ordered only when deemed necessary to ensure the presence of the accused at the trial, or because of the presence of factors making it probable that failure to confine awaiting trial would endanger life or property. These are the only grounds for pretrial confinement. Safekeeping is not an authorized reason for the imposition of pretrial confinement. Pretrial confinement amounts to punishment (physical restraint) imposed prior to conviction. Because of this, its use must be limited to cases fully justifiable and wherein no alternative action is practicable or appropriate. Use of Naval brigs merely to warehouse offenders is contrary to both the letter and spirit of the law. Pretrial confinement normally should not be ordered in the case of an absentee who surrenders or of an absentee who, even though apprehended, shows no inclination toward renewed absence. Similarly, senior enlisted personnel facing charges after previously unblemished records, and obviously stable individuals facing minor charges should not be confined. Under normal circumstances, it is not necessary to confine an individual who is to be tried by a summary court-martial.

1. Article l0, UCMJ Restrictions. A person will not be ordered into pretrial confinement without first being informed of the specific wrong of which he or she is accused. Upon confinement, every effort should be exerted either to bring the member to trial without delay or to dismiss the charges and release the person. It should be noted that the continuance of a person in pretrial confinement is in every case subject to the provisions of the Coast Guard Military Magistrate Program. (☛ paragraph b. of this article.)

2. Restraint of Persons Charged with Offenses. Article l3, UCMJ, prohibits punishment for alleged offenses prior to trial and conviction thereon. In practice, the U.S. Court of Military Appeals has held that when a person is confined awaiting trial, Article l3, UCMJ, also prohibits co-mingling of that person with sentenced prisoners for a given work program or activity, thereby requiring Naval brigs to segregate these two categories of confinees. Pretrial confinement therefore serves no corrective purpose. Article l3 also prohibits the use of excessive measures of restraint upon persons awaiting trial. Because segregation often amounts to solitary confinement, brigs sometimes permit pretrial confinees to waive their Article l3, UCMJ, rights thereby enabling the person's participation in the correctional programs and activities conducted (for sentenced persons) at the brig. Waiver is a serious step which should not be undertaken without careful consideration. Prior to

departure for pretrial confinement, the offender should be advised of the nature and purpose of his or her Article l3, UCMJ, rights and the implications of waiving those rights

8.F.3.b. Military Magistrate Program

A neutral and detached magistrate must hold a hearing in each case of pretrial confinement to determine whether an accused should be retained in pretrial confinement. Compliance with the provisions of the Military Magistrate Program as contained in Section 2-C-4, Military Justice Manual, COMDTINST M5810.1 (series), is mandatory.

8.F.3.c. Places of Confinement for Persons Awaiting Trial

The proper place for restraining persons awaiting trial by court-martial is a military correctional or detention center operated by any of the Department of Defense services. Facilities of the Navy will be employed whenever possible. When operational or logistical circumstances prohibit this, commanding officers may request authority from Commandant (G-WPM) to confine the member on a short-term basis (72 hours or less) in a civilian facility as provided for in Article 8.F.4.c. (☛ Article 2.C.4.m., MJM). It is the responsibility of the commanding officer or convening authority to determine the degree of restraint to which an accused should be subjected prior to trial. This determination should reflect careful observance of the provisions of Article 9(d), l0 and l3, UCMJ, and Rules 304 and 305, MCM (series). Suitable alternatives may include: no restraint, arrest, or restriction in lieu of arrest. In certain cases non-judicial punishment may serve military discipline just as effectively as trial by court-martial.

8.F.3.d. Short Term Confinement Facilities

Certain DoD services operate short-term confinement facilities (usually for restraint for periods of 30 days or less) devoted solely to detention of persons awaiting trial. Coast Guard commanding officers are authorized to use such facilities only for pretrial confinement on a space-available basis. These facilities are neither staffed nor operated as military correctional centers or brigs and for this reason will never be designated as places of confinement for persons sentenced to confinement by courts-martial. These facilities are known in the Navy as detention centers.

8.F.4. The Preconfinement Phase - Designating Places of Confinement and Duty Status of Personnel Undergoing Disciplinary Action

8.F.4.a. General

Whenever confinement is ordered by an appropriate authority, i.e., an officer empowered to order a court-martial sentence to confinement into execution, that officer shall designate a military correctional center or facility as the place of confinement. An appropriate brig of the U.S. Navy is preferred. U.S. Naval Brig, Naval Station Norfolk, Virginia will be designated as the place of confinement in every case in which enlisted members are sentenced by court-martial to periods of confinement exceeding one year. Officers sentenced to confinement are normally confined at the Disciplinary Barracks, Ft. Leavenworth, KS. These prisoners will be transferred to U.S. Coast Guard Support Center (T&A), Portsmouth, Virginia for temporary duty for discipline or confinement purposes. Coast Guard personnel confined awaiting trial or serving court-martial sentences to confinement will not be confined on board Coast Guard units ashore or afloat.

8.F.4.b. Pre-Designation Liaison with Military Confinement Facility

1. Use of U. S. Navy Brigs. Prior to designating a place of confinement, the offender's commanding officer should establish informal telephone liaison with the commanding officer of the desired Naval brig in order to ascertain whether space will be available. (☛ paragraph d. of this Article.) If the response is in the negative, similar inquiries should be directed to all other Navy or Marine Corps brigs within reasonable travel distance. Should this still fail to secure space, assistance shall be requested from Commandant (G-WPM).

2. Joint-Service Agreements for Use of Army or Air Force Facilities. In locations where Navy or Marine Corps brig facilities are nonexistent or subject to frequent shortfalls, district commanders, overseas commanders and commanding officers of Headquarters units are authorized to enter into local joint-Service agreements for military confinement center or facility services (for confinement of one year or less) with the appropriate Army or Air Force commander in their area. Statutory authority is contained in Articles ll(a) and 58(a), UCMJ. Copies of any written agreements shall be furnished to Commandant (G-WPM). Before executing agreements to provide for confinement of Coast Guard prisoners in Army or Air Force facilities, it should be ascertained whether the orientation of the correctional program and regimen conducted are suitable for Coast Guard personnel. When designating Army or Air Force facilities as the place of confinement, it is particularly important during pre-designation liaison to determine whether the correctional facility commanding officer has established special requirements or preferences concerning prisoner escort or transport, prisoner estimated time of arrival, required clothing, personal health and comfort items, the confinement order,

and records. No joint-Service agreement entered into under the provisions of this article shall commit the Coast Guard to augment the staff of DoD correctional centers as a precondition for providing correctional services. In the absence of a local joint-Service agreement, Army and Air Force correctional centers or facilities (and some Marine Corps brigs) will ordinarily accept Coast Guard prisoners only if space and resources are available and consistent in every case with the discretion of the unit commander involved. Whenever a member of the Coast Guard is confined pending trial (pretrial confinement), the provisions of the ☛ Military Justice Manual, COMDTINST M5810.1 (series), shall be followed even though a non-Navy facility may have been designated as the place of confinement (detention). Coast Guard personnel confined in facilities of another Service become subject to the military control of that Service and shall be subject to the regulations prescribed by that Service for its own prisoners under the same confinement circumstances.

8.F.4.c. Confinement in Civilian Facilities

Commanding officers may find it necessary to confine military personnel in civilian facilities under either of two following circumstances:

1. Pretrial Confinement. When a commanding officer deems pretrial confinement necessary but no military correctional or detention facility is available, authority may be requested from Commandant (G-WPM) to confine the accused in a civilian jail or prison. Requests shall be made by message and shall include the identity of the offender and alleged offense, the estimated duration of confinement being requested and identity of the civilian facility preferred, if any. Authority will ordinarily be granted provided the civilian facility requested has been certified by the U.S. Bureau of Prisons as approved for the confinement of Federal offenders. This authority will ordinarily permit confinement of the prisoner at the civilian facility until the military magistrate has reviewed the case as provided for in Article 8.F.3.b. Each case of this nature shall be made the subject of a separate request. Authority granted to confine one individual in a civilian jail or prison shall not be construed as authorization for confinement of any other persons. In certain other situations, it may also be necessary for civil authorities to retain Coast Guard personnel not under Coast Guard control (stragglers, deserters, those with civil charges pending) for longer periods in jail. The return of these individuals to Coast Guard control as soon as practicable is desirable, except where the return would be contrary to safety or good order and discipline. Prolonged confinement in a civilian jail is particularly undesirable.

2. Emergency Situations. Situations arise periodically which demand that a commanding officer immediately restrain a member to prevent loss of life, injury to their person or others or serious loss of property. Where local circumstances

warrant such short-term (normally not more than 24 hours) restraint may be accomplished in a civilian jail.

8.F.4.d. Designation of Places of Confinement for Adjudged Prisoners

When a convening authority orders a sentence to confinement at hard labor into execution-including temporary confinement pending final disposition of the case upon completion of review under Article 66 or Article 69(a), UCMJ - his or her action will designate the place of confinement on the basis of the time remaining to be served to fulfill the sentence. Designation shall be a brig selected in accordance with the Confinement Designation Chart which is contained in exhibit 8.F.l. The chart is based on an evaluation of each brig's capability for confining prisoners with varying lengths of sentences. These capability evaluations have been made by the Chief of Naval Personnel on the basis of area needs, space, and staffing of support facilities availability.

8.F.4.e. Re-designation and Transfer

The majority of instances involving re-designation of the place of confinement or the transfer of a prisoner to a different confinement facility are routine in nature. Illustrative is the situation following a change in the reason for confinement occurring upon adjudgement of a sentence to confinement against a member who had been held in pretrial confinement prior to court-martial proceedings. Transfers both in and outside CONUS will proceed at the earliest practicable time following the convening authority action, and from outside CONUS following convening authority action. Transfers will not be made when internal disciplinary action by the correctional facility is pending. Unnecessary delay in prisoner transfer should be avoided and will not be a basis for re-designation of the place for confinement. When a prisoner is transferred from a cutter to a shore brig, care should be taken to ensure simultaneous transfer of appropriate records and belongings. Non-routine re-designations and transfers, by contrast, are those not deriving from the normal sequence of trial events or execution of sentence, but rather from special circumstances arising during the course of confinement. Requests for non-routine re-designation or transfer may be initiated by the convening authority or commanding officer of the prisoner, by the prisoner personally, by the commanding officer of the brig, Commandant (G-WPM) or the Chief of Naval Personnel. Non-routine re-designation or transfer actions will be coordinated by Commandant (G-WPM). Upon learning of a need or request for non-routine re-designation or transfer, convening authorities or commanding officers shall transmit a request to Commandant (G-WPM). The transmittal shall include all pertinent background and justification for the change along with a recommendation for an alternate place of confinement selected from the current Confinement Designation Chart.

8.F.4.f. Women

Women service members are subject to confinement according to the same guidelines and under the same circumstances warranting confinement of male service members. Women service members shall not be confined in a military facility designated for male personnel only. Those brigs capable of confining women service members are indicated in exhibit 8.F.1. Entry into correctional centers operated by the Army and Air Force is coordinated by Commandant (G-WPM). In certain cases, it may be necessary to resort to civilian facilities. Commandant (G-WPM) maintains a list of local civilian facilities approved by the U.S. Bureau of Prisoners for the confinement of women. Local commanding officers desiring to effect either pretrial or sentenced confinement of women prisoners shall contact Commandant (G-WPM) by message for advice as to the appropriate military or civilian facility to be used in an individual case. All costs associated with confinement in a civilian facility will be borne by the district of the command making the request.

8.F.4.g. Officers

Officers shall not be confined in close company with enlisted prisoners. If it is necessary to confine an officer awaiting trial or under exigent circumstances, the restraint should be carried out through confinement to quarters or other suitable place. If required, an adequate guard may be posted. An officer sentenced to confinement shall normally be confined to facilities within the jurisdiction of the officer convening the court-martial until the sentence is ordered executed. Where local facilities are inadequate, a message for designation of a place of confinement shall be forwarded to Commandant (G-WPM) furnishing justification for an exception to policy. The message should also indicate whether deferment of confinement has been requested and the action thereon. When an approved sentence to dismissal has been executed, the individual may be confined with and otherwise handled as an enlisted prisoner.

8.F.4.h. Military Duty Status of Personnel Awaiting Trial by Court-Martial

Accused persons awaiting trial by court-martial (whether or not pretrial confinement is ordered) shall remain attached to their parent command unless the parent command: (l) is an operational unit whose scheduled deployment would delay trial preparations and preclude access to the accused's records; (2) is a small command lacking the administrative capability to prepare for trial; or (3) is a remote command whose distance from necessary military justice services would hamper timely preparation for trial. When one or more of the foregoing situations exist, the command having assignment authority over the accused may direct his or her transfer for temporary additional duty (TAD) for disciplinary action to an appropriate command which can accommodate temporary duty status personnel. It is stressed, however, the temporary transfer of persons awaiting trial is intended to facilitate preparation for trial. Transfer must not be used as an excuse to delay preparations for trial, consistent with the right of an accused

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.

6. Supervision of Parolees.

   a. Normally, all official communication to a parolee should be addressed to or through the Federal probation officer supervising the parolee.

   b. The probation officer may authorize temporary leave for travel outside the established parole limits, not to exceed 20 days and may also extend or further restrict the parole limits as required for the adjustment and supervision of the parolee. Authority for travel which will take the parolee outside the continental limits of the United States, or the territory to which paroled, will not be given without prior approval of the Commandant.

7. Clemency Consideration. Parolees are eligible for and will continue to receive clemency consideration on their annual review dates. The Federal probation officer's report of the parolee's adjustment will be considered in these instances. This information will be included in the recommendation submitted to the Commandant for consideration.

8.F.7. The Release Phase

8.F.7.a. Final Release

The proper authority to release a member from confinement in a military correctional facility is the commanding officer of the correctional facility. Once a prisoner is confined, the prisoner passes beyond the control and power of release of the officer who initially ordered the confinement. Accordingly, it is important that Coast Guard commands utilizing a Naval brig be aware of the prisoner release authority vested in that facility's commanding officer by the Chief of Naval Personnel. The commanding officer of a Naval brig is authorized to effect the final release of a prisoner:

1. When requested by the prisoner's commanding officer or convening authority.

2. When ordered by a Coast Guard Military Magistrate as provided for in the ☞ Military Justice Manual, COMDTINST M5810.1 (series).

3. When the reason for confinement no longer exists.

4. For transfer to another brig, or to a medical facility when directed by proper authority.

5. Upon expiration of the term of confinement adjusted to reflect clemency, remission, or other action and further reduced by good conduct time earned.

6. When pretrial confinement exceeds 30 days and the continued confinement has not been approved in writing by the officer exercising general court-martial jurisdiction over the command which ordered the pretrial confinement.

8.F.7.b. Release Order

A Prisoner's Release Order, DD-367, shall be prepared, signed by the prisoner's commanding officer or his or her designee, and presented to the brig to request the final release of a prisoner. Upon release, this form will constitute the brig's receipt for the prisoner.

8.F.7.c. Temporary Absence

Upon written request of the prisoner's commanding officer or convening authority, Coast Guard prisoners will be released by brigs for periods of temporary absence without presentation of a Prisoner's Release Order for such purposes as investigation, trial, and medical or psychiatric evaluation. Similarly, a new Confinement Order is not required to effect return of a prisoner from temporary absence but a written receipt is required. The Receipt of Prisoner or Detained Persons, DD-629, shall be used for this purpose.

8.F.7.d. Release Date

1. The release date is the day confinement is completed. It is arrived at by reducing the full-term of all sentences to confinement by proper credits and adjustments as described in Article 8.F.6.c. Commanding officers should request the release of prisoners only during normal working hours except under exigent circumstances. The purpose for this is to permit the brig to ensure that the individual receives adequate instruction and consideration for proper return to duty and to facilitate travel.

2. Similarly, except in genuine emergencies, brigs will effect the release of prisoners whose release dates fall on a Saturday, Sunday, or national holiday on the workday immediately preceding such non-workday(s). Where exceptions are necessary, telephone liaison with the commanding officer of the brig is appropriate.

3. A prisoner shall not be held in confinement beyond his or her release date in order to complete administrative actions, to await transportation, to complete payment of forfeiture of pay or because of indebtedness to the Government.

8.F.7.e. Return of Personal Effects

Upon release or transfer the brig will return a prisoner's valuables and other personal effects to the released prisoner or the escort(s), as appropriate.

8.F.8. Confinement in Federal Institutions

8.F.8.a. Transfer to a Federal Institution

Sentenced prisoners may upon the completion of appellate review and provided the remaining unexecuted portions of the sentence include both an unsuspended punitive discharge and confinement of not less than l8 months be transferred to a Federal penal institution upon execution of the discharge. Action to transfer prisoners to a Federal penal or correctional institution normally will be initiated by the Department of the Navy, Commander, Navy Personnel Command (PERS-84) via the Department of the Army. Long-term confinement sentences will be served at U.S. Naval Brig, (Charleston or Miramar), or the Disciplinary Barracks, Ft. Leavenworth, KS by enlisted members and at the Disciplinary Barracks, Ft. Leavenworth, KS by officers.

8.F.8.b. Preparation of Discharge

Prisoners transferred to Federal institutions will be discharged from the Coast Guard in accordance with the provisions of the court-martial sentence. When Commander, (CGPC-epm) orders the punitive discharge sentence executed (or Commander, (CGPC-opm) for officer prisoners), the command to which the prisoner has been administratively attached shall prepare the discharge to become effective on the date provided by the Commanding Officer/ Commandant of the Navy or Army confinement facility. The senior guard or escort will deliver the discharge certificate to the Commanding Officer or Commandant of the Navy or Army confinement facility. At that time the prisoner becomes the responsibility of the Department of the Navy or Army for confinement purposes, but the Coast Guard remains administratively responsible for the prisoner until final release from confinement.

8.F.8.c. Final Court-Martial Promulgating Order

The Commandant will furnish certified copies of the final court-martial promulgating order, to the prisoner's commanding officer.

8.F.9. Local Restraint and Detention of Military Personnel

8.F.9.a. Difference between Confinement and Restraint

There is an important distinction to be made between confinement as used in this section and short-term, emergency restraint or detention. Coast Guard military personnel may be confined only pursuant either to a convening authority's approval of an adjudged court-martial sentence or when ordered into lawful pretrial confinement. In either of these cases, confinement will be carried out in Naval brigs or correctional centers of the other Armed Forces. (☞ Articles 8.F.3 and 8.F.4.)

8.F.9.b. Exigent Situations

Commanding officers nevertheless retain authority to order the local, temporary physical restraint or detention of military members in exigent situations. Exigent situations would normally include those in which a member's immediate physical restraint is essential to protect the individual, others, or property from serious harm or injury. Commanding officers may also detain persons accused or suspected of serious offenses to ensure their presence until transportation to a designated Naval brig can be arranged. Persons ordered into physical restraint, as provided for in this paragraph, shall be restrained in a space providing adequate habitability features, and provided with necessary health and comfort items. In the unusual circumstance in which a command envisions the compelling need to restrain a person locally for a period exceeding 48 hours, a specific message request for extension will be transmitted to Commandant (G-WPM) stating the circumstances and justification for extension. Exceptions are granted only under grave circumstances.

8.F.10. Correctional Custody

8.F.10.a. General

It is Coast Guard policy that correctional custody as defined in ☞ Article 8.F.2 constitutes a malleable tool of discipline by which commanding officers may impose upon minor or first-time offenders a balanced program of punitive measures, directive counseling, restraining, and work assignments which collectively are calculated to induce a modification in attitude and behavior. Wholly punitive elements of correctional custody including actual physical restraint, extra duties, and hard labor should be imposed only to the extent that these measures are calculated to enhance the rehabilitative aims of the punishment. While the exact combination of punitive and rehabilitative measures imposed is flexible, correctional custody must include both a punitive restriction of the offender's liberty and a program of rehabilitative counseling or restraining intended to correct the behavior or attitude defect which caused the offense. This unique combination distinguishes correctional custody from other non-judicial punishments and renders correctional custody similar in several respects to probation programs administered under civilian court systems. In both cases, a supervised offender is called upon personally to make the major rehabilitative effort while being involuntarily restricted to an environment intended to enhance that effort. Administration of correctional custody requires the availability of two command representatives: a supervisor (MAA) to maintain custody and supervise work details, hard labor or extra duties; and a counselor to guide and monitor the rehabilitative effort. The officer imposing correctional custody will monitor its administration through these designated command representatives. The administration of correctional custody imposes an acknowledged burden on the offender's command. Offenders not considered likely to benefit from that effort should not be awarded correctional custody.

8.F.10.b. Jurisdiction

The jurisdictional authority to impose correctional custody is no different than that governing the imposition of any other non-judicial punishment under Article 15, UCMJ. Correctional custody will, however, be imposed only upon enlisted members in pay grade E-3 or below and subject to the limitations contained in Article 15(b), UCMJ. It bears repeating that correctional custody is a non-judicial punishment option available to the officer imposing punishment. If factors such as unit size, operational requirements or unavailability of qualified supervisory personnel will preclude administration of correctional custody in the manner prescribed by this article, the punishment should not be imposed. When circumstances such as unit size or prior involvement on the part of the officer having immediate Article 15 authority over an offender prompt his/her referral of the charges for disposition to the next superior in the chain of command, the provisions of the Military Justice Manual, COMDTINST M5810.1 (series) will apply.

8.F.10.c. Guidelines for the Imposition and Administration of Correctional Custody

1. Command Responsibility. Correctional custody (except when imposed upon recruit trainees) should be administered under conditions permitting the individual to continue his or her career field related duties while being subjected to intensive counseling and guidance, both on the job and after working hours. The total resources available to the command must be brought to bear in the effort to counsel and guide the offender in the discovery and correction of the behavior defects leading to the offense.

2. Correctional Custody Administered Similar to Parole. When deemed warranted by the situation, the officer imposing correctional custody may relax the conditions of restraint to a sufficient degree to permit the offender's duty hour or non-duty hour participation in a specific program of either military or civilian rehabilitation or retraining, excepting those programs prohibited by ☞ Article 8.F.l0.c.3. Examples of authorized programs might include: local alcohol or drug treatment or education programs, driver retraining programs, special military drill and motivational counseling, or group therapy programs. As a specific example, participation in meetings of a local chapter of Alcoholics Anonymous may be beneficial to offenders whose offenses have been alcohol-related and who desire to confront their problem. It must be stressed, however, that these various avenues to rehabilitation are just that and should not in themselves be cast in the light of punishment. Since correctional custody comprises both punitive and rehabilitative measures, a member ordered to participate in a rehabilitative program, on or off unit, as a part of correctional custody will nonetheless also be subjected to certain punitive measures such as restriction, extra duties, hard labor, or even physical segregation.

3. Prohibited Programs. Under no circumstances will conditions imposed as elements of correctional custody order an offender's participation in any formal military

rehabilitation program (such as the Alcohol Rehabilitation Program) requiring medical diagnosis and/or allocation of a quota for entry.

4. Conditions To Be Defined Upon Imposition of Correctional Custody. It is required that the officer imposing correctional custody define the specific nature of the punitive and rehabilitative measures being imposed at the time the punishment is awarded.

5. Restraint. Correctional custody is not to be awarded as a substitute for confinement, nor will it be administered in a manner amounting to confinement (☞ Article 8.F.2). Custody may be effected by the presence of a designated supervisor. Note the distinction between supervisors and counselors: Supervisors for persons in correctional custody are MAA-oriented personnel frequently assigned on a rotating watch basis. The primary requirement is for responsible continuity of supervision of custody and work. Counselors by contrast are responsible persons assigned (as a collateral duty) to guide an offender's rehabilitative course on an interpersonal level. A single counselor may be assigned to guide the rehabilitation of more than one person in correctional custody providing the interpersonal aspect of counseling is maintained. If the circumstances are sufficiently serious to warrant the offender's total physical isolation or deprivation of freedom, the charges might more appropriately be referred to trial by court-martial. It is also important not to confuse correctional custody with detention (☞ Article 8.F.9). Under no circumstances will correctional custody be imposed as physical incarceration in a detention cell. To the contrary, the degree of restraint imposed from case to case should be flexible, reflecting the circumstances in the case and representing only that degree appropriate to achieve the rehabilitative aims of the punishment. Correctional custody will not be imposed as a subterfuge to effect pretrial confinement for safekeeping. When segregation is imposed, the commanding officer may designate a space for the purpose which meets minimum standards of health, safety, and control including normal heating, lighting, ventilation, ready access to adequate drinking water and head facilities. A medical officer will inspect the space and certify in writing that it meets minimum standards.

8.F.10.d. Administration of the Punitive Aspects of Correctional Custody

1. General Considerations. Correctional custody will normally be served within the command or under the supervision of the officer imposing the punishment. There are two exceptions to this rule. One major exception to this rule applies to those relatively few Coast Guard commands enjoying access to centralized or institutional correctional custody services of a DOD service by virtue of geographical location and/or inter-Service agreement. The U.S. Navy authorizes commanding officers of major Navy shore commands to utilize their own resources to provide local correctional custody segregation centers operated on a shared support basis for Navy commands in the proximity. (☞ Article 8.F.10.d.2. for specific guidance.) Institutionalized correctional custody services also may be

available at major Army or Air Force installations. In most cases, these will be locally established and supported. When available, Army or Air Force correctional custody facilities may be utilized provided the proposed place of segregation will preclude co-mingling of persons in correctional custody and court-martial prisoners, either sentenced prisoners or persons awaiting trail. The option of offering space-available support to neighboring Coast Guard commands is solely within the discretion of the installation's commander. Navy and Marine Corps brigs will not accept persons serving correctional custody. Even when correctional custody is administered in a DoD centralized facility, the officer imposing the punishment retains responsibility for monitoring the offender's rehabilitation. Upon departure of a homeported vessel for other than local operations, individuals serving correctional custody at a local DoD facility must be returned to their ship. NOTE: Special provisions apply to the administration of correctional custody imposed upon recruit trainees only at Training Center Cape May. (☞ Article 8.F.10.f.)

2. Criteria for Selecting Place for Administration of Correctional Custody Imposed Upon Non-recruit Personnel. The proper administration of correctional custody on board the imposing unit presupposes the availability: (l) of mature officers or petty officers to act as correctional custody counselors to guide and monitor the rehabilitative effort; (2) of mature petty officers to act as supervisors to effect custody and ensure compliance with the terms of the punishment and (3) of space in which to administer the punishment. In the absence of these resources, correctional custody is not a viable non-judicial punishment option. Many Coast Guard units, both shore units and afloat, lack the space for on board administration of correctional custody leaving either of two possible options to be explored: obtaining support from the Navy (or other DoD service), or from a larger Coast Guard command. These options will be discussed in the next subparagraphs.

   a. Administration in Local Centralized Facilities of the Navy. The U.S. Navy authorizes commanding officers of its shore commands to establish and operate centralized correctional custody units on a locally funded and staffed basis. The Secretary of the Navy has directed that these spaces adhere to prescribed habitability and supervision standards which shall not include special security features. These standards are the equivalent to those prescribed for Coast Guard commands in ☞ Article 8.F.10.d.2. Navy policy permits commanding officers operating centralized correctional custody units to extend participation to tenant and other local commands, including floating units homeported at or in the proximity and to assess participating commands for staff augmentation personnel and/or funds to share the burden of operation. Acceptance or refusal of Coast Guard offenders by such local Navy units is the sole prerogative of the Navy commanding officer. Commanding officers of Coast Guard commands located in close proximity to major Naval shore commands may, upon authorization of the Coast Guard district commander, seek participatory space-available use of Naval correctional custody units either on the basis of a local

agreement or case-by-case. Any staffing assessment levied by the Navy for this participation will be borne by the command involved subject to concurrence of the district commander (or commanding officer of a Headquarters unit) out of existing resource levels. Staff augmentation of Naval correctional custody centers will be provided only for periods during which Coast Guard personnel remain in the physical custody of the center. Augmentation is authorized only for U.S. Navy local correctional custody units. Local agreements to utilize correctional custody units of the Navy or other Services will be strictly local in scope. ☞ Exhibit 8.F.2 is a table of U. S. Navy Correctional Custody Units. Persons ordered into correctional custody at any DoD facility will be placed on temporary additional duty for disciplinary purposes. Any travel costs will be borne by the imposing command or district, as applicable. To the end that the rehabilitative objectives of correctional custody are achieved, commanding officers will monitor the progress of persons in correctional custody even when the punishment is administered in a correctional custody center of another Armed Force. This may best be done by designation of a correctional custody counselor who will visit the offender not less than weekly in the same manner as prescribed for persons in confinement (☞ Article 8.F.6).

b. Administration of Correctional Custody on Board Coast Guard Commands. In the vast majority of cases, Coast Guard commanding officers will be obliged to rely on Coast Guard resources to administer correctional custody. In assessing the capability of his or her resources and space, the commanding officer should remain aware that both the punitive and rehabilitative aspects of the punishment must be provided. With respect to punitive aspects of correctional custody, the officer imposing punishment should not permit the rehabilitative emphasis and objective of correctional custody to eclipse its purpose as punishment. Guidance is prescribed by the provisions of this subparagraph.

- Supervision. A supervisor will be designated to maintain custody of a person in correctional custody and to enhance the offender's adherence to all prescribed terms of the punishment. A supervisor will be assigned during non-duty hours, during any period in which the offender is serving the punishment in a special space or in segregation, and at any other time when the offender is not otherwise under continual, adequate supervision. A single supervisor may be designated to effect custody of several persons while in correctional custody (whereas correctional custody counselors will be assigned on a one-to-one basis). The presence of a supervisor is not required when adequate supervision is assured by virtue of assignment to a supervised work detail, training or counseling. Correctional custody supervisors normally will be assigned through the daily unit watch list and will report to the senior officer, officer of the day or chief master at arms, as appropriate. Commanding officers may deem it advisable to segregate persons in correctional custody from their peers through separate berthing and messing arrangements. This may ordinarily be done by designating a

separate barracks section in which the custody will be effected by the presence of the supervisor. The selection of mature, well qualified supervisors is therefore essential. Supervisors will not be armed but should wear a duty belt, brassard, or similar indication of official capacity. Whenever possible, correctional custody supervisors will be first class or chief petty officers but in every case must be senior in grade to any person in correctional custody. The supervisor will require compliance with local regulations governing persons serving correctional custody. The officer of the day or senior duty officer, as appropriate, shall make regular and unscheduled inspections of the space. Restraint of persons in correctional custody should not be maintained by force. The command's responsibility for preventing escape is limited to the designation of responsible full-time supervision. Where several Coast Guard commands are located in the same geographical area (such as commonly may be the case at support centers, large groups and air bases) the senior commanding officer may designate a single facility for multi-command use on a shared support basis and centralize the custody supervisory function. Shared support means that the commanding officer of the parent or senior command may assess participating commands to provide qualified personnel for supervisor watch list augmentation on an as needed basis. Upon departure of a homeported vessel for other than local operations, individuals serving correctional custody at the local centralized facility must be returned to their ship. All support for consolidated administration of correctional custody, however, will derive from existing workforce and funding levels. Persons serving correctional custody in a consolidated facility operated by a different command will be placed in a TAD status.

- Physical Facilities. Correctional custody in the very least implies restriction. When the situation warrants segregation of persons in correctional custody from other personnel of the unit during non-duty hours (or in the case of recruit trainees, during duty hours as well), the spaces designated for this purpose should be equivalent to those provided to other personnel of like pay grade on board the unit. The following guidelines apply: Under no circumstances will persons in correctional custody be incarcerated in a detention cell, whether on a full-time or part-time basis. The designation of spaces for segregation of personnel in correctional custody is a function of command but not extending to authority to construct places of confinement whether improvised or comprising permanent design features of the building. Correctional custody segregation should be imposed primarily because it is considered essential to effective administration of the rehabilitation program. Custody will not be accomplished in spaces employing special security features such as locked doors, wire screens, body restraints, guard dogs, or armed guards. Spaces so designated shall meet minimum standards of health, safety, and control including normal heating, lighting, ventilation, and ready access to adequate

drinking water and head facilities. A medical officer will inspect the space and certify in writing that it meets these minimum standards. When segregation facilities are created by designating a block of rooms or wing of a barracks building, security usually may be provided by controlled access through assignment of a supervisor (master at arms). Under no circumstances will these spaces be employed for the confinement of persons awaiting trial by or sentenced to confinement pursuant to trial by court-martial.

c. Administration of the Punitive Aspects of Correctional Custody on Board Ship. There is no bar to administration of correctional custody when underway. In fact, a major floating unit underway may well provide a most suitable environment for administration of this non-judicial punishment by virtue of the 24-hour availability of officers and senior petty officers qualified to serve as correctional custody counselors. It is recognized that restriction to limits has little meaning on board a ship underway. Commanding officers may nevertheless withhold privileges (such as the freedom to move about the ship, attendance at movies or happy hours, or berthing and messing with shipmates) and impose a specific regimen of extra duty, fatigue duty, hard labor, or some combination thereof. Inasmuch as persons in correctional custody remain in a duty status, they may be required to perform duty excepting that involving watchstanding, the bearing of arms or supervision of others. Physical segregation may be imposed, provided the ship has a space suitable for the purpose meeting humane standards for heat, light, ventilation, and physical amenities. This authority does not extend to imposition of solitary, full-time confinement in a locked space. Spaces employed should be neither less habitable nor substantially better than those provided all other persons in like pay grade on board the ship. Some older Coast Guard ships have spaces originally designed or identified as brigs. None of these spaces meet contemporary standards for humane incarceration and will not be employed to segregate persons in correctional custody. Prior to segregating a person in correctional custody aboard ship, the commanding officer will obtain the written certification from the embarked medical doctor to the effect that the space concerned meets acceptable habitability standards. If no medical doctor is embarked, the executive officer (as ship's medical officer) shall so certify. Segregation of persons undergoing correctional custody on board ship in no way diminishes the requirement for complying with the requirements to administer a rehabilitative program and to specify work or retraining assignments. In every instance, a mature member of the command will be assigned as correctional custody counselor. The ship's chief master at arms or designee may serve as supervisor consistent with the guidance contained in ☞ Article 8.F.10.d. Participation of persons undergoing correctional custody in unit drills and evolutions shall be determined by the commanding officer on the basis of recommendations made by the offender's counselor and with due regard for the

specific duties to which the offender is tasked by the Watch,Quarter, and Station Bill.

8.F.10.e. Administration of the Correctional Aspects of Correctional Custody

The requirements for proper administration of the correctional (rehabilitative) aspects of the punishment are the same regardless of the place chosen for administration of the punitive measures. Accordingly, the provisions of this subparagraph apply equally whether the punishment is administered at a facility of another Armed Force, on board a Coast Guard shore unit, or afloat. It is a responsibility of command to monitor the offender's progress while in correctional custody through reports from the designated counselor.

1. Each offender will be assigned a correctional custody counselor, who may be assigned on a collateral duty basis. Mature petty officers in pay grades E-6 and above, as well as commissioned officers, may be appointed as counselors. The assigned counselor should interview the person, observe and keep an informal record of progress, and make recommendations to the commanding officer regarding eventual disposition. The counselor will be accorded the assistance of any other members of the command if their specialized assistance is needed in correcting the offender's behavior. Should the counselor conclude that a special training or a rehabilitation program external to the command is warranted, an appropriate recommendation shall be made to the commanding officer. (Every effort should be made to obtain these services if warranted.)

2. A suitable work assignment will be selected in the form of continuation of normal duties, a temporary assignment or both. Work assignments may take the form of training or military duty but if the latter, may not include duty as a watchstander, the bearing of arms or supervision of others. The counselor should ensure that any work assignments which amount in fact to extra duties or hard labor are ordered only to the extent specifically imposed by the commanding officer at the time the punishment was awarded.

3. A schedule of after hours activities shall be established for persons in correctional custody. To the extent practical, these activities shall include assigned study, appropriate recreation, physical training, and participation in attitude building training and discussions. All activities selected should contribute toward the correctional objective.

8.F.10.f. Administration of Correctional Custody Imposed Upon Recruit Trainees at Training Centers

It should be borne in mind that correctional custody is an authorized but optional nonjudicial punishment which may be imposed upon military members charged with violations of the UCMJ pursuant to proceedings under Article 15, UCMJ at captain's

mast. As non-judicial punishment, correctional custody may be imposed only pursuant to NJP proceedings at mast, regardless of the fact that the accused member may not have completed recruit training. In short this paragraph concerns only those recruit offenders who are brought to mast for proceedings under Article 15, UCMJ. The case of recruit offenders against the UCMJ is somewhat unique, the rehabilitative task of non-judicial punishment being primarily orienting the offender to the Coast Guard and to the responsibilities inherent in military service, rather than correction of established military behavior traits. This concept is consistent with the overall philosophy of recruit training preferably accomplished as a valuable adjunct to training conducted in seclusion from peers and normal activities. Accordingly, it is appropriate to modify the correctional custody environment prescribed for non-recruit offenders to one which enhances intensive counseling and training on a full-time basis. In practical terms this contrasts with the policy for non-recruits who are considered to remain in a duty status while undergoing command custody. Commanding officer, Training Center Cape May is authorized to establish and operate formal correctional custody within the existing physical plant to administer the punishment when imposed upon recruit personnel. Staff supervisory, counseling, and training personnel will be designated members from the training center permanent party. Recurrent operating expenses incident to this function are elements of the Operating Expense Budget. Standards pertaining to supervision, physical space, habitability, security feature limitations, and mandatory rehabilitation program are the full equivalent of those prescribed for non-recruit personnel meaning that the spaces so designed will be no less habitable than the equivalent spaces provided (non-offender) recruit personnel. Most important, custody of recruits undergoing the punishment will be effected by the presence of the supervisory staff and not by confinement in locked cells or secure spaces. Neither corporal punishment nor the use of hand or leg restraining devices are authorized. A specialized correctional custody program is a mission within the capabilities of the permanent training staff. One mature member of the training staff shall be assigned to act as correctional custody counselor for each recruit upon whom the punishment is imposed, with duties as prescribed in ☞ Article 8.F.10.e. Under no circumstances will offenders awaiting trial (whether recruit or non-recruit) or prisoners serving court martial sentences to confinement be confined in correctional custody spaces authorized by this article.

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

U.S. NAVY CORRECTIONAL CUSTODY UNITS (CCUs)

This exhibit provides the short title, mailing address, and commercial telephone number (unless indicated otherwise) for all U.S. Navy CCU's. If you need assistance with the confinement of a Coast Guard member, contact Commandant (G-WPM-1).

Short Title	Mailing Address	Telephone
CCU NAS Jacksonville	Commanding Officer Naval Brig Box 64 Naval Air Station Jacksonville, FL 32212-0064	(904) **542-3314**
NAVCONBRIG Charleston	Commanding Officer Naval Consolidated Brig 1050 Remount Rd Bldg. 3107 Charleston, SC 29406-3515	**(843) 743-0306**
Great Lakes Brig	Commanding Officer Navy Brig 2706 Sheridan Rd Bldg 914 Great Lakes, IL 60088-5130	(**847**) 688-2157
Guam Detention Facility	Senior Chief Petty Officer in Charge Naval Station Detention Facility Guam PSC 455 Box 199 FPO AP 96540-2900	011-671-339-**2927**
Guantanamo Bay PCF	Chief Petty Officer in Charge Naval Station Pretrial Confinement Facility GTMO PSC 1005 Box 98 FPO AE 09593-0098	011-53-99-**2228**
NAVCONBRIG Miramar	Commanding Officer Naval Consolidated Brig Miramar Suite 1 San Diego, CA 92145-5499	(619) **577-7000**

CCU NAVSUBASE New London	Master Chief Petty Officer in Charge Pretrial Confinement Facility U.S. Naval Submarine Base Bldg 166 New London, CT 06349-5042	(860) **694**-3654
CCU Norfolk	Commanding Officer Naval Brig 8251 Ingersill Street Norfolk, VA 23511-2699	**(757) 444-5413**
CCU Pearl Harbor	Commanding Officer Naval Brig Ford Island Box 56 Pearl Harbor, HI 96860-6050	(808) 472-9410
CCU Pensacola	Officer in Charge Naval Brig/CCU 541 John H Tower Rd Pensacola, FL 32508-5315	**(850) 452-3620**
CCU Puget Sound	Commanding Officer Naval Submarine Base Bangor 2020 Guardfish St Silverdale, WA 98315-5000	(360)315-**4402**
CCU Yokosuka	Officer in Charge U.S. Naval Brig PSC 473 Box 9 FPO AP 96349-1101	011-81-0468-**21**-1911 Ext. 7015

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
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8.G. Shore Patrol and Escort of Prisoners

8.G.1. Joint Control by Military Police and Shore Patrol

8.G.1.a. Agreement Among the Services

By agreement between the Secretaries having jurisdiction over the military services, members of Navy, Coast Guard, and Marine Shore Patrols, Military Police, Air Police, and commissioned, noncommissioned, and petty officers of the Armed Services are authorized and directed to take corrective measures, including arrest if necessary, in the case of any member of the Armed Forces committing a breach of the peace, disorderly conduct, or an offense which reflects discredit upon the Service. Personnel arrested shall be returned to the jurisdiction of their respective Service as soon as practical.

8.G.1.b. Use of Judgement

Those exercising authority hereunder are enjoined to do so with judgement and tact. Particularly, arrest should not be resorted to when corrective measures will suffice.

8.G.1.c. Details for Coordination

The details for effecting this coordination shall be worked out jointly by the military and naval authorities in the various areas concerned. All commands are instructed to ensure that personnel are familiar with the provisions of this agreement.

8.G.2. Unit Shore Patrol

8.G.2.a. Definition

A shore patrol is a force of petty officers landed during liberty hours to maintain good order and discipline among personnel ashore, to render appropriate assistance to members of the Armed Forces, and to report to proper authority conditions or practices observed ashore which appear prejudicial to the welfare of personnel.

8.G.2.b. Guidance

A shore patrol shall be landed at the discretion of the senior officer present afloat, subject to any instructions issued by the senior military commander in the area. In general, a shore patrol should be landed whenever a large number of personnel are granted liberty in a foreign port or in a small United States port where there are limited civil police. The shore patrol should be landed at or prior to the time the majority of the liberty party is permitted ashore, and should be withdrawn after the expiration of regular liberty or the period of maximum activity.

8.G.2.c. Composition

The shore patrol should be composed of one mature petty officer for every 20 men, or fraction thereof, in the liberty party. A shore patrol officer may be designated at the discretion of the commanding officer. The uniform for shore patrol enlisted personnel shall be the uniform of the day, shore patrol brassard, web belt, first-aid pack, nightstick, and whistle. Officers shall wear the uniform of the day and shore patrol brassard.

8.G.2.d. Assignments

The shore patrol shall report to the senior shore patrol officer, Armed Forces Police Department Duty Officer, military or air police officer present, and shall be assigned in accordance with his or her instructions. In the event that there is no permanent shore patrol, military or air police, or Armed Forces Police Detachment Duty Officer, in the area, the commanding officer shall contact the civil law enforcement authorities and assign patrols after receiving their advice.

8.G.2.e. Jurisdiction

The shore patrol has jurisdiction over U.S. Coast Guard, Navy, Marine Corps, Army, and Air Force personnel unless otherwise prescribed by competent authority. The shore patrol has no jurisdiction over civilians and no authority to arrest or assist in the arrest of anyone not in the United States military or naval service. A person in the uniform of an Armed Service may be presumed to be in that Service; however, if he or she denies so being, the civil police shall be asked to detain the person until his or her status can be determined. The shore patrol shall cooperate fully with local, State, and Federal civil authorities in cases involving military personnel in infractions of civil laws and local ordinances. However, it has no authority to release to civil authority any person in the service placed under arrest by the shore patrol. The release of personnel to civil authority in all cases shall be effected in accordance with the provisions of the Military Justice Manual, COMDTINST M5810.1 (series). The shore patrol shall not enter private establishments, including dwellings and hotel rooms, in the performance of official duties unless accompanied by civil authorities who are authorized to make such entries, except under unusual circumstances when specifically requested by the owner or lessee or in an emergency involving the safety of life or the good of the community, and then only when Service personnel may be involved.

8.G.3. General Instructions to Shore Patrol

8.G.3.a. Military Conduct and Etiquette

When on duty, members of the shore patrol are representatives of the Commandant and the commanding officer insofar as their appearance before the public is concerned. They shall be smart in appearance and adhere to all regulations and all customs of military etiquette and conduct.

8.G.3.b. Use of Alcohol

Members of the shore patrol are forbidden to partake of any intoxicating liquor, including beer and wine, at any time while on duty.

8.G.3.c. Liberty Parties

The shore patrol must always be mindful that liberty parties ashore are on liberty in the fullest sense of the word. Any demands upon liberty time which become necessary in the performance of shore patrol duties should be made courteously and promptly. Care should be used not to provoke arguments which may lead to subsequent trouble.

8.G.3.d. Purpose

The purpose of the shore patrol is as much to assist members on liberty as it is to apprehend offenders. Members should not be arrested for minor violations of regulations. In cases where a warning will suffice, the offender will be given such warning and it shall not be given in the form of a reprimand. The patrol should always strive to anticipate events and prevent members from becoming involved in situations which result in trouble. The shore patrol shall take the indicated action before arrest becomes necessary. When necessary, arrest should be made quickly and quietly and the offender should be removed at once to some spot away from the public attention. When making an arrest, the patrol should place a hand on the arm or shoulder of the offender and say in a clear voice:

"You are under arrest."

8.G.3.e. Use of Nightstick

The patrol shall not mistreat or abuse members in its charge. The nightstick shall be used only for self protection or when the offender cannot be subdued otherwise, and then, except in unusual circumstances, it shall be used to strike only the back of the legs, arms, or shoulders.

8.G.3.f. Confiscation of Identification Cards

Whenever identification cards are taken from personnel arrested by the patrol, they shall not be returned to the offender but shall be returned to the offender's commanding officer, with an arrest report if such is indicated.

8.G.3.g. Search of Prisoners

When necessary for the shore patrol to search a prisoner, two patrolmen shall be present, one of whom should be a chief petty officer or a commissioned officer. A statement listing the prisoner's effects, including the amount of cash, shall be made and signed by both parties.

8.G.4. Transport of Prisoners

8.G.4.a. General

The term, "prisoner," as used herein and in ☛ Article 8.G.5 will be conveyed to mean either persons who are currently subject to a valid confinement order, or persons being transported to a military facility after surrender or apprehension as suspects in alleged violations of the UCMJ. Persons are considered "prisoners" for the purpose of this section only if transported under escort. Situations involving transport of military members as prisoners under escort generally fall under one of two categories: (1) transport of absentees, deserters or other suspected offenders either back to their own commands or to such other commands as may be designated by competent authority, and (2) transport of persons already under the physical and/or administrative control of their own commanding officer or a court-martial convening authority to, from, or between correctional centers. The actions required following the apprehension or surrender of absentees or deserters are contained in ☛ Articles 8.C.7. and 8.C.8. Absentees or deserters who voluntarily surrender at a unit other than their own command ordinarily will be permitted to proceed back to their own or designated command under their own recognizance, unless in the judgment of the commanding officer of the unit reporting the surrender, transport under escort is warranted because of a likely risk of danger to life or property or of renewed escape from Coast Guard jurisdiction. In the latter case, the commanding officer of the command to which an absentee or deserter surrendered or was apprehended shall include escort recommendations as an element of his or her message notification to competent authority as designated in ☛ Article 8.C.7. This information should include a specific statement indicating whether escorts are deemed necessary, and whether multiple escorts, handcuff restraint, and/or armed escort is warranted pursuant to the guidance contained in this section. The provisions of this section do not apply to overseas activities and sections in Europe and Asia, or to operational units when on special detached duty with another Armed Force. Such cases frequently involve special considerations deriving from policies of the senior Armed Forces commander in the area, allied treaty requirements, and complex travel constraints. Whenever a

requirement for escort of a Coast Guard prisoner arises in such cases, the commanding officer involved will promptly transmit a message to Commander, (CGPC-epm) or (CGPC-opm) noting all relevant details and requesting advice. In all other situations, competent authority to order a person transported as a prisoner under escort in the case of an apprehended or surrendered absentee or deserter will be the command entity from which instructions are requested as provided for in ☛ Article 8.C.7. Such competent authority in the case of a member already under the control of his or her own command is the commanding officer of that command or the applicable court-martial convening authority. The Coast Guard command issuing the orders for transport of prisoners under escort shall be responsible for ensuring compliance with the provisions of this section. In cases where a prisoner is to be transported by means other than Government vehicle, commanding officers of Headquarters units may request the district commander (a) within whose district the Headquarters unit is geographically located to make appropriate transportation and escort arrangements. District commanders will be advised in any event, of the planned transport of prisoners entering, leaving, or traveling within the district confines, whether or not the district commander is the controlling command. In all cases, the transfer of prisoners will be accomplished in the most inconspicuous manner possible. The officer authorizing transport of a prisoner under escort shall prescribe the degree of security necessary to ensure the safe delivery of a prisoner in transit based on the recommendations of the local commanding officer presently having control or custody of the prisoner. The majority of military prisoners are offenders against military discipline and not vicious criminals posing a threat to personal safety of others or posing an ever-present escape threat. The presence of escorts and guards is usually sufficient to ensure safe delivery without incident. When the local commanding officer determines that the prisoner is a definite escape risk, the officer ordering transport may authorize the escort to use handcuffs. Under no circumstances shall this or any other restraint device be employed to fasten prisoners to fixed or stationary equipment such as a seat arm, strap, stanchion, or berth railing of any vehicle or conveyance.

8.G.4.b. Means of Travel

1. Government-Owned Bus or Other Vehicle. This is the preferred mode of transport wherever the distances involved permit. A single prisoner escort will never be required to act also as the driver. Vehicles employed should be in good mechanical condition to minimize the likelihood of breakdown while prisoners are embarked. If possible, the vehicle should be equipped with security screens for protection of the escorts and driver and to reduce the number of escorts required. Prisoners and escorts will be seated in adjoining seating positions and never in the same seat as the vehicle operator. Box lunches are recommended to minimize meal stops.

2. Government Air. Maximum use shall be made of spaces available on military aircraft including Military Airlift Command, administrative, proficiency, and Reserve training flights. Escort requirements and restrictions of the agency or command operating the flight will be adhered to.

3. Commercial Rail and Bus. While this mode of transport is authorized, it is considered the least desirable because of the transit time involved, need for additional escorts, the undesirability of exposing the prisoner to public view, and the security risk encountered at stops. Box lunches are advised to eliminate the need to escort the prisoner to public dining facilities. Prisoners and escorts will occupy adjoining seats. Where commercial bus is used for transport, passage should be arranged if possible on a conveyance having on-board toilet facilities. Prisoners should be seated in the rearmost passenger seat not adjoining any emergency exit, lounge area, or having access to any vital equipment, such as emergency brakes, of the conveyance unless directed to the contrary by the bus driver or train personnel. An escort shall always occupy the aisle seat.

4. Commercial Air. Prisoners who may become violent, abusive, or who may require handcuffing and armed escort will not be transported by commercial airline except as provided for below. The command which will issue the official travel orders for transport of a prisoner by commercial air will coordinate travel details with the applicable airlines in advance. Frequently, this will be the district commander, in which case commercial air travel arrangements will be initiated by the district commander (a). Foreign-flag commercial airlines will not be employed to transport prisoners of the United States. The Federal Aviation Administration (FAA) has promulgated rules and regulations pertaining to the transporting of firearms and prisoners aboard commercial aircraft which govern prisoner transport by this method. The Commandant's policy is consistent with these regulations which may not be contested by Coast Guard personnel. That policy is summarized in the following paragraphs which apply to all cases where prisoners under escort are transported by commercial airline. In addition, however, the policy contained in ☛ Article 8.G.5 applies to those uncommon cases where the security threat posed by a prisoner being transported by commercial air is sufficiently grave to warrant arming the escorts.

   a. FAA rules and regulations prohibit certified, commercial airlines from transporting a person in custody unless:

      - The airline had been notified at least one hour, or in an emergency, as soon as possible, before departure of the identity of the escorted person, the flight on which he or she will be carried, and whether the escorted person in considered dangerous by the Governmental entity having custody.

- The escort has assured the airline that the escorted person does not have on or about his or her person any article that could be used as a deadly or dangerous weapon which would be accessible to the prisoner while on board the aircraft. Additionally, the escort must ensure the airline that adequate restraining devices are readily available to be used in the event the escort determines that restraint becomes necessary.

- The escorted person and escorts shall be boarded before all other enplanning passengers board, and deplaned after all other deplanning passengers have left the aircraft. The prisoner and the escorts will be seated in the rearmost passenger seats that are neither located in any lounge area, nor located next to or directly across from any aircraft exit.

- At least one escort shall be seated between the escorted person and any aisle, and at all times accompany the escorted person and keep him or her under surveillance.

- The airline is prohibited from carrying more than one escorted person who it has been notified is considered dangerous on an aircraft carrying other passengers. The airline is prohibited from serving food or beverages, or providing metal eating utensils to an escorted person unless authorized by the escort.

- No prisoner or accompanying escort may drink any alcoholic beverage while on board the aircraft during a prisoner-transport flight.

b. In order to minimize circumstances which lead to confusion of or disputes with on-site airline personnel, it is desirable to formalize arrangements well in advance of the transport. The recommendations of the airline concerning preferable flights for prisoner transfer, check-in procedures, etc., should be solicited and followed whenever practicable.

8.G.5. Prisoner Escorts

8.G.5.a. Prisoner Escorts

Prisoner escorts should be mature, responsible petty officers or in unusual situations, commissioned or chief warrant officers who are well-qualified by training and/or experience for the assignment. Escorts should travel under official orders in all cases and be well-briefed prior to departure. Escorts will present a smart appearance and, except when special agents of Coast Guard intelligence serve as escorts, will wear the appropriate uniform. In cases when escorts are not special agents of Coast Guard intelligence, but a commercial carrier nonetheless specifically requests that escorts wear civilian attire, a business suit or sport coat with necktie may be authorized. Under no conditions will the prisoner or accompanying escorts consume any alcoholic beverage

during the duration of the transport. Escorts are responsible for the appearance and conduct of prisoners in their custody. Stopovers should be avoided whenever possible. When unforeseen circumstances render stopover unavoidable, escorts are authorized to request temporary detention of the prisoner at any United States Military Correctional Facility, or Armed Forces Police or Shore Patrol organization having prisoner detention spaces available. As a last resort, temporary detention of the prisoner during an unavoidable stopover may be requested from local civilian law enforcement officials, in which case the escort shall promptly notify the commanding officer of the circumstances. Whenever the prisoner is turned over to a detention or confinement facility as provided for in this article, the escort shall obtain a receipt for the prisoner.

8.G.5.b. Escort to Prisoner Ratio

The Coast Guard rarely has occasion to move groups of prisoners. The number of escorts required in any given case is a matter of command discretion. As a general rule, a minimum-risk prisoner being transported by Government vehicle for a short distance may be escorted by a single guard. Trips by Government vehicle of sufficient length to require escort relief, and all prisoner movements by any other means will require at least two, and possibly more escorts, with the exact number depending on the circumstances, and the regulations governing the operation of the carrier. If the prisoner being escorted is a female, at least one escort shall be a woman commissioned, chief warrant, or petty officer.

8.G.5.c. Arming of Escorts

1. General. Consistent with the rationale contained in Article 8.G.3., escorts need be armed only under rare, extreme cases involving maximum custody prisoners whose escape would pose a proximate threat to life or personal safety. As used in this section, "armed" is intended to convey the carriage of firearms. It should be noted that while in the performance of official duties, military members of the United States Armed Forces may carry firearms, including concealed weapons, when expressly authorized to do so by an appropriate military authority regardless of state or local laws. The inherent authority of the sovereign as to its military services has long been recognized by case law. Additionally, limited statutory authority exists for Coast Guard military members to carry firearms. For example, commissioned, chief warrant, and petty officers of the Coast Guard, while performing customs duty, are "officers of the customs" by definition (19 U.S.C. 1401 (1)), and as such, may carry firearms (26 U.S.C. 7607). The general authority for commissioned, chief warrant or petty officers of the Coast Guard to carry and use firearms including concealed weapons while performing official duties, such as those incumbent on special agents of Coast Guard intelligence and designated prisoner escorts, however, rests in the fact that the Coast Guard is a military Service.

2. Limitations. The Commandant's policy and standards governing the carriage and use of weapons by authorized personnel are consistent with the policy and standards prescribed by the Secretary of Transportation governing the carriage and use of weapons by all authorized Department of Transportation (DOT) personnel, military and civilian, and by DOT contractor personnel providing law enforcement and security service to DOT facilities. That policy concerning the carriage of firearms provides that no personnel shall be authorized to carry or use a firearm in performing official law enforcement and security duties until that person has been adequately trained and understands official policy and standards. The Commandant's policy on the use of firearms by commissioned, chief warrant or petty officers assigned to security duties including armed escort of prisoners is similar to that prescribed for the use of firearms by special agents of Coast Guard intelligence and is as follows:

   a. A firearm may be discharged only as a last resort when in the considered opinion of the escort a danger of loss of life or serious bodily injury exists to him or herself or to another person.

   b. Firing a weapon should be with the intent of rendering the person at whom the weapon is discharged incapable of continuing the activity prompting the escort to shoot.

   c. Firing at a fleeing person will not be considered justified unless the escort has a reasonable cause to believe that the person considered for shooting poses a real threat to the life of the escort or others.

   d. Firing from a moving vehicle or at a fleeing vehicle is prohibited.

   e. Firing warning shots is prohibited. A firearm should be drawn only when the escort has a sufficient cause to expect it will be used and the escort is preparing for its use.

   f. The authority to bear firearms carries with it an obligation and responsibility to exercise discipline, restraint, and good judgment when using firearms. The escort must keep in mind that, when firing a weapon, a danger always exists to innocent parties.

   g. Whenever a firearm is drawn under operational conditions, a letter report shall be immediately furnished Commandant (G-OIN). Whenever a firearm is discharged under operational conditions, accidentally or otherwise, a board of investigation shall be convened. In cases where a special agent of Coast Guard intelligence is involved (☛ Article 8.G.5.d.3.), the district commander (ole) should not act as investigating officer.

3. Carrying of Firearms Aboard Commercial Aircraft. The Commandant's policy concerning the carrying of firearms aboard commercial aircraft is consistent with FAA rules and regulations, and may not be contested by Coast Guard personnel. Those elements of the FAA rules and regulations which are applicable to officials and employees of the United States prohibit a certified airline from permitting any person to have on or about his or her person or property, a dangerous or deadly weapon - either concealed or unconcealed - which is available to him or her while aboard an aircraft unless the following conditions are met:

   a. The person having the weapon is an official or employee of the United States.

   b. The person having the weapon must be authorized to carry it and need to have the weapon available in connection with the performance of duty during the period between baggage check-in for the flight and baggage claim following deplaning.

   c. The airline must be notified of the flight on which the armed person intends to have the weapon accessible at least one hour before departure, and in an emergency as soon as practicable before departure.

   d. The armed person must identify him or herself to the airline by presenting credentials that include a clear, full-face picture, signature, and the signature of the authorizing official of his or her Service or the official seal of Service. Badges, shields, or similar devices may not be accepted by airlines as the sole means of identification.

   e. The FAA rules and regulations further require the airline to ensure that the armed person is familiar with its procedures for the carriage of a deadly or dangerous weapon aboard its aircraft prior to the time such person boards the aircraft. Further, the airline is required to ensure that the identity of the armed person is known to each law enforcement officer and each airline employee responsible for aircraft boarding security, and that the pilot in command of the aircraft is notified that the armed person will be on board and of the armed person's seat location in the cabin.

   f. FAA Rules and Regulations also prohibit an airline from knowingly permitting any passenger to carry a deadly or dangerous weapon on board an aircraft in checked baggage, and similarly prohibits any passenger from checking baggage containing a deadly or dangerous weapon unless the passenger first has notified the airline that the weapon is in the baggage, that it is unloaded, and that the baggage is locked with the passenger retaining the only key. The airline is then required to carry such baggage in a space other than the flight crew compartment which is inaccessible to the passengers.

g. FAA Rules and Regulations prohibit any person having a deadly or dangerous weapon available from drinking alcoholic beverages while on board the aircraft.

8.G.5.d. Action by District Commanders Authorizing the Arming of Prisoner Escorts

The policy contained below applies only in those extraordinary cases in which a district commander ordering transport of a prisoner or a commanding officer or convening authority requesting such transport has determined that the prisoner's escape would pose a grave threat to life or personal safety. Such maximum custody prisoners may be transported under armed escort, in addition to which, no less than two escorts will be assigned and the prisoner restrained in handcuffs. Commanding officers of INCONUS Headquarters units deeming it necessary to transport a prisoner under armed escort will request that transportation arrangements and designation of escorts be accomplished by the district commander of the district within whose geographical limits the Headquarters unit is located. When a prisoner is transported under armed escort, at least one of the escorts must be qualified to serve as armed escort in accordance with the provisions of this article, but only the qualified escort will in fact be armed. Escorts should not be armed when the necessary security can be ensured instead by assigning additional escorts or authorizing handcuff restraint, in that order. The use of handcuffs or arming escorts requires the written order of the officer ordering the transport. Armed prisoner escorts will not carry loaded weapons except when actually escorting prisoners. When prisoners are being escorted, weapons will be loaded but ammunition will not be carried in the chamber of the weapon. Armed prisoner escorts will take every precaution against providing the prisoner access to the weapon.

1. Procedures for Designating Armed Prisoner Escorts.

a. Responsibility for Determining Whether Armed Escorts Are Required. The transport of prisoners under armed escort shall in no case be arranged or controlled by any level of command below the district level. Where more than one district is involved, that district which issues orders for transport under armed escort will be the controlling district. When doubt exists as to which of two districts should initiate such action, Commander, (CGPC-epm) or (CGPC-opm) will direct appropriate action. Frequently, in cases where transport of a maximum custody prisoner is contemplated, the prisoner's own district commander or convening authority will already have physical and/or administrative custody over the prisoner. Illustrative could be the case of a member who has been convicted of a violent felony by a military court-martial and who is awaiting transportation to the designated correctional facility. In such cases, the district commander (a) will be in a position to determine directly whether the degree of security needed will require transport under armed escort. In other cases, however, a remote district commander or commanding officer, who may or may not be located in the offender's own district will have physical custody of a prisoner whose return or movement has

been directed. Insuch cases, the local commanding officer stands in the best position to judge the degree of security warranted during transport. Should the local commanding officer deem it necessary, consistent with the provisions of this article, that the prisoner be transported under armed escort, he or she shall promptly transmit a message to the competent authority requesting advice and assistance. Commander, (CGPC-epm) or (CGPC-epm) and any other district commander and commanding officer concerned shall be listed as information addressees. The message shall identify the prisoner, the anticipated travel, and plainly state that escort under armed escort is deemed essential to prevent grave risk to life or personal safety. The message shall additionally state whether the local commanding officer has access to personnel who are qualified in accordance with the provisions of Article 8.G.5.d.2. to serve as armed escort. If so, the message will identify the proposed escort(s) and list the qualifications possessed.

b. Actions of the District Commander. The district commander (a) shall be responsible for arranging the transport of prisoners under armed escort in compliance with the provisions of this article. District commander (a) will conduct necessary liaison with the district commander (ole) with respect to the identification and certification of personnel to be designated to serve as armed prisoner escort (☛ Article 8.G.5.d.3.). When transport of a prisoner under armed escort is necessary, district commander (a) will determine and arrange for transport by the most advantageous mode of transportation consistent with the provisions of Article 8.G.4.b. In addition, the district commander (a) will attempt to identify any available personnel qualified to serve as armed prisoner escort in accordance with the provisions of Article 8.G.5.d.2. In cases where a local commanding officer has been able to identify potential and available armed escort personnel, the local commanding officer's recommendations may be included for consideration. The list of possible armed escorts, together with documentation of their qualifications will be referred to the district commander (ole) for review and approval. Should district commander (a) be unable to identify any possible escorts, assistance shall be requested from the district commander (ole). Upon approval or designation of armed escort personnel by district commander (ole), the district commander (a) can finalize travel arrangements and issue appropriate travel orders.

2. Sources for Armed Prisoner Escorts. Compliance with the Commandant's policy concerning the carriage and use of firearms, as well as with the regulations binding on armed escorts on board commercial aircraft as contained in Article 8.G.5.c.3. places a tremendous responsibility on personnel assigned as armed escort. Most personnel, notwithstanding their maturity, dependability, and leadership abilities cannot reasonably be expected to possess the training and experience required to qualify them for armed prisoner escort duty in the context of current regulations and

policy. Accordingly, armed prisoner escorts will be obtained from the following sources in descending order of preference:

a. Pursuant to a request made to an organized Armed Forces Police Detachment or Shore Patrol Organization, if available in the area;

b. A Coast Guard commissioned, chief warrant, or petty officer, who in the past has served as a fully-qualified special agent of Coast Guard intelligence, but who presently is serving in non-intelligence career specialty;

c. A mature commissioned, chief warrant or petty officer in pay grade E-6 or above, of demonstrated sound judgment, who is now or has at some prior time been assigned to official security police or law enforcement duties, and who has successfully completed firearms qualification at the Air Force OSI or Treasury Schools;

d. Such other specially-qualified commissioned, chief warrant or petty officer as may be designated by the district commander (ole).

3. The district commander (ole) will verify whether Coast Guard personnel to be designated as armed prisoner escort possess the qualifications stipulated above. These qualifications are similar to those prescribed for special agents of Coast Guard intelligence as contained in the Investigations Manual, COMDTINST M5527.1 (series). Further, the district commander (a) in proposing a member for armed escort duty will be considered to have stipulated to the district commander (ole) that the proposed escort is familiar with and can be expected to comply with the policy contained in Article 8.G.5.c. In the event the district commander (a) can identify no available and qualified personnel to serve as armed prisoner escort, the district commander (ole) may at his or her discretion detail a special agent of Coast Guard intelligence, if available, request escort assistance from the U.S. Department of Justice, or designate some other specially-qualified commissioned, chief warrant or petty officer whose training and experience, although different, is equivalent to that prescribed above.

4. It is stressed that the mere availability of personnel qualified to serve as prisoner escort does not justify the imposition of that degree of security. The decision to arm escorts should rest solely on the commanding officer's judgment that the prisoner's transport must be treated as a maximum custody case. Whenever Coast Guard personnel are detailed as armed prisoner escort, they shall be briefed thoroughly concerning the policy, rules, and regulations contained in this section.

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Exhibit 8.H.1. - Interpersonal Relationships

8.H. Interpersonal Relationships within the Coast Guard

8.H.1. General

8.H.1.a. Coast Guard Values

The Coast Guard attracts and retains highly qualified people with commonly shared values of honor, respect and devotion to duty. These values anchor our cultural and Service norms and serve as a common foundation for our interpersonal relationships within the Coast Guard.

8.H.1.b. Mission Success

We interact, communicate and work together as teams to accomplish our missions. Indeed, mission success depends on cultivating positive, professional relationships among our personnel. An environment of mutual respect and trust inspires teamwork, assures equal treatment, and grants Service members the opportunity to excel.

8.H.1.c. Leadership and Military Discipline

Professional interpersonal relationships always acknowledge military rank and reinforce respect for authority. Good leaders understand the privilege of holding rank requires exercising impartiality and objectivity. Interpersonal relationships which raise even a perception of unfairness undermine good leadership and military discipline.

8.H.1.d. Custom and Tradition

The Coast Guard has relied on custom and tradition to establish boundaries of appropriate behavior in interpersonal relationships. Proper social interaction is encouraged to enhance unit morale and esprit de corps. Proper behavior between seniors and juniors, particularly between officers and enlisted personnel, enhances teamwork and strengthens respect for authority.

8.H.1.e. Officers and Senior Enlisted

By long standing custom and tradition, commissioned officers, including warrant officers, have leadership responsibilities extending across the Service. Likewise, chief petty officers (E-7 to E-9) have a distinct leadership role, particularly within their assigned command. Both provide leadership not just within the direct chain of command, but for a broader spectrum of the Service. Due to these broad leadership responsibilities, relationships involving officers or chief petty officers merit close attention.

8.H.2. Policy

8.H.2.a. Professional Work Environment

Coast Guard policy is to sustain a professional work environment which fosters mutual respect among all personnel, and in which decisions affecting personnel, in appearance and actuality, are based on sound leadership principles. Commanding Officers, officers-in-charge, and supervisors are expected to provide an environment which enhances positive interaction among all personnel through education, human relations training, and adherence to core values.

8.H.2.b. Positive Social Interaction

Coast Guard policy on interpersonal relationships has been crafted to be as gender-neutral as possible. However, this approach may obscure one important issue: the fundamental principle that interpersonal activities which are appropriate among men or among women are likewise appropriate among men and women. Positive social interaction among men has proved beneficial to the individuals and the organization in the past, and women should be afforded equal opportunity to participate in these activities. Women must not be insulated or isolated from proper professional and social activities if the Coast Guard is to benefit from the full measure of their contributions.

8.H.2.c. Acceptable Personal Relationships

As people work together, different types of relationships arise. Professional relationships sometimes develop into personal relationships. Service custom recognizes that personal relationships, regardless of gender, are acceptable provided they do not, either in actuality or in appearance:

1. Jeopardize the members' impartiality,

2. Undermine the respect for authority inherent in a member's rank or position,

3. Result in members improperly using the relationship for personal gain or favor, or

4. Violate a punitive article of the UCMJ.

8.H.2.d. Assessing the Propriety

The great variety of interpersonal relationships precludes listing every specific situation that members and commands may encounter. While some situations are clearly discernible and appropriate action is easily identified, others are more complex and do not lend themselves to simple solutions. Evaluating interpersonal relationships requires sound judgment by all personnel. Factors to consider in assessing the propriety of a relationship include:

1. The organizational relationship between the individuals: whether one member can influence another's personnel or disciplinary actions, assignments, benefits or privileges;

2. The relative rank and status of the individuals: peers, officer and enlisted, CPO and junior enlisted, supervisor and subordinate, military and civilian, instructor and student; and

3. The character of the relationship; e.g., personal, romantic, marital.

   a. Personal relationship: Non-intimate, non-romantic association between two or more people (of the same gender or not), such as occasional attendance at recreational or entertainment events (movies, ball games, concerts, etc.) or meals. (Does not involve conduct which violates the UCMJ.)

   b. Romantic relationship: Cross-gender sexual or amorous relationship. (Does not involve conduct which violates the UCMJ.)

   c. Unacceptable relationship: Inappropriate and not allowed under Service policy. Resolution normally administrative. Relationship must be terminated or otherwise resolved once recognized.

   d. Prohibited relationship: Violates the UCMJ. Resolution may be either administrative, punitive, or both as circumstances warrant.

Exhibit 8.H.1 contains a matrix depicting common interpersonal relationships.

8.H.2.e. Violation of Service Policy

Relationships cross gender lines, can develop into romantic relationships, and even lead to marriage. A relationship, including marriage, does not violate Service policy unless the relationship or the members' conduct fails to meet the standards set by this section, standards of conduct set by the Uniform Code of Military Justice (UCMJ), or other regulations.

8.H.2.f. Unacceptable Romantic Relationships

Romantic relationships between members are unacceptable when:

1. Members have a supervisor and subordinate relationship (including periodic supervision of duty section or watchstanding personnel), or

2. Members are assigned to the same small shore unit (less than 60 members), or

3. Members are assigned to the same cutter, or

4. The relationship is between chief petty officers (E-7/8/9) and junior enlisted personnel (E-4 and below), or

5. The relationship is manifested in the work environment in a way which disrupts the effective conduct of daily business.

The nature of operations and personnel interactions on cutters and small shore units makes romantic relationships between members assigned to such units the equivalent of relationships in the chain of command and, therefore, unacceptable. This policy applies regardless of rank, grade, or position. This policy applies to Reservists in an active status, whether or not on duty.

8.H.2.g. Prohibited Relationships

Coast Guard policy prohibits the following relationships or conduct, regardless of rank, grade, or position of the persons involved:

1. Engaging in sexually intimate behavior aboard any Coast Guard vessel, or in any Coast Guard-controlled work place,

2. Romantic relationships outside of marriage between commissioned officers and enlisted personnel. For the purposes of this paragraph, Coast Guard Academy cadets and officer candidates (both OCS and ROCI) are considered officers.

3. Personal and romantic relationships between instructors at training commands and students.

This provision is a punitive general regulation, applicable to all personnel subject to the Uniform Code of Military Justice without further implementation. A violation of this provision is punishable in accordance with the UCMJ.

8.H.2.h. Family Relationships

Service members married to Service members, or otherwise closely related; e.g., parent and child, siblings, etc., shall maintain requisite respect and decorum attending the official military relationship between them while either is on duty or in uniform in public. Members married to members or otherwise closely related shall not be assigned in the same chain of command.

8.H.3. Examples of Acceptable and Unacceptable Relationships and Conduct

8.H.3.a. Acceptable Relationships

Examples of acceptable personal relationships:

1. Two crewmembers going to an occasional movie, dinner, concert, or other social event.

2. Members jogging or participating in wellness or recreational activities together.

8.H.3.b. Unacceptable Relationships

Examples of unacceptable relationships:

1. Supervisors and subordinates in private business together.

2. Supervisors and subordinates in a romantic relationship.

8.H.3.c. Unacceptable Conduct

Examples of unacceptable conduct:

1. Supervisors and subordinates gambling together.

2. Giving or receiving gifts, except gifts of nominal value on special occasions.

3. Changing duty rosters or work schedules to the benefit of one or more members in a relationship when other members of the command are not afforded the same consideration.

8.H.4. Fraternization

8.H.4.a. Definition

Fraternization describes the criminal prohibition of certain conduct between officer and enlisted personnel set out in the UCMJ. Interpersonal relationships between officer and enlisted personnel and fraternization are not synonymous. Fraternization does not apply exclusively to male-female relationships, but a much broader range of inappropriate conduct. (While not an exhaustive listing, ☛ paragraph 8.H.3.) The elements of the offense of fraternization specified in the Manual for Courts-Martial are:

1. The accused is a commissioned or warrant officer, and

2. The accused officer fraternized on terms of military equality with one or more enlisted members in a certain manner, and

3. The accused knew the person to be an enlisted member, and

4. The association violated the custom of the Service that officers shall not fraternize with enlisted members on terms of military equality, and

5. That, under the circumstances, the conduct of the member was prejudicial to good order and discipline in the Armed Forces, or was of a nature to bring discredit upon the Armed Forces.

8.H.4.b. Personal Relationships Between Officer and Enlisted

The custom of the Service accepts personal relationships between officer and enlisted personnel, regardless of gender, if they do not violate the provisions of 8.H.2.c. Relationships in conflict with those provisions violate the custom of the Service.

8.H.4.c. Romantic Relationships Between Officer and Enlisted

The custom of the Service prohibits romantic relationships outside of marriage between officer and enlisted personnel. This includes such relationships with members of other military services. Officer and enlisted romantic relationships undermine the respect for authority which is essential for the Coast Guard to accomplish its military mission.

8.H.4.d. Marriage Between Officer and Enlisted

The custom of the Service accepts officer and enlisted marriages which occur before the officer receives a commission. Lawful marriage between an officer and enlisted service member does not create a presumption of misconduct or fraternization. However, misconduct, including fraternization, is neither excused nor mitigated by subsequent marriage.

8.H.5. Responsibility

8.H.5.a. Primary Responsibility

All personnel are responsible for avoiding unacceptable or prohibited relationships. Primary responsibility rests with the senior member. Seniors throughout the chain of command shall attend to their associations and ensure they support the chain of command, good order and discipline.

8.H.5.b. Early Resolution

Personnel finding themselves involved in or contemplating unacceptable relationships should report the situation and seek early resolution from their supervisor, commanding officer, officer in charge, command enlisted advisor, or Coast Guard chaplain. Any potential conflict with Coast Guard policy should be addressed promptly. Commands are expected to assist members in understanding Coast Guard policy requirements and resolving conflicts. Bringing an unacceptable relationship to early Command attention will increase the opportunity for early, positive resolution.

8.H.5.c. Commanding Officer Responsibility

Coast Guard Regulations Manual, COMDTINST M5000.3 (series) specifically charge commanding officers and officers-in-charge with responsibility for their command's safety, efficiency, discipline, and well-being. They should take prompt, appropriate action to resolve conduct which does not comply with the provisions of this section.

8.H.5.d. Academy and Training Center Staff

Interpersonal relationships involving Academy and Training Center staff and students are particularly susceptible to abuse by the senior member. The Superintendent of the Academy and commanding officers of training commands may issue local directives further restricting or prohibiting such relationships as they deem appropriate. The Superintendent of the Academy may issue supplemental regulations addressing cadet relationships, including when cadets are in training situations aboard other Coast Guard units.

8.H.5.e. Violation by Commanding Officer

If a member's superior or immediate commanding officer is the subject of a report of misconduct under this article, procedures outlined in Section 9-2-2, COMDTINST M5000.3 (series), (Oppression or Other Misconduct by a Superior) shall be followed.

8.H.6. Resolving Unacceptable Relationships

8.H.6.a. General

Avoiding unacceptable personal relationships is in the best interest of all concerned. Training, counseling, and administrative actions help prevent unacceptable personal relationships or minimize detrimental effects when unacceptable relationships develop. Prompt resolution at the lowest level possible is desirable.

8.H.6.b. Training

Avoiding unacceptable and prohibited interpersonal relationships requires that personnel clearly understand Coast Guard policy and its application. The unit training program is an ideal forum to accomplish this. Training on "FRATERNIZATION AND INTERPERSONAL RELATIONSHIPS" shall be conducted at all officer and enlisted accession points and at resident training courses; e.g., leadership school, "A" and "C" Schools, etc. Training at other units is strongly encouraged.

8.H.6.c. Counseling

Early counseling often can resolve potential concerns about the characteristics of a relationship and appropriate actions to ensure the relationship develops in a manner consistent with Service custom. Counseling may be informal or more formal, including written documentation by Administrative Remarks, Form CG-3307 or an Administrative Letter of Censure (☛ Article 8.E.4.). Counseling may include a direct order to terminate a relationship.

8.H.6.d. Personnel Reassignment

Members may request or a command may recommend reassignment of a member involved in a questionable relationship. However, reassignment is not a preferred option. The Coast Guard is not obligated to reassign personnel due to members' desires or based solely on a relationship. When reassignment is not an option, members may be directed to end a relationship.

8.H.6.e. Evaluations

When members do not respond favorably to counseling, comments and marks in officer and enlisted evaluations may be appropriate.

8.H.6.f. Other Administrative Actions

As warranted, commands may recommend separation, removal or withdrawal of advancement recommendations, appointment to another status, or promotions. ☛ Chapter 12 for additional administrative actions which may be considered.

8.H.6.g. Disciplinary Action

Non-judicial punishment or courts-martial may address fraternization or other unlawful or prohibited relationships or conduct.

8.H.7. Action

Commanding officers and officers in charge are responsible for ensuring that all members of their commands are familiar with these provisions.

Interpersonal Relationships

	Character of Relationship				
Organizational Relationship	**Personal**	**Romantic**			**Married/Family**
Separate Units	1-4	1-2	3	4	1-4
	A	A	U	P	A
Same Large Shore Unit or Co-Located Units	1-4	1-2	3	4	1-4
	A	A	U	P	A
Same Chain of Command, Same Afloat Unit, Small Shore Unit	1-4	1-2	3	4	1-4
	A	U	U	P	U
					(for assignment purposes)

Legend:

Member Status:

1. Peers: (Very similar in rank or position, e.g., officers; CPOs; POs; non-rated personnel; etc.)
2. Military and Civilian CG employee
3. CPO and Junior Enlisted (E-4 and below)
4. Officer (including cadets and officer candidates) and Enlisted

Character of Relationship:

Personal: Non-intimate, non-romantic associations between two or more people (of the same gender or not), e.g. occasional attendance at recreational or entertainment events (movies, ball games, concerts, etc.) or meals. (Does not include conduct which constitutes fraternization.)

Romantic: Cross-gender sexual or amorous relationship. (Does not include conduct which violates the UCMJ.)

Married/Family: Service members married to service member, or otherwise closely related; e.g., parent and child, or siblings, etc.

Service Policy:

A = Acceptable: Permissible provided conduct meets Service standards. (☛ Article 8.H.2.c.)

U = Unacceptable: Inappropriate; not allowed under Service policy. Relationship must be terminated or otherwise resolved once recognized. Resolution is normally administrative.

P = Prohibited: The relationship violates the UCMJ.

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8.I. Discrimination

8.I.1. Identification and Tracking system

8.I.1.a. Definition

The Identification and Tracking System to account for Discriminators establishes a personnel records system to account for those members in the Coast Guard who discriminate illegally.

1. For the purpose of this section, illegal discrimination is any intentional action or omission that results in the adverse treatment of a person because of that person's race, color, religion, national origin, disability, handicap, age or gender, including sexual harassment or intentional actions or omissions in reprisal.

2. This system will be used to inform officials making personnel decisions, (permanent change of station (PCS), promotion boards, assignment panels, etc.), involving persons who condone discrimination or persons who have illegally discriminated on the basis of race, color, religion, national origin, disability or handicap, age or gender, including sexual harassment (☛ Article 8.I.2).

3. This system, in and of itself, will act as a stern deterrent to discriminatory behavior. This policy is one of many related Coast Guard policies designed to demonstrate the organization's steadfast commitment towards eliminating illegal discrimination in our workplace.

4. This system is designed to capture statistical data to assist with trend analysis and programmatic measures of effectiveness.

8.I.1.b. Policy

1. The Coast Guard must hold persons accountable for illegal discriminatory conduct and track those persons through the personnel records system. Laws and regulations prohibiting illegal discrimination may be enforced through administrative or disciplinary action under both military and civilian personnel systems.

2. Disciplinary or administrative action shall be taken only where the discriminatory conduct is intentional. Although law and policy prohibit intentional and unintentional discrimination, only those persons who discriminate intentionally are included within the scope of this Section. If the discriminatory conduct is unintentional, disciplinary and administrative action is inappropriate and unjustified. However, counseling would be appropriate to draw attention to the discriminatory impact of the unintentional conduct or the application of a policy.

3. The Coast Guard also recognizes that a credible system balances the need to hold discriminators accountable for their unlawful conduct with a need to ensure those accused of discrimination are accorded due process. Therefore, only those persons found to have illegally discriminated as a result of Article 15, UCMJ, Non-Judicial Punishment (NJP) or a court-martial will be entered into the Discriminator Identification and Tracking System.

4. Discrimination complaint investigations under the Military Civil Rights Manual, COMDTINST M5350.11 (series) focus on "making the victim whole." Because these investigations do not provide due process protections for those accused of discriminatory conduct, they shall not form the basis for entry into the Discriminator Identification and Tracking System. Consequently, a finding of discrimination resulting solely from a civil rights investigation shall not be the basis upon which disciplinary action is taken. However, discrimination complaint investigations may be used by a commanding officer or officer-in-charge in determining what additional investigatory action is warranted.

5. Not all instances of discriminatory conduct will require formal disciplinary action or entry into the Discriminator Identification and Tracking System. For minor offenses, counseling may be sufficient and the most appropriate means to deal with the situation. Documenting such counseling through evaluations or other appropriate personnel management tools, such as letters of counseling, is strongly encouraged. This system depends upon leadership and the exercise of proper discretion by commanding officers, officers-in-charge and supervisors.

8.I.1.c. Prohibitions

Illegal discrimination in the Coast Guard is prohibited. No individual in the Coast Guard shall:

1. Engage in illegal discriminatory conduct as defined in Article 8.I.1.a.

2. Take reprisal action against a person who raises an allegation or discrimination, who assists another in raising an allegation or who provides information related to an alleged incident of discrimination; or

3. While in a supervisory or command position, condone or ignore discrimination of which he or she has knowledge or of which he or she should reasonably have knowledge.

8.I.1.d. Violation of Provisions

The prohibitions in paragraph c. above are punitive general and regulatory orders and apply to all military personnel individually. A violation of these provisions by military personnel is punishable under the UCMJ.

8.I.1.e. Allegation Awareness

When area commanders, district commanders, commanding officers, officers-in-charge, chiefs of Headquarters offices and special staff divisions, become aware of allegations of illegal discriminatory conduct of personnel under their command, they shall investigate the basis for those allegations. Upon determining that illegal discrimination probably occurred; i.e., more probable than not, they shall initiate administrative or disciplinary action or formal disciplinary action as appropriate. In determining whether informal action or formal disciplinary action is appropriate, they must evaluate the severity of the alleged conduct with the reliability and veracity of the evidence presented.

8.I.1.f. Required Reporting

Proper personnel management requires prompt reporting. Commanders, commanding officers, and officers-in-charge will complete and forward Exhibit 8.I.1 upon the following events:

1. Submission of a special or regular evaluation by the member's rating chain following imposition of NJP punishment based upon illegal discrimination; or

2. Submission of a special or regular evaluation by the member's rating chain following convening authority approval of a court-martial conviction based upon illegal discrimination;

8.I.1.g. Management of Tracking System

Commander, (CGPC-c) will manage the Discriminator Identification and Tracking System case files for military personnel. Commandant (G-WP) will be responsible for issuing policy and answering questions regarding this policy. A finding of illegal discrimination, and subsequent entry into the Discriminator Identification and Tracking System, will normally not be deleted during a military member's career, regardless of any breaks in Coast Guard Service. This case file information will be protected from public disclosure under the Privacy Act, but will be available to appropriate officials in the Human Resource Directorate and the Coast Guard Personnel Command responsible for assignments and other personnel actions.

8.I.2. Sexual Harassment

8.I.2.a. Policy

The Coast Guard is committed to maintaining a work environment free from unlawful discriminatory practices and inappropriate behavior. All acts of sexual harassment are degrading to the offended individual and detrimental to the military profession.

8.I.2.b. Administrative and Criminal Sanctions

Commanding officers and officers in charge have a responsibility to look into all allegations of sexual harassment and to take prompt and effective action. They must be aware of all courses of action available to them to deal with sexual harassment allegations. They generally fall into three categories - discrimination complaint processes, administrative processes and UCMJ provisions. These actions are not mutually exclusive and two or all three of them may be pursued simultaneously. The actions taken by a command in a particular case will depend upon the severity of the conduct, the state of the evidence, the limits of the commander's authority, and other such factors. Specific questions regarding prosecuting offenders should be addressed to the command's servicing legal office.

1. Sexual Harassment. The Coast Guard Sexual Harassment Prevention System, COMDTINST 5350.30 (series) establishes the sexual harassment prevention system for the Coast Guard. It is intended to provide a single point of focus for the Coast Guard's efforts to prevent sexual harassment.

2. Sexual Discrimination. Military Civil Rights Manual, COMDTINST M5350.11 (series) provides detailed information on processing complaints of discrimination based upon gender. The primary purpose of the process is to ensure the complainant obtains an appropriate remedy or redress for any wrong he or she may have suffered.

3. Prompt appropriate administrative action should be taken simultaneously with discrimination complaint processes, with respect to sexual harassment offenders, when a command has sufficient information to reasonably believe an incident has occurred. It is not necessary to await the completion of the procedures set forth in the above paragraph. Commands have a wide variety of actions available which include but are not limited to informal or formal counseling, evaluation in performance reports, and formal performance reviews, which could lead to separation.

4. Specific acts of sexual harassment may amount to criminal offenses punishable under various provisions of the UCMJ. A review of the UCMJ and the Manual for Courts-Martial reveals numerous provisions well suited for prosecution of sexual harassment amounting to criminal conduct. Sexual harassment is a specifically listed example of conduct amenable to prosecution under Article 93, UCMJ (Cruelty and maltreatment). However, considering the wide range of conduct that could be characterized as sexual harassment, the following UCMJ articles have provisions suitable for prosecuting sexual harassment cases depending on the facts of the case:

UCMJ	
Article 78	Accessory after the Fact
Article 80	Attempt to Commit an Offense
Article 81	Conspiracy

UCMJ	
Article 89	Disrespect to a Superior Commissioned Officer
Article 90	Assaulting a Superior Commissioned Officer
Article 91	Insubordinate Conduct toward a Warrant Officer, Noncommissioned Officer, or Petty Officer
Article 92	Failure to Obey an Order or Regulation
Article 93	Cruelty and Maltreatment
Article 120	Rape and Carnal Knowledge
Article 125	Sodomy
Article 127	Extortion
Article 128	Assault
Article 133	Conduct Unbecoming an Officer
Article 134	Twelve Specifications, including: Indecent Acts, Assault, Exposure or Language; Communicating a Threat; Depositing or Causing to be Deposited Obscene Matters in the Mail; Disorderly Conduct; Fraternization; Misprision of a Serious Offense; and Soliciting Another to Commit an Offense

DISCRIMINATION INCIDENT REPORT FORM

Privacy Act Statement
Authority: 14 U.S.C. 632
Principle Purpose: To identify, record, track, and thereby account for individuals who discriminate illegally.
Routine Uses: To identify, record, and track incidents of discrimination and discriminators in order to make informed personnel action decisions.
Disclosure: Information may be released in accordance with the Coast Guard Sexual Harassment Prevention System, COMDTINST 5350.30 (series).

A. Information on Discriminator

Name:_____Date of Report:
(Last) (First) (MI)

SSN:_____Rank/Rate:_____Pay Grade:

	Status:
	AD (regular)
	AD (reserve)
	Reserve on ADT/IDT
	Civilian

	Location of Incident:
	Afloat
	Off-Base (ashore)
	On-Base (ashore)

Offense(s):
Article____, UCMJ

Basis of Discrimination:

	Race
	Religion
	National Origin
	Color
	Age
	Handicap
	Gender
	Sexual Harassment

Disciplinary Action Taken:

Basis of Report:

	NJP
	Courts-Martial
	SF-50

Cont'd

Administrative Action Taken:

Member counseled by Supervisor? Y...../N.....

Discrimination documented in Performance Evaluation? Y...../N.....

Member given punitive letter of reprimand (military) or letter of counseling (civilian)? Y...../N.....

Other (comments/action):

B. **Information on Victim**:

Rank/Rate:_____ Pay Grade_____

	Status:
	AD (regular)
	AD (reserve)
	Reserve on ADT/IDT
	Dependent
	Civilian (Fed. employee)
	Civilian (non-Fed.employee)

	Race:
	Black
	Hispanic
	American Indian/Alaskan Native/Pacific Islander
	Other

Sex:

	Male
	Female

Age:

C. Remarks/Description of Incident, etc.

Cont'd

D. Authenticating Official (CO or OINC) * See below.

Name/Signatue:	Rank/Rate:	Date:

Title:	Unit:	

E. Instructions

1. Fill in or “x” as applicable.
2. This form must be completed within three working days after:

    a. Submission of an evaluation following imposition of NJP based on illegal discrimination (military).

    b. Submission of an evaluation following court-martial conviction based on illegal discrimination (military).

    c. Execution of an SF-50 based on illegal discrimination (civilian employee).

3. Complete original only.
4. Send completed form directly to Commander, (CGPC-cd).

* Form must be signed by the Personnel Evaluation Reviewing Official if discriminator is attached to other than a Coast Guard unit.

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8.J. Hazing

8.J.1. Policy

1. Hazing, subjecting an individual to harassment or ridicule, is prohibited and will not be tolerated. No service member may engage in hazing or consent to being hazed. Its prevention is an all-hands responsibility. Under ☛ Coast Guard Regulations, COMDTINST M5000.3 (series), Article 4-1-15, a commanding officer shall "prohibit unit introductory initiations or hazing of personnel."

2. Hazing serves no useful purpose and is contrary to our core values of honor, respect, and devotion to duty and has no place in our organization. The demeaning, abusive activities associated with hazing inhibit performance, debase personal dignity, and can result in serious injury. To prevent hazing, we must be aware of what constitutes hazing and understand these activities' negative impact. Our success as an organization depends on the positive and productive attitude and performance of our people. A healthy, positive, professional work environment is essential to enable all our personnel to contribute to mission success.

3. Some units have condoned hazing incidents at initiations as innocent jests without intent to harm. Although some observers may consider such actions or verbal harassment humorous, they often create a real fear in the victims' minds. Further, they undermine the very morale and e*sprit de corps* they purport to advance.

4. The Coast Guard has no place for dehumanizing treatment. Commands shall investigate any hazing incident and initiate appropriate administrative or disciplinary action against the perpetrators and those in the chain of command who are determined to have tacitly condoned such practices, either by inaction or neglecting to investigate reported incidents.

8.J.2 Definition

8.J.2.a. Definition

Specifically, hazing is any conduct in which a military member without proper authority causes another military member (s) to suffer or be exposed to any cruel, abusive, humiliating, oppressive, demeaning, or harmful activity, regardless of the perpetrator's and recipient's Service or rank. Soliciting or coercing another to conduct such activity also constitutes hazing. Hazing need not involve physical contact among or between members; it can be verbal or psychological in nature. Activities meeting these criteria constitute impermissible hazing even if there is actual or implied consent to the acts. Hazing can include, among other things, the following activities:

1. Playing abusive or mean-spirited tricks intended to ridicule, humiliate, or ostracize;
2. Throwing personnel over the side from a ship or pier;

3. "Tacking on" crows or other devices by forcibly applying them to a member's clothes or body;
4. Forcing or encouraging the consumption of substances not normally prepared or suitable for consumption;
5. Group wrestling matches targeting a particular member;
6. Encouraging a member to consume excessive amounts of alcohol or requiring the consumption of alcohol in any amount;
7. Forcibly cutting or shaving hair;
8. Branding, tattooing, or painting another;
9. Coercing or encouraging another member to fully or partially disrobe;
10. Taping, tying, or otherwise restraining a member's arms, legs, or mouth;
11. Handcuffing or otherwise securing a member to a fixed object or another member(s);
12. Using law enforcement restraints or techniques on another member in other than an official capacity or a bona fide training session;
13. Placing or pouring foreign substances or liquids on another member;
14. Touching in an offensive manner,
15. Striking, or slapping another member; or
16. Threatening or offering violence or bodily harm to another.

8.J.2.b. Implied Consent

Personnel often attempt to disassociate their activities from "hazing" by stressing the voluntary nature of participation. Even genuinely voluntary participation can cause detrimental consequences. Often apparently willing participation is actually prompted by subtle compulsion, peer pressure, or a bid for acceptance and is not truly voluntary at all. As indicated in the definition of hazing, actual or implied consent does not eliminate the perpetrator's culpability. Personnel knowingly and voluntarily submitting to hazing may be held accountable as well.

8.J.2.c. Initiation Ceremonies

1. Hazing typically occurs in connection with unofficial, impromptu, unsupervised "initiations" or other informal rites of passage. The personnel involved often view these activities as an amusing way to "let off steam," enhance unit morale, or bond with their peers and profess no intent to cause harm. However, these ceremonies are often demeaning or abusive and can result in physical injury to the participants. ☞ Article 8.K.

2. Traditional service initiation ceremonies, including Chief's Initiations and equator, international dateline, and Arctic and Antarctic Circle crossings, are authorized, provided commands comply with ☞ Article 8.K when conducting such

ceremonies. However, commanding officers shall ensure these events do not include **harassment of any kind that contains character degradation, sexual overtones, bodily harm or otherwise uncivilized behavior**. Innocuous practical jokes, such as fetching "relative bearing grease" or "prop wash", do not constitute hazing as long as they are not intended to and actually do not humiliate, ridicule, or ostracize. Even otherwise innocuous jokes that are pervasive, repeated frequently, or disproportionately targeted toward selected individual(s) can cross the line and constitute impermissible hazing.

3. Also excluded from the definition of hazing are command-authorized or operational evolutions, training in preparation for these evolutions, administrative corrective measures including extra military instruction administered in accordance with the Military Justice Manual, command-authorized physical training or athletic events, and command-authorized competitions or contests. Commands should conduct these activities appropriately with proper command sanction and oversight, preserving proper chain of command roles at all times.

8.J.3 Responsibilities

8.J.3.a Training Centers

1. Incorporate hazing awareness training into existing recruit, officer and leadership training curriculums for all new personnel. Incorporate hazing awareness training into the Prospective Commanding Officer/Executive Officer Course and the Officer-in-Charge/Executive Petty Officer Course.

2. Incorporate hazing awareness training into the Officer-in-Charge/Executive Petty Officer Course, and the Officer and Senior Petty Officer Leadership and Management Courses, etc.

8.J.3.b Commanders

1. Unit commanding officers and all supervisors are responsible for ensuring they administer their units in an environment of professionalism and mutual respect that does not tolerate hazing of individuals or groups.

2. Commanding officers and supervisor may not by act, word, deed, or omission condone or ignore hazing if they know or reasonably should know hazing is occurring or has occurred.

3. Commanding officers who receive complaints or information about hazing must investigate and take prompt, effective action. Unit commanding officers and supervisors must ensure reports of hazing are promptly and fully investigated and appropriately resolve verified instances of hazing. Those within the chain of command who violate this policy by overtly condoning hazing, failing to investigate reports of hazing, or implicitly approving it through inaction when they know or reasonably should know such activity is occurring or has occurred shall be held properly accountable.

4. Commanding officers are responsible for ensuring traditional observances and legitimate "initiation ceremonies" enjoy the full involvement and sponsorship of the command in accordance with ☛ Section 8.K. to ensure impermissible hazing does not occur.

5. Commanders shall incorporate hazing awareness training into the annual unit training schedule.

8.J.3.c. Coast Guard Personnel

1. Every member must ensure hazing does not occur in any form at any level.

2. Every military member must inform the appropriate authorities of each suspected violation of this policy.

3. Victims of actual or attempted hazing and witnesses to these activities must report it to the appropriate level of the chain of command.

8.J.4. Penalties

1. This policy applies to all personnel at all times, on or off duty, at sea or ashore, on or off base. Any violation, attempted violation, or solicitation of another to violate this policy may subject involved members to appropriate administrative and/or disciplinary action.

2. In dealing with hazing, commands have a wide variety of procedures available, depending on an incident's specific circumstances. One function of command, and a challenge to its leadership capabilities, is to fit the appropriate command response to each particular situation. Available remedies range from counseling to administrative discharge proceedings.

3. While this statement of policy does not qualify as a punitive general order, specific hazing acts and hazing incidents are punishable under various Uniform Code of Military Justice (UCMJ) provisions, specifically:

Article 92	Prohibits disobeying orders and regulations and dereliction of duty.
Article 93	Prohibits cruelty and maltreatment of a person subject to another's orders. This offense includes sexual harassment.
Article 128	Prohibits assault.
Article 134	Prohibits any conduct prejudicial to good order and discipline, including indecent language and acts. Any other degrading, humiliating, oppressive, etc., conduct could fall under this Article.

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8.K. Conducting Traditional Ceremonies

8.K.1. General

An important part of Coast Guard history, traditional ceremonies such as Chief Petty Officer initiations, crossing the equator, Arctic and Antarctic Circle initiations, etc., are a noteworthy milestone for our men and women. During years past, these events were viewed as a "rite of passage." Those who had achieved the exalted status being recognized had the right to initiate the "new arrivals." In the days of sail, this sometimes involved humiliating, degrading, and even assaulting inductees during initiation. Today, the Coast Guard has articulated unequivocal policies on human relations, sexual harassment and hazing. Traditional ceremonies must be meaningful initiations which emphasize sea-going lore and history while preserving the inductees' personal pride and dignity.

8.K.2. Policy

According to Coast Guard Regulations, COMDTINST M5000.3 (series), Article 4-1-15, Traditional initiations, such as for advancement to Chief Petty Officer or crossing the Equator, the International dateline, **etc. are permitted, but they shall not include any degradation of character, sexual overtones, bodily harm or undue harassment**, and **shall** be conducted with the complete knowledge of and oversight by the Commanding Officer.

8.K.2.a. Core Values

Great strides have been made to ensure Service-related ceremonies and associated crew activities promote pride, camaraderie, and well-being among unit personnel. Commanding Officers must ensure they are devoid of sexual overtones or hazing. As the world's premier maritime service, the Coast Guard's core values of Honor, Respect, and Devotion to Duty must guide our conduct. Consequently, our leaders must constantly reinforce Coast Guard core values. This is especially important during some rituals such as line-crossing ceremonies, when standard chain of command roles may be confused with "shellback" or "pollywog" roles. Without proper oversight, ceremonies can quickly change from benign, light-hearted activities all can enjoy to offensive behavior which demeans and alienates Coast Guard personnel.

8.K.2.b. Responsibilities

Traditional ceremonies are permitted provided they abide by guidelines set forth in ☞ Coast Guard Regulations, COMDTINST M5000.3 (series); Coast Guard **Equal Opportunity Program Manual**, COMDTINST 5350.**4 (series)**; and the Guideline for Chiefs' Call to Initiation published by the MCPO-CG. Commanding Officers and Primary Command Enlisted Advisors always must know the type and tone of ceremonial activities planned and conducted. To this end, they may act as participants in ceremonies only if they can also maintain knowledge, oversight and propriety over all ceremonial activities. The responsible Command Enlisted Advisors shall be present during all traditional ceremonies and maintain appropriate control. Commanding Officers and Primary Command Enlisted Advisors must be sensitive to all members' perceptions of these ceremonies', their effect on the working environment and emphasize their meaning and tradition, while upholding our core values and ensuring the protection of each member's personal pride and integrity. More importantly, Coast Guard conduct always must adhere to the ideals of the Commandant's Human Relations Policy, regardless of the prevailing or apparent perceptions of the individuals potentially affected.

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8.L. Indebtedness

8.L.1. General Policy

8.L.1.a. Military Duty

Members who fail to meet their financial obligations bring discredit upon the Service, burden the command administratively, and jeopardize their eligibility for a security clearance. Because of this, all members have a military duty to meet their financial obligations and cannot use military status as a pretext to avoid financial obligations. Despite the Coast Guard's interests in the matter, the Coast Guard has no authority to direct or control the pay of its personnel for the purpose of satisfying a private claim of indebtedness, except under the following circumstances:

1. When a court has ordered garnishment of a member's military pay for the payment of child support or alimony. ☛ Chapter 7.G., Coast Guard Pay Manual, COMDTINST M7220.29 (series).

2. When a court has ordered garnishment of a member's military pay for indebtedness. Claimant must comply with the Soldiers' and Sailor's Civil Relief Act to obtain a final judgment in a court of competent jurisdiction. ☛ 32 CFR, Parts 112 and 113.

3. Under Article 139, UCMJ. ☛ Claims and Litigation Manual, COMDTINST M5890.9 (series).

8.L.1.b. Command Actions

Law and regulations require members to pay just financial obligations in a proper and timely fashion, and favors amicable, informal resolution. However, law and regulations also provide for involuntary allotments when this fails. The Service is not required to assist in processing debt complaints when the claimant has not made bona fide efforts to collect the debt directly from the member or when the claim is patently false, misleading, or exorbitant. In cases where there appears to be a genuine dispute as to the validity of the claim or where the amount of the claim is disputed, the claimant should be advised to seek redress through the courts. Except as provided for in ☛ Article 8.L.1.d, a court judgment or court order must be presumed by the commanding officer to be just, fair, and binding.

8.L.1.c. Disputing the Claim

While a commanding officer is not authorized to adjudicate disputed cases, careful consideration should be given to the merits of the member's position for the purpose of determining whether the member's delinquency or nonpayment of a claim reflects a good faith dispute. If there are sufficient grounds for disputing the claim, the commanding officer is authorized to temporarily postpone initiation of the adverse

disciplinary or administrative actions provided for in ☛ Article 8.L. in order to afford the member a reasonable opportunity to resolve the matter.

8.L.1.d. Waiver of Military Obligation

In the rare case when the commanding officer concludes that a court judgment or court order is being disputed in court, a temporary waiver of the member's military obligation to comply with the court judgment or court order is appropriate. The member must be able to provide firm information of the efforts to resolve the dispute in court.

1. The member concerned must present convincing information which attests to a good faith course of action as described below. Full compliance with the court order will be required when:

   a. The commanding officer does not consider that the member has provided convincing information that the dispute is pending in court; or

   b. The member's efforts to obtain legal relief from the court order are unsuccessful or are terminated.

2. "Good faith" in such cases includes the member's failure to comply with the judgment or court order is due to a conscious, positive plan of court action recommended by the member's attorney, the intent of which is to seek a court hearing immediately for relief or final resolution of the dispute. Mere conferral with an attorney by the member is not convincing information to suspend the member's military obligation to comply with the court judgment or court order, unless followed by positive action on the member's part.

3. Temporary waiver from the military obligation to liquidate indebtedness does not authorize the member to ignore the claim. On the contrary, the member must demonstrate the court action taken to resolve the matter. A member involved in a disputed claim should be advised to consult with a Coast Guard legal assistance officer in accordance with the provisions of the ☛ Legal Assistance Program, COMDTINST 5801.4 (series).

8.L.1.e. Insufficient Funds

Tendering a check drawn on a bank when the individual knows or reasonably should know that there will be insufficient funds available may constitute a criminal offense under the laws of the civil jurisdictions or the Uniform Code of Military Justice. Commanding officers shall investigate incidents of this nature and take disciplinary action when appropriate. While every instance of a check returned because of insufficient funds is not necessarily criminal, repeated incidents of this nature are indicative of financial irresponsibility and should be handled as provided for in ☛ Article 8.L.4.

8.L.1.f. Information Provided to Creditors

Commanding officers shall not furnish creditors with any information concerning the personal credit rating or financial responsibility of a member even if authorized by the member. Such information may be construed as approving or endorsing the extension of credit.

8.L.2. Command Indoctrination and Counseling

Commanding officers shall ensure that members of their command are instructed in the basic provisions of this section. Inclusion of this section in a unit organization manual will fulfill this indoctrination requirement. For units below the group level, training beyond initial indoctrination is the responsibility of the group. The following points should be emphasized when discussing credit practices:

1. Failure to pay just debts or repeatedly incurring debts beyond a member's ability to pay is evidence of irresponsibility and may jeopardize the member's security clearance, advancement, duty assignment, qualification for reenlistment or extension of enlistment, and may become grounds for disciplinary action or administrative discharge.

2. Prior to accepting new credit, members should evaluate their financial capabilities and establish a budget which demonstrates the ability to repay the new debt.

3. Members should consult with a legal assistance officer when contemplating large purchases on credit, or when they encounter difficulties in paying their debts.
   ☛ Legal Assistance Program, COMDTINST 5801.4 (series).

4. The savings, counseling, and lending services provided by credit unions may offer substantial advantages over those of standard commercial institutions.

5. Be wary of the "high-pressure" salesman. Think carefully and seek advice before signing an agreement or contract. Never sign a blank contract and always determine the total payment in installment sales. Note particularly the penalty clauses.

6. Bankruptcy is not an easy way out of indebtedness. The circumstances prompting bankruptcy proceedings may reflect adversely on the military character of the bankruptcy petitioner. If it appears that the offense of dishonorable failure to pay just debts has occurred prior to discharge of indebtedness through bankruptcy proceedings, the subsequent discharge in bankruptcy will not preclude action under the Uniform Code of Military Justice even though the debts themselves may have been discharged by the bankruptcy action.

8.L.3. Action upon Receipt of Complaint of Indebtedness

8.L.3.a. Initial Complaint

Commanding officers receiving an initial complaint of indebtedness shall inquire into the complaint and take prompt action to resolve the controversy. Such action should support Coast Guard regulations regarding the maintenance of discipline. Command action must also support the law which provides for the garnishment of a member's pay as described in ☛ Article 8.L.1.a. All actions should be accomplished within 30 days of receipt of a complaint.

8.L.3.b. Retention of Receipts

The commanding officer should urge the individual to make payments on debts by U. S. postal money order, check, or by any other method providing an actual record of payment. The commanding officer should recommend that the member retain receipts in connection with all business transactions. The member concerned should then be directed to correspond in a courteous manner to inform the claimant of his or her intentions in the matter.

8.L.3.c. Response to Correspondence

The commanding officer shall acknowledge all correspondence from persons claiming indebtedness by responding promptly and courteously to the complaint. Each reply should be couched in temperate language and reflect concern for resolution of the dispute. The reply should include a statement that the matter has been brought to the member's attention and that the member has been advised to communicate with the claimant. A sample letter is provided below:

Name
Address
City, State, Zip

Dear :

This is in response to your letter of <Date> , concerning the alleged failure of <Name of Member> , to pay the debt owed to you.

The Coast Guard expects its members to honor all just debts and comply fully with the orders of any court of competent jurisdiction not under appeal. Upon receipt of your letter, we referred the matter to <Name of member> and advised <him/her> to communicate with you concerning this indebtedness.

If you and <Name of member> are unable to resolve this issue in a mutually agreeable manner, you must comply with the procedures of the Soldiers' and Sailors' Civil Relief Act and the provisions of Title 32, Code of Federal Regulations, Parts 112 and 113, to obtain a final judgment and court order in a court of competent jurisdiction.

8.L.3.d. Waiver of Military Obligation

When authorizing a temporary waiver of the military obligation to liquidate debts, the commanding officer may periodically require a statement from the member that the effort to obtain relief remains active and an approximate date when a court hearing may be held. When a waiver is granted, additional complaints regarding the matter should be responded to by briefly informing the claimant of the following:

1. The member has been granted a reasonable period in which to seek relief through the courts;

2. The name of the member's attorney; and

3. Questions on the merits of the case should be addressed to the member's attorney.

8.L.4. Repeated Indebtedness or Failure to Obey Court Orders

8.L.4.a. Administrative Responsibilities

When a unit receives a complaint of indebtedness, the commanding officer shall counsel the individual concerned. For units below the group level, all responses, Administrative Remarks, CG-3307, entries, and correspondence will be prepared by the group staff and copies provided to the unit commanding officer (CO) or officer-in-charge (OIC). Unit COs or OICs will counsel the member and provide the details to the group point of contact, but the group is responsible for complying with the provisions of this article. The unit CO or OIC may submit documentation in any informal method such as memorandum, rapidraft letter, or E-mail.

8.L.4.b. Financial Statements

When the commanding officer is convinced that a member is negligent or careless in regard to personal finances, the individual may be advised to submit a statement of monthly finances and outstanding obligations. Such a request should not be placed in the form of an order and failure to comply with the advice should not be the occasion for disciplinary action. In no event is this submission to be made mandatory.

8.L.4.c. Officers

When the commanding officer is convinced that an officer is negligent or careless in regard to their personal finances, an appropriate entry shall be made on the Officer Evaluation Report (OER) and other corrective action taken, if warranted.

8.L.4.d. Enlisted Personnel

Repeated complaints of indebtedness concerning an enlisted person, with no indication of satisfactory progress toward establishing an acceptable financial status, may be considered as evidence of unreliability. Commanding officers shall submit an Administrative Remarks, CG-3307, entry that the member is **"Unreliable due to failure to pay debts."** The entry shall also include a description of the circumstances surrounding the entry such as the dates, debts, and actions taken. Such an entry may be made for each succeeding marking period until the situation improves. Each time this entry is made, it will be considered when completing the member's next performance evaluation, particularly in the commanding officer's advancement recommendation.

8.L.4.e. Transfers

If a member is transferred prior to satisfactory resolution of the problem, all current correspondence shall be forwarded to the member's new commanding officer.

8.L.4.f. Separation

Unsatisfactory progress toward resolution of financial difficulty should be considered as evidence of an unacceptable standard of conduct which warrants consideration for separation from the Coast Guard or for a recommendation against reenlistment.
☛ Articles 12.A.15, 12.B.16, or 12.B.18 as appropriate.

8.L.4.g. Security Clearances

Excessive indebtedness and unreliability are circumstances which may impinge on an individual's eligibility for a security clearance. Accordingly, when an individual who has or needs a security clearance in order to carry out assigned duties is considered under this article, the member should also be evaluated in light of personnel security criteria.
☛ Coast Guard Personnel Security Program, COMDTINST M5520.12 (series).

8.L.5. Remission or Waiver of Indebtedness to the United States

8.L.5.a. Remissions

Only active duty enlisted personnel may request remissions of indebtedness. Collection of the outstanding debt may be suspended pending final decision on the remission. Debts collected prior to the commanding officer's endorsement on the remission request may not be refunded. Financial hardship may be considered in remitting a debt.

8.L.5.b. Waivers

All members and former members may apply for waivers of indebtedness. Collection of the debt continues while the application is being processed; however, money already collected may be refunded if the waiver is approved.

8.L.5.c. Applications

The policies for waiver or remission of indebtedness to the United States are contained in the ☛ Coast Guard Pay Manual, COMDTINST M7220.29 (series). Applications and procedures to be followed when submitting a waiver or remission are contained in the ☛ Personnel and Pay Procedures Manual, **HRSIC**INST M1000.2 (series).

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8.M. Support of Dependents

8.M.1. General

8.M.1.a. Policy

The Coast Guard will not be a haven or refuge for personnel who disregard or evade their obligations to their families. All members of the Coast Guard are expected to conduct their personal affairs honorably and lawfully. This obligation specifically includes the responsibility to provide adequate and continuous support for lawful dependents, and to comply with the terms of support clauses which may be contained in separation agreements and divorce decrees. When a member, despite counseling conducted in accordance with the requirements of Article 8.M.4, develops a pattern of conduct which demonstrates a dishonorable failure to contribute adequate support to dependents or failure to comply with the orders, decrees, or judgments of a civil court concerning support of dependents, such failure may lead to the member's separation for misconduct. When such failure is sufficiently notorious as to bring discredit upon the Coast Guard, none or inadequate support may as well become a proper subject for command consideration of court-martial proceedings or other disciplinary action. In addition, failure to provide adequate support to dependents may have implications with regard to a member's entitlement to basic allowance for quarters, as discussed in ☛ Article 8.M.1.b. It should be noted that while the Coast Guard lacks the authority under federal law to compel members to support their dependents or to exercise discretion over a member's pay with the exception of garnishment orders, the obligation to support dependents is nonetheless considered binding on all members under penalty of administrative or disciplinary action, or both. ☛ Article 8.M.2.d. Garnishment is action taken against a member's pay for money past due and does not substitute for nor relieve members of their obligation for support of their dependents.

8.M.1.b. Entitlement to Basic Allowance for Quarters (BAQ)

1. Entitlement of members to BAQ in behalf of dependents is provided by law, and in some instances is contingent upon the actual provision of more than 50 percent of the dependent's support. No member should be denied the right to submit a claim or application for BAQ, nor should any command refuse or fail to forward any such claim or application. In cases involving a member's parents, the member should furnish an estimate of the dependency situation to the best of his or her knowledge. Commanding officers should not contact parents for dependency information to include in the member's application. This delays the application and serves no purpose, as such cases are thoroughly investigated by the Pay and Personnel Center (ALL). The Pay and Personnel Center (ALL) obtains dependency affidavits from the parents. Any person, including a service member or dependent, who obtains an allowance or allotment by fraudulent means is subject to criminal prosecution.

2. In the normal family situation, basic allowance for quarters will subsidize the member's ability to maintain a household. In cases of separation of husband and wife, the BAQ should be employed to help provide support of the legal dependent(s) of the member until and unless legal or administrative relief from the obligation is granted. If the member's entitlement to BAQ is contingent on actual dependency, as when based on the provision of support to parents or children, failure to provide adequate support will be grounds to reassess, and possibly to terminate, that entitlement. In such cases, the pertinent facts shall be forwarded to the Pay and Personnel Center (ALL) via the chain of command for determination.

8.M.1.c. Support of a Lawful Spouse

Members of the Coast Guard have a military obligation to support their spouse unless they demonstrate that there is no civil obligation to provide support to their lawful spouse.

8.M.1.d. Adopted Children

The natural parents of an adopted child are relieved of the obligation to support the child, as such duty is normally imposed on the adoptive parents. A Coast Guard member who contemplates the adoption of a child should be aware of the legal obligation to provide continuous support for a minor child.

8.M.1.e. Command Responsibility

It is the responsibility of every commanding officer to ensure that all personnel under his or her command are informed of Coast Guard policy and expectation regarding support of dependents and the possible consequences of separation for misconduct for failure to discharge their just obligations. All personnel at sea or stationed overseas shall be counseled and encouraged to make provisions for continuous allotments to their dependents in amounts sufficient to enable them to meet the family obligations at home.

8.M.2. Support Requirement Pursuant to Court Order

8.M.2.a. Support of Spouse or Former Spouse

1. Legal Separation. With respect to spousal support, a member who has been granted a legal separation by a court order remains obligated for support of his or her dependent spouse as provided for in Articles 8.M.1.c. and 8.M.3.c. unless the court order either sets the spousal support obligation at some other level or specifically negates that obligation, or prevailing civil law makes termination of civil obligation for that spousal support an implicit element of a court order of legal separation. This question may be resolved by reference to the court which handed down the order.

2. Divorce. If a divorce decree specifies an amount to be provided for a former spouse, the alimony so specified constitutes the member's financial obligation to that former spouse. If a divorce decree is silent with respect to any financial obligation to the former spouse, the Coast Guard will consider that the member has no obligation to provide further spousal support.

3. Dependency Status of a Former Spouse. The entitlement of members to BAQ on behalf of dependents is defined by law. Similarly, federal law defines the entitlement of dependents to military benefits and privileges. Information concerning eligibility requirements is contained in Chapter 18. A member is not entitled to payment of BAQ at the with-dependents rate on behalf of a former spouse notwithstanding the fact that the divorce decree orders payment of alimony. However, court ordered alimony is a binding legal obligation. Members are expected to comply with the terms of court orders or divorce decrees which adjudge payments of alimony even though BAQ may not be payable. Failure to do so constitutes grounds for disciplinary or administrative action as provided for in ☛ Article 8.M.4. Garnishment of pay and allowances is discussed in ☛ Article 8.M.2.d.

8.M.2.b. Support of Children

1. Legal Separation. Cases of legal separation are those in which separation of a member from his or her spouse has been recognized in the order of a civil court (usually in contemplation of divorce proceedings). Court orders of legal separation normally define the continuing child support obligations of the separated parents quite precisely. Provision on a timely basis of the amount of support required by a separation order will satisfy a member's military obligation to support the dependents affected. However, unless a separation order specifies an amount of child support to be provided, or specifically negates such an obligation, a member remains obligated to provide support for minor children of the marriage at the level prescribed in ☛ Article 8.M.3.

2. Divorce. A final decree of divorce in most cases will establish the member's subsequent legal obligation concerning support of minor dependent children of the dissolved marriage. One of the following situations usually will be found to prevail:

   a. If the decree specifies a certain level of support to be provided for minor dependent children, the amount so specified represents the minimum support obligation of the member.

   b. If the language of the decree refers in any way to the existence of minor dependent children of the marriage, but remains silent as to any obligation of the member to provide support for such children, the member will be considered to have no military obligation to provide child support, provided, of course, that the member is not awarded custody of such children. A case in point would be one where the only language in the decree referring to children

of the marriage awards the member's spouse custody. If the member is awarded custody of such minor dependent children, the obligation for their support and welfare continues undiminished from that existing prior to the divorce decree, regardless of any support obligation which may be assessed against the spouse.

c. In the rare case where a final divorce decree makes no reference whatsoever to existent minor dependent children of the dissolved marriage, it is possible that the court may not have been cognizant of their existence, or may not have had jurisdiction over the child or children. In such cases, the member is obligated to continue provision of child support at a minimum level equivalent to that prescribed in ☛ Article 8.M.3.c.

3. Special Circumstances. A commanding officer has discretion to withhold action against a member for failure to support a child under the following conditions:

a. When the member cannot ascertain the whereabouts and welfare of the child; or

b. When it is apparent that the person requesting support for a child does not have physical custody of the child.

8.M.2.c. Temporary Waiver of Requirement To Support Dependents

A court order or divorce decree requiring the payment of a stipulated amount of child or spousal support or alimony will normally be presumed to be binding upon the individual concerned. However, if a member, acting on good faith and on the express advice of qualified legal counsel, disputes such a claim, the commanding officer may withhold disciplinary or administrative action against the member for a reasonable length of time to provide an opportunity to resolve the matter. "Good faith" in such cases means that the member's failure or partial failure to comply with the judgment or court order is of itself an element of a conscious, positive plan of action, as recommended by the member's attorney, the intent of which action is to seek a court hearing for relief or final resolution of a long-standing dispute. Mere conferral with an attorney, not followed by positive action on the member's part, is not sufficient to invoke this provision. In requesting consideration under this subparagraph, it falls to the member concerned to present substantive, documentary evidence which attests to a good faith course of action as described above. Should the commanding officer not consider that the member has provided convincing evidence justifying a waiver of compliance, or should the member's efforts to obtain legal relief from the court order prove unsuccessful or be terminated prior to resolution, full compliance with the court order will be required. In determining the period to be allotted for such deferrals, the commanding officer may periodically require a statement from the member or his or her attorney stipulating that the effort for obtaining relief remains active, and indicating an approximate date upon which a court hearing may be forthcoming. In such cases, additional

complaints regarding the matter should be responded to by briefly informing the complainant that the member has been granted a reasonable period in which to seek relief through the courts, that the complainant will be advised further upon conclusion of that effort, and that questions on the merits of the case may be addressed to the member's attorney.

8.M.2.d. Garnishment of Pay

1. Under the provisions of the Social Services Amendments of 1974 (Public Law 93-647, 42 U.S.C. 659) the Coast Guard is obliged to comply with the terms of a legally sufficient state or federal court order directing the garnishment of a member's federal pay for the purpose of child support or alimony, without regard for the merits of the case. A member who believes himself or herself entitled to relief from such an order must seek that relief through the civil court system. In this regard, members have available in most locations the advice and counsel of a legal assistance officer. In some cases, the circumstances may be found to justify the assistance of Coast Guard Mutual Assistance or other humanitarian consideration. Nothing contained in this article, however, should be construed to imply that the Coast Guard has the authority to withhold action in complying with the terms of a legally sufficient garnishment order.

2. If a local command or person in authority therein receives any legal document or court order referring to or purporting to be a garnishment order, such document or order should be forwarded immediately to such legal reviewing authority and by such means as are provided for in current directives. Coast Guard officers, commanding officers, and officers in charge in receiving such orders should not take any steps to implement such order prior to its referral to the designated legal reviewing officer. If upon legal review, the order is determined to be legally sufficient, the order will be transmitted via the chain of command to the member's commanding officer and to the authorized certifying officer having custody of the member's pay record for execution. The commanding officer upon such receipt shall immediately counsel the member. At a minimum, the member should be advised of the existence and terms of the order (including amounts ordered garnished, payees, duration of garnishment, etc.), of the availability in most locations of the advice and counsel of legal assistance officer, and that, until determined to the contrary by subsequent civil court order, the Coast Guard is obliged to consider the garnishment order valid and to effect immediately the required withholding of pay. The authorized certifying officer having custody of the member's pay record will upon receipt of the garnishment order commence withholding the stipulated amount of pay for transmittal to the designated payee.

3. Garnishment action taken by the Coast Guard is not considered a substitute for support ordered by a court to be paid by the member. A garnishment order may be the result of a member failing to meet his or her legal obligations to provide dependent support. It may also be the result of a decision by the court to raise the amount of support a member is required to provide. Even though a portion of a

member's pay may be disbursed to dependents as a result of garnishment, the member is not relieved of the obligation to comply with existent orders, decrees, or judgments of a civil court concerning support of dependents. Valid court orders must be complied with in all cases.

8.M.2.e. Advice Regarding Support Provisions for Children When Divorce Is Contemplated

Members who have minor children and contemplate divorce should be informed of the advisability of having support provisions incorporated in the court order or divorce decree to preclude later disputes. Courts and attorneys are occasionally misled into placing provisions in separation agreements and divorce decrees to the effect that the member will pay whatever amount the Armed Forces pay or require to be paid for support of the child or children. Ambiguous phrases such as "whatever allowance is paid by the Coast Guard" or "whatever the Armed Services require to be provided" should be avoided. No attempt will be made to break down the **housing allowance** as to how much should be designated for a spouse, child, or other dependent. Such ambiguous orders of support or agreements will be considered the same as if they were silent with respect to the amount of support to be provided. The interests of all concerned will be better served if the amount of support to be provided is settled in fixed terms by agreement or court order at the time of separation.

8.M.3. Support Requirement in the Absence of a Court Order

8.M.3.a. Applicability

The provisions of this article are applicable in disputed cases: (1) when a member is separated from his or her spouse, yet remains legally married and is not subject to a court order either negating a support obligation or directing a payment of a fixed level of support, or (2) in the rare case when a member is legally divorced, but the final decree of divorce makes no mention whatsoever of existent children of the marriage. In cases of legal separation, when a court having jurisdiction has ordered a specified level of support, the level so specified will constitute the member's obligation. ☞ Article 8.M.2. Within the meaning of this article, members are considered as still legally married when a valid marriage has not been dissolved by a final decree of divorce, notwithstanding the fact that the member may no longer reside with his or her spouse and/or children. Similarly, the instructions contained herein apply also to members who stand legally separated from their spouses pursuant to a valid court order providing such court order is silent with respect to any support obligation in behalf of the member's spouse and/or children.

8.M.3.b. Basic Considerations

Every person has an inherent natural and moral obligation to support his or her dependents. What constitutes adequate or reasonably sufficient support is a highly complex and individual matter dependent on numerous factors which ultimately can

be resolved only in the civil courts. Salient factors which must be taken into account concerning both service members and their dependents, however, include such matters as the following: total income from all sources, the cost of necessities and everyday living expenses, and other binding financial obligations, including those of the dependents. The Coast Guard does not and cannot act as a court in these matters. Whenever possible, it is desirable that the amount of support to be provided for dependents be established either by mutual understanding between the parties concerned or by adjudication in the civil courts.

8.M.3.c. Support Scale

In disputed cases, and in the absence of specific support provisions contained in a court order, commanding officers will resort to the support scale set forth below. The levels of support required by the scale are not intended to imply that the Coast Guard favors either side in a dispute, or that the Service takes any position on the merits of a dispute. Nor is any determination made pursuant to this support scale intended to serve as a substitute for proper adjudication of a particular case or as a permanent determination. Rather, the commanding officer's determination is intended only to provide for a reasonably equitable level of support for a member's dependents until such time as a final level of support time is established by mutual agreement of the parties or by court order. The mandatory and universal interim obligation contained in the following support scale is also intended to encourage members or their spouses in such cases to pursue final settlement in the civil courts. Unless otherwise specified by court order, married officer and enlisted personnel will, as a minimum, be considered obligated to provide support for their lawful dependents on a monthly basis as follows:

Situation	Level of Support
Spouse only	**BAH difference plus 20 percent of basic pay**
Spouse and one minor or handicapped child	**BAH difference plus 25 percent of basic pay**
Spouse and two or more minor or handicapped children	**BAH difference plus 30 percent of basic pay**
One minor or handicapped child	16.7 percent (1/6) of basic pay
Two minor or handicapped children	25 percent (1/4) of basic pay
Three or more minor or handicapped children	33 percent (1/3) of basic pay

Note: For this scale, BAH difference is defined as the difference between the BAH with dependents rate and the BAH without dependents rate as calculated for the member.

This support scale constitutes the minimum level of support expected of all members without regard to other financial obligations or other factors favorable to the spouse's financial situation. This minimum level of support is intended to serve as an equitable guide in cases where the member no longer resides with his or her spouse and children, even if the separation represents unilateral action on the part of the member's spouse. The provisions of this paragraph do not apply to an ordinary compatible marriage where the member lives with and supports his or her dependents. In such cases, the rendering of a definitive monthly payment to a spouse or other dependent is optional, although such an arrangement may well be helpful in cases where the family is subject to involuntary separation because of duty assignment. For disputed cases, however, the minimum obligation provided in this article is binding on a member until such time as a court having jurisdiction may otherwise order. ☛ Article 8.M.2.for guidance concerning obligations under court order of legal separation and final decrees of divorce. A member may not escape the obligation to provide the minimum level of support prescribed here by terminating his or her **BAH**. The obligation for support at an equivalent level continues whether or not the member elects to claim the entitlement. It is emphasized that this support scale represents only a minimum obligation amount governed in general terms by pay grade (ability to pay) and number of dependents. In many instances a member may, out of moral responsibility or mutual agreement, provide support in excess of these limits.

8.M.3.d. Separation, Desertion, and/or Misconduct of Spouse

As noted above, the duty of a member to support his or her minor children is not diminished by informal separation of the parents, whether by mutual agreement to separate or by unilateral action on the part of one of the parents. Similarly, the member's obligation to provide such support is not diminished by virtue of the fact that his or her spouse may have retained custody of the children. Nor is the obligation of a member to support his or her minor children in any way diminished by virtue of desertion or misconduct on the part of the spouse. The member remains obligated in each of the above cases to provide, as a minimum, that level of child support specified in ☛ Article 8.M.3.c.

8.M.3.e. Special Circumstances

A commanding officer has discretion to withhold action against a member for failure to support a child under the following conditions:

1. When the member cannot ascertain the whereabouts and welfare of the child; or

2. When it is apparent that the person requesting support for a child does not have physical custody of the child.

8.M.4. Action upon Receipt of Complaints of Nonsupport and Insufficient Support of Dependents

8.M.4.a. Enlisted Personnel

Upon receipt of a complaint alleging that an enlisted person is not adequately supporting his or her lawful dependents (spouse and/or children), the member will be counseled and informed of the Coast Guard's policy concerning support of dependents. If there is a court order or divorce decree still existing in the case, the member will be expected to comply with its terms except as noted in subparagraph (3) below. In the absence of a determination by a civil court or a mutual agreement of the parties, the provisions of Article 8.M.3 will apply. Members who are the subject of complaints about non or inadequate support of dependents will be advised of their legal rights in the matter, including the availability of legal assistance in most locations under the provisions of the Legal Assistance Program, COMDTINST 5801.4 (series). Such members should be counseled further that while the Coast Guard cannot directly compel payment of support to their dependents nor exercise discretion over their federal pay for that purpose except in cases of garnishment, their Coast Guard career may be in jeopardy if the failure to provide adequate support continues. ☞ Article 8.M.2.d. Specifically, continued noncompliance with the obligation to provide adequate support to dependents, or failure to comply with court orders or decrees concerning support of dependents, may constitute grounds to withhold recommendation for reenlistment or extension of enlistment, or render the member subject to administrative or disciplinary action possibly leading to involuntary separation from the Coast Guard. Further, the member should be reminded that the entitlement to claim a dependent as an exemption for federal income tax purposes is contingent upon actual provision of 50 percent or more of that dependent's support during any tax year. The member should be encouraged to communicate with the complainant either directly or through an attorney in an effort to resolve the matter expeditiously. The counseling required by this article should be undertaken promptly (within five working days of receipt of the complaint as a general guideline), and should be oriented toward helping the member to effect a permanent, equitable resolution of this problem. The member will be required to acknowledge in writing the following Performance and Discipline Entry Type on Administrative Remarks, CG-3307, in his or her Personnel Data Record (PDR):

> Counseled concerning civil and moral obligations to provide continuous and adequate support of lawful dependents.

1. Waiver of Support of Spouse. The Commandant may grant exemption from the military requirement to support a spouse, but not children, on the basis of evidence of desertion without cause, infidelity on the part of the spouse**, or in some cases of spousal abuse inflicted on the member.** Such an exemption does not affect any continuing civil obligation for spousal support which a member may have. Evidence of desertion or infidelity may consist of:

a. An affidavit of the service member, relative, disinterested person, public official, or law enforcement officer. However, affidavits of the service member and relatives must be supported by other corroborative evidence. All affidavits must be based upon the personal knowledge of the facts. Statements of hearsay, opinion, and conclusion are not acceptable as evidence.

b. Written admissions by the spouse contained in letters to the service member or other persons. The request for waiver of support of a spouse should be submitted to Commandant (G-WPM) with a complete statement of the facts and substantiating evidence and comments or recommendation of the commanding officer.

c. Waiver requests submitted on the grounds of abuse must be corroborated by evidence which may include the following types of documents: medical reports, police reports, affidavits of witnesses, chaplains, counselors or social workers, and Family Program Administrators.

2. Waiver of Support of Children. A temporary waiver of the military requirement to support a child or children may be appropriate in certain limited circumstances. ☛ Articles 8.M.2.b.3 and 8.M.3.e.

3. Temporary Waiver of Compliance With Court Order. If a member, in failing to comply fully with the terms of a court order or divorce decree, is acting in good faith and upon the advice of qualified legal counsel in an effort to arrive at a permanent resolution of a disputed court decision, he or she may be entitled to a temporary waiver of the Coast Guard's requirement for the member to comply with such an order. ☛ Article 8.M.2c.

4. Repeated or Unresolved Complaints of Nonsupport or Inadequate Support.

a. A justifiable and unresolved complaint that an enlisted member is failing to support his or her dependents adequately may, in an aggravated case, be considered as evidence of unreliability. If the complaint remains unresolved after 30 days have elapsed since the member was counseled concerning the legal and moral obligations to provide support as required by sub-paragraph a. of this article, the member will be counseled again concerning these obligations and required to acknowledge in writing the following Performance and Discipline Entry Type on form CG-3307 in the member's PDR:

> Counseled again concerning civil and moral obligations to provide continuous and adequate support to lawful dependents.

b. If, after not fewer than six months since the member was notified that the command has received complaint(s) alleging nonsupport or inadequate support, it is the commanding officer's judgment that the member has failed to demonstrate an acceptable degree of effort towards resolving the

complaint, the commanding officer may enter the following Performance and Discipline Entry Type on form CG-3307 in the member's PDR:

> Unreliable due to unsatisfactory conduct of personal affairs and support of dependents.

This entry will be considered when completing the member's next performance evaluation. The member shall be required to acknowledge this action by signing the CG-3307 entry. This entry may be made after each succeeding 90-day period, during which, in the opinion of the commanding officer, the member continues to demonstrate inadequate effort towards resolving the complaint. Continued unsatisfactory effort on the part of the member to resolve the complaint may be considered to be unacceptable conduct warranting either consideration for separation or a recommendation against the member's reenlistment. Upon making the second consecutive CG-3307 entry that the member is deemed unreliable, the commanding officer shall report the circumstances to Commander, (CGPC-epm) and make a recommendation. If the recommendation is for administrative separation or to deny reenlistment, the applicable provisions of ☞ Chapter 12-B apply.

8.M.4.b. Commissioned Officers and Chief Warrant Officers

1. Action of Commanding Officer

   a. Upon receipt of a written complaint alleging that an officer of his or her command is not adequately supporting his or her legal dependents, the commanding officer will interview the officer for the purpose of emphasizing Coast Guard policy concerning support of dependents. The commanding officer will require submission of a written statement of the officer's position and intentions in the matter within the premises contained in subparagraph 2 of this article.

   b. When the complaint is received directly from the dependent concerned or the legal representative thereof, the commanding officer will obtain the officer's written statement. The commanding officer shall then promptly advise Commandant (G-WPM) and provide a brief summary of the officer's contentions and intentions as contained in the officer’s written statement.

   c. When a complaint is received via the Commandant, the commanding officer will obtain the officer's written statement and forward that statement, together with a summary of action taken or contemplated, to Commandant (G-WPM). The commanding officer shall include in his or her endorsement such comments as deemed appropriate. This statement should normally be submitted to Commandant (G-WPM) within 20 working days of receipt of the complaint.

d. The provisions for waiver of spousal or child support and waiver of compliance with court orders, as set forth in Article 8.M.4.a. are equally applicable to officer personnel.

e. If, in the opinion of the commanding officer, it appears that the officer concerned has repeatedly and unjustifiably disregarded the provisions of a valid court order, the terms of a current mutual agreement, or the provisions of this section in a way that brings discredit upon the Coast Guard, the commanding officer should consider one or more of the following as the appropriate disposition according to the merits of the individual case:

(1) Appropriate notation in the officer's next regular Officer Evaluation Report.

(2) Commanding officer's nonjudicial punishment.

(3) Recommendation for trial by court-martial.

The mere fact that an officer is involved in a matter concerning the nonsupport of legal dependents should not, in itself, be the sole factor for considering the above action. However, when an officer's conduct in such a case does, in fact, become sufficiently negligent to bring discredit upon the Coast Guard, that officer's commanding officer is justified in invoking the provisions of this subparagraph, inasmuch as an officer must be morally, professionally, and physically qualified for retention in his or her present grade as well as for promotion to the next higher grade. As a general guideline, the above-listed action should be considered when six months have passed since receipt of the original complaint with no indication of satisfactory progress toward establishing an acceptable solution.

2. Action of Officer Concerned

a. Upon receipt of correspondence alleging his or her failure to contribute adequately to the support of legal dependents (spouse and/or children) and on the request of the commanding officer, the officer concerned will submit a statement setting forth the following:

(1) Amount and method of contributions to legal dependents during a 12-month period preceding receipt of complaint.

(2) Amount being contributed monthly as of date of receipt of complaint.

(3) Amount to be contributed monthly in the future and the method by which payments will be made.

(4) If amounts 1, 2, and 3 above are less than that required by ☛ Article 8.M.3.c. or the pertinent court order, the reasons therefor.

(5) Any further information pertinent to the matter which the officer desires to call to the attention of the Commandant.

b. If practicable, a certified true copy of any pertinent court order or voluntary mutual agreement should be appended to the statement.

c. In the absence of a determination by a civil court or a mutual agreement of the parties, the support scale in ☛ Article 8.M.3.c. will apply.

8.M.4.c. Security Considerations

Irresponsibility or unreliability, as evidenced by consistent failure to provide for one's legal dependents, may have implications with regard to an individual's eligibility for a security clearance. Accordingly, when an individual who has or needs a security clearance in order to carry out assigned duties is considered under this article, he or she should also be evaluated in light of personnel security criteria.

8.M.5. Determination of Paternity and Support of Illegitimate Children

8.M.5.a. General

With respect to determinations of paternity and support of illegitimate children, no complaint requires greater exercise of judgment and tact than the charge that an officer or enlisted member serving under one's command is the father of a child born out of wedlock. While the officer or enlisted man should not be left with the impression that either civil law or Coast Guard regulations require that he marry the mother of the child, if the serviceman desires marriage, leave for this purpose is recommended whenever consistent with the needs of the Service. When the blood parents of an illegitimate child marry, the child is considered to be legitimized by the marriage and therefore eligible for the same allowances and benefits as any other legitimate child of a member. If the member does not marry the child's mother but nonetheless elects to provide support for the child, he may in certain circumstances, be **qualified for BAH-Diff** on behalf of that child. Whenever such an entitlement is claimed or appears justified, the pertinent facts will be forwarded to the **Human Resources Service and Information Center (LGL)** for determination via the chain of command.

8.M.5.b. Foreign Complaints

Complaints from various sources in foreign countries regarding alleged paternity, marriage, or related matters involving Coast Guard personnel during their service at a foreign station can be detrimental to the prestige of the United States Coast Guard and adversely affect international relationships if not promptly resolved. It is

expected that commanding officers will address such complaints as expeditiously as possible. Commanding officers should feel free to seek the advice of local United States consular officials. If, in the judgment of the commanding officer, the situation cannot be satisfactorily or permanently resolved before departure from the foreign area in question, a report setting forth all pertinent facts should be made to appropriate higher authority.

8.M.5.c. Judicial Order or Decree of Paternity or Support

Normally, any order or decree which specifies the obligation to provide support of illegitimate children will include within it a determination of paternity of such children; however, some jurisdictions provide for determinations of the legal obligation to support illegitimate children without a determination of paternity. Either type of order or decree falls within the scope of this paragraph. If a judicial order or decree of paternity or support is issued against a member of the Coast Guard on active duty by a United States or foreign court having jurisdiction over him, he will be informed of his moral and legal obligations as well as his legal rights in the matter. He will be advised that he is expected to provide financial assistance to the child regardless of any doubts of paternity that he may have. If the court order or decree specifies an amount of support to be provided, the officer or enlisted member will be expected to comply with the terms of such decree or court order. If no amount is specified, support should be provided in accordance with such reasonable agreement as may be made with the mother or legal guardian of the child. If no such agreement can be reached, the amount of support provided should bear a reasonable relationship to the support scale contained in ☛ Article 8.M.3.c., with due regard for any other support obligations of the member. If a member refuses to comply with the terms of a valid court order, except as provided in paragraph d. below, administrative action will be taken as indicated in ☛ Articles 8.M.4.a. for enlisted members and 8.M.4.b. for officers.

8.M.5.d. Temporary Waiver of Compliance With Court Order

A court order establishing paternity and/or the obligation to provide support for an illegitimate child will normally be presumed to be binding upon the individual concerned. However, if a member, acting in good faith and upon the advice of qualified legal counsel, disputes either the equity of the judgment or the jurisdiction of the particular court to enter a judgment against him, he may be entitled to a temporary waiver of the Coast Guard's requirement that members comply with such an order. Requests for such waivers will be submitted and considered in accordance with the procedures in ☛ Article 8.M.2.c. for disputed support of dependents cases.

8.M.5.e. Garnishment of Pay in Paternity Cases

Under the provisions of Public Law 93-647 (42 USC 659), federal pay is subject to garnishment for the support of both legitimate and illegitimate children. Personnel against whom paternity or nonsupport is alleged should be aware of the Coast

Guard's obligation to comply with valid garnishment orders as set forth in ☛ Article 8.M.2.d.

8.M.5.f. No Judicial Determination

In the absence of an adjudication of paternity or of a legal obligation to furnish support by a court having jurisdiction, the officer or enlisted member shall be consulted privately, advised of the legal and moral obligation to support illegitimate children, as well as his rights in the matter, and asked whether he admits either paternity of, or the legal obligation to support, the child or expected child. If the answer is affirmative, he shall be informed that he is expected to furnish support as set forth in subparagraph c. above. When paternity or the obligation to support is admitted, members should be informed of their moral obligation to assist in the payment of prenatal expenses.

8.M.5.g. Replies to Paternity Complaints.

Replies to individuals concerning paternity cases should be as kind and sympathetic as the circumstances permit. The following example may be appropriate in certain cases:

> "Dear Miss Smith:
>
> This is in response to your letter of February 25 in which you indicate that Seaman John J. Jones, U. S. Coast Guard, is the father of your minor child. Seaman Jones has been privately consulted about his attitude and intentions in this matter. He has denied paternity of your minor child. While sympathetic with you, I know of no further action that I can take. The Coast Guard has neither the authority nor the adjudicative facilities to render a judgment in a case of this kind. If Seaman Jones is adjudged by a civil court having jurisdiction over him to be the father of your child, he will be expected to contribute toward support of the child and to comply with the terms of the judicial decree. If he then refused to take satisfactory action, he would be subject to administrative or disciplinary action which, while jeopardizing his Coast Guard career, would still not have the effect of providing support for your child."

8.M.5.h. Members Not on Active Duty

Allegations of paternity against members of the Coast Guard who are not on active duty will be forwarded to the individual concerned in a way that ensures the charges are delivered to the addressee only. The correspondence should be forwarded via the commander of the Coast Guard district in which the member resides.

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10.A. Officer Evaluation System

10.A.1. General

This chapter Applies to both active duty (ADPL) and reserve (IDPL) officers. Expanded reserve-specific guidance is provided as necessary. Commander, Coast Guard Personnel Command manages the officer evaluations system for all Coast Guard officers.

10.A.1.a. Purpose

The Coast Guard Officer Evaluation System (OES) has been designed to:

1. Provide information for important personnel management decisions. Especially significant among these decisions are promotions, assignments, and career development.

2. Set performance and character standards to evaluate each officer.

3. Prescribe organizational values by which each Coast Guard officer can be described.

4. Provide a means of feedback to determine how well an officer is measuring up to the standards.

10.A.1.b. Policy

1. Commanding officers must ensure accurate, fair, and objective evaluations are provided to all officers under their command. To that end, performance evaluation forms have been made as objective as possible, within the scope of jobs and tasks performed by officers. In using the Officer Evaluation Form, CG-5310 (series), strict and conscientious adherence to specific wording of the standards is essential to realizing the purpose of the evaluation system.

2. Individual officers are responsible for managing their performance. This responsibility entails determining job expectations, obtaining sufficient performance feedback, and using that information to meet or exceed standards.

10.A.1.c. Definitions

The following terms apply to the officer evaluation system:

1. Officer Evaluation System (OES). The Coast Guard system which addresses performance appraisal of its officers.

2. Officer Evaluation Reports (OER). Form CG-5310 (series), used to document Coast Guard officers' performance and potential. Key elements of the form are as follows:

a. Performance Dimensions. The items on which the Coast Guard evaluates its officers (e.g., writing, judgment, etc.).

b. Evaluation Areas. The four major performance categories into which all performance dimensions are grouped (e.g., Performance of Duties, Leadership Skills, etc.).

c. Performance Standards. The prescribed expectation levels within each performance dimension. The standards are written to provide a common frame of reference among rating officials to which an officer's observed performance and qualities may be compared. Each dimension has three separate written standards of performance:

Below standard	Describes performance not measuring up to the levels expected
Standard	Describes the high level of performance expected of all Coast Guard officers
Above standard	Describes superlative performance

3. Officer Support Form (OSF) CG-5308. The worksheet used to describe duties, establish goals, document accomplishments, and facilitate performance feedback.

4. Rating Chain. The succession of individuals who are responsible for preparing, completing, and reviewing an officer's OER as defined by the following roles:

a. Reported-on Officer. The subject of the OES. All commissioned officers of the Coast Guard are evaluated periodically. Flag officers are evaluated under a separate system.

b. Supervisor. Normally, the individual to whom the Reported-on Officer answers on a daily or frequent basis and from whom the Reported-on Officer receives the majority of direction and requirements.

c. Reporting Officer. Normally the Supervisor's supervisor.

d. Reviewer. Normally the Reporting Officer's supervisor.

5. Performance Feedback. No specific form or forum is prescribed for performance feedback except for ensigns and lieutenants (junior grade). Performance feedback occurs whenever a subordinate receives advice or observations related to their performance in any evaluation area. Performance feedback can take place formally (e.g., during a conference) or informally (e.g., through on-the-spot comments). Regardless of the forum, each officer should be clear about the

feedback received. If the feedback is not fully understood, it is the Reported-on Officer's responsibility to immediately seek clarification.

10.A.1.d. System Goals

1. Personnel Management. The OES is an important part of the Coast Guard officer personnel management system. It supplies information to Commander, (CGPC-opm) **and Commander, (CGPC-rpm)** for personnel management decisions in a variety of areas.

   a. Promotion. Throughout their careers, Coast Guard officers are selected for promotion to the next grade by boards of officers. Except for promotion to the grade of lieutenant (junior grade), more officers are eligible for promotion than are authorized under budget and statutory constraints. The cumulative file of officer performance evaluations provides one of the bases for selection of the best qualified officers from among those eligible.

   b. Assignment. Prior performance, personal qualities, and potential for increased responsibilities, as documented in each officer's OER file, are important considerations in decisions made by assignment managers and panels. While a number of other factors such as billet requirements, experience, personal desires, and availability are also considered, the high level of competition for many assignments places even greater emphasis on performance.

   c. Career Development. Career development is a cooperative process that seeks to meet immediate and future Coast Guard needs while satisfying the personal and professional aspirations of individual officers. The OES is a vehicle for performance feedback and career counseling by the rating chain and assignment managers.

2. Command and Control. The OES reinforces command authority by providing a clear delineation of the span of control and responsibility. While missions and resources primarily dictate organization, the OES can assist commanding officers in delineating lines of authority and responsibility, and ensuring common understanding of responsibilities.

3. Maintenance of Coast Guard Values and Standards. Each officer is evaluated in the OES, not only regarding job achievements, but also on common professional values and Service standards. These values are not only customs, but conditions of employment in the Coast Guard. They are defined by the performance dimensions and standards listed on the OER.

10.A.2. Responsibilities

10.A.2.a. The Rating Chain

The rating chain provides the assessment of an officer's performance and value to the Coast Guard through a system of multiple evaluators and reviewers who present independent views and ensure accuracy and timeliness of reporting. It reinforces decentralization by placing responsibilities for development and performance evaluation at the lowest levels within the command structure. The rating chain consists of the following members:

1. The Reported-on Officer
2. The Supervisor
3. The Reporting Officer
4. The Reviewer

10.A.2.b. Commanding Officers

1. Designation. Commanding officers are responsible to ensure members of the rating chain carry out their OES responsibilities. For the purpose of these instructions, commanding officers include area and district commanders, commanders of maintenance and logistics commands, commanding officers of Headquarters units and subordinate units or organizations and cutters.

2. Responsibilities. Commanding officers:

   a. Implement the OES within their commands.

   b. Designate and publish the command's rating chains.

   c. Provide copies of rating chains to OER Administrators.

   d. Assist and encourage the professional growth and knowledge of assigned officers by promulgating the contents of **Inactive Duty Reserve Boards, COMDTINST 1401.4 (series),** Schedule of Officer Personnel Boards and Panels, COMDTINST 1401.5 (series), and Training and Educational Manual, COMDTINST M1500.10 (series).

   e. Establish procedures that ensure timely submission of reports. Ensure that OERs for officers eligible for promotion or panel action are not delayed.

   f. Provide local oversight and accountability for the proper preparation of OERs. Commanding officers are encouraged to monitor OERs submitted by the designated rating chain within their commands as a means of ensuring consistency.

g. Encourage recurring training, for all officers within their commands, on the intent and procedures of the OES.

h. Obtain formal training from Commander, (CGPC-opm) **or Commander, (CGPC-rpm)** for civilian employees of the Coast Guard who must perform the duties of either Supervisor or Reporting Officer. Civilians shall not be assigned to a rating chain before receiving OES training certification from Commander, (CGPC-opm) or **Commander, (CGPC-rpm)** and having incorporated the OES rating chain responsibilities in their **Core Competencies**.

i. Apply the following guidelines to officers who are unable to fully perform due to illness, injury, pregnancy, etc.

(1) Periodically, officers may experience circumstances due to a temporary condition which result in a limited opportunity to perform. These circumstances may involve specific performance restrictions (e.g., those imposed by a medical authority), which require restructuring or reassignment of duties. While no preferential treatment shall be given, commanding officers shall ensure that these individuals do not receive below standard evaluations strictly as a consequence of these circumstances.

(2) Commanding officers, in consultation with the health care providers, must establish a "reasonable expectation of performance" given the individual's current circumstances. In particular, commanding officers must determine whether or not an individual requires reassignment to a different work environment and/or restrictions on performing specific types of tasks. Additionally, reduced work hours may be necessary. When considering reassignment or restructuring of duties, commanding officers should strive to identify service needs which complement the temporarily limited abilities of the officer.

j. Ensure performance in meeting requirements of the Coast Guard occupational health and safety program are documented appropriately and consistently with the Reported-on Officer's assigned responsibilities and authority (This paragraph complies with Article 1960.11 of 29 CFR XVII.).

10.A.2.c. Reported-on Officer

1. Designation. The subject of the OES. All Coast Guard commissioned officers, except flag officers, are evaluated periodically.

2. Responsibilities. The Reported-on Officer:

   a. Learns the intent and procedures of the OES and identifies the members of the rating chain from the published list.

   b. Requests an appointment with the Supervisor, to occur not later than 21 days before the beginning of each reporting period, if clarification of duties and areas of emphasis is needed. This information may be delineated on the optional OSF worksheet or other format as specified by the Supervisor. A meeting shall be requested not later than seven days after reporting aboard a new unit.

   c. As necessary, seeks performance feedback from the Supervisor during the period.

   d. Prepares OER Section 1, Administrative Data, and Section 13, Return Address **(found on page 4 of the OER form)**, and forwards the OER with proposed OER attachments to the Supervisor not later than 21 days before the end of the reporting period.

   e. May submit to the Supervisor not later than 21 days before the end of the reporting period a listing of significant achievements or aspects of performance which occurred during the period. Submission is at the discretion of the Reported-on Officer, unless directed by the Supervisor. The optional OSF worksheet may be used. Supplemental information may be submitted through the end of the reporting period.

   f. Notifies the Supervisor not later than 21 days before the end of the reporting period if the Reported-on Officer desires an end-of period conference.

   g. Informs **Commander (CGPC-rpm) or** Commander, (CGPC-opm-3) directly by written communication (e.g., Rapidraft Letter, E-mail) if the official copy of the OER has not been received 90 days after the end of the reporting period. The correspondence shall include a return address, phone number, period of report, and rating chain names with phone numbers.

   h. Ensures that all days of commissioned service are covered by OERs. If an OER is missing or a gap in coverage exists, informs the appropriate rating chain. The rating chain shall take necessary action to correct the discrepancy.

   i. Ensures that other than Coast Guard rating officials are provided a copy of these instructions, appropriate forms, and other literature provided by Commander, (CGPC-opm) **or Commander, (CGPC-rpm)**.

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j. Reviews ☛ **COMDTINST 1401.4 (series)**, COMDTINST 1401.5 (series) and COMDTINST M1500.10 (series) and manages performance to ensure that OERs are not delayed when eligible for promotion or applying for advanced training.

k. Assumes ultimate responsibility for managing own performance, notwithstanding the responsibilities assigned to others in the rating chain. This includes ensuring performance feedback is thorough, and that OERs and associated documentation are timely and accurate.

3. Mandatory meetings and use of the OSF for ensigns and lieutenants (junior grade). All Reported-on Officers in these grades must request initial and end-of-period meetings with their Supervisors and must submit a summary of achievements and other aspects of performance prescribed in subparagraphs b., e., and f. above. In cases of geographic separation, telephone or written exchange of information may suffice.

10.A.2.d. Supervisor

1. Designation.

a. Normally the individual to whom the Reported-on Officer answers on a daily or frequent basis and from whom the Reported-on Officer receives the majority of direction and requirements.

b. Coast Guard officers, officers of other U.S. Armed Forces, officers of Foreign Armed Services (who serve in a supervisory capacity for the Reported-on Officer), U.S. Public Health Service officers, and U.S. government civilian employees may serve as Supervisors. **The supervisor of a reserve officer may be either an active duty or reserve officer or individual stated above. If the Supervisor is not a Coast Guard employee, specify which branch of service (i.e. USN, USA, USAF, DOD) in section 6a. of the OER Form.**

c. The Supervisor will normally be senior to the Reported-on Officer. However, in appropriate situations, the Supervisor may be designated, regardless of grade relative to the Reported-on Officer.

d. When an officer responds to more than a single individual for different functions, the commanding officer shall appoint one individual to the position of Supervisor (to whom all secondary supervisors will provide evaluation input).

e. When a situation exists which requires concurrent reports, dual supervision may also exist. In such instances, different Supervisors may be appointed for each rating chain.

2. Responsibilities. The Supervisor:

   a. Evaluates the performance of the Reported-on Officer in the execution of duties.

   b. Provides direction and guidance to the Reported-on Officer regarding specific duties and responsibilities.

   c. Discusses at the beginning of the period, upon request, or when deemed necessary, the Reported-on Officer's duties and areas of emphasis. The optional OSF worksheet, or other format specified by the Supervisor, may be used as an aid.

   d. Encourages the use of the optional OSF worksheet, or other convenient means, to note important aspects of the Reported-on Officer's performance during the reporting period. Significant events, problems, achievements, failures, or personal qualities should be noted.

   e. Provides performance feedback to the Reported-on Officer upon that officer's request during the period or at such other times as the Supervisor deems appropriate.

   f. Counsels the Reported-on Officer at the end of the reporting period if requested, or when deemed appropriate, regarding observed performance. Discusses duties and responsibilities for the subsequent reporting period and makes suggestions for improvement and development.

   g. Finalizes the optional OSF worksheet, if used; ☛ Articles 10.A.6.d. and e.

   h. Prepares the Supervisor's sections (2-6) of the OER; ☛ Article 10.A.4.c

   i. Initiates an OER if the Reported-on Officer is unavailable, unable, or unwilling to perform in a timely manner. Forwards the OER, the OSF worksheet (if used), OER attachments, and any other relevant performance information to the Reporting Officer not later than 10 days after the end of the reporting period.

   j. Provides the new Supervisor with a draft of OER sections (3-6) when the Supervisor changes during a reporting period. The draft may be handwritten and shall include marks and comments **(bullet statements are acceptable)** for the period of observation. It shall be prepared and signed by the departing Supervisor prior to departing.

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.**

c. Ensures the Supervisor and the Reporting Officer have adequately executed their responsibilities under the OES. The Reviewer shall return an OER to the Reporting Officer to correct errors, omissions, or inconsistencies between the numerical evaluation and written comments. However, the Reviewer may not direct in what manner an evaluation mark or comment be changed (unless the comment is prohibited under ☛ Article 10.A.4.f.).

d. Counsels Reporting Officers whose evaluation habits deviate significantly from the prescribed procedures. Deficiencies in OES performance on the part of Reporting Officers and Supervisors should be noted for performance feedback and considered in the respective officers' OERs.

e. Expedites the reviewed report in a reasonable time to permit the OER Administrator to ensure the OER is received by Commander, (CGPC-opm-3) or **Commander, (CGPC-rpm)** 45 days after the end of the reporting period.

f. Ensures an OER returned by Commander, (CGPC-opm-3) **or Commander, (CGPC-rpm)** is forwarded to the responsible Reporting Officer for timely correction.

10.A.2.g. Rating Chain Exceptions

1. In instances where a Supervisor, Reporting Officer, or Reviewer is unavailable or disqualified to carry out their rating chain responsibilities, the commanding officer or the next senior officer in the chain of command shall designate an appropriate substitute who is capable of evaluating the Reported-on Officer. Other members in the rating chain may be adjusted and designated, as appropriate. Commander, (CGPC-opm-3) **or Commander, (CGPC-rpm)** shall be advised in writing of the designation(s). The timing of the substitution may preclude full use of the OSF; however, that fact alone does not invalidate the OER.

2. As used within this subparagraph:

   a. "Unavailable" includes illness, injury, death, prolonged absence, transfer, separation from the Service, retirement, or any other situation which prevents or substantially hinders the Supervisor, Reporting Officer, or Reviewer from properly carrying out their rating chain responsibilities.

   b. "Disqualified" includes relief for cause due to misconduct or unsatisfactory performance, being an interested party to an investigation or court of inquiry, or any other situation in which a personal interest or conflict on the part of the Supervisor, Reporting Officer, or Reviewer raises a substantial question as to whether the Reported-on Officer will receive a fair, accurate evaluation.

   c. If not already determined by the commanding officer, it is incumbent on the Reported-on Officer to identify to the next senior officer in the chain-of-command that an exception to the designated rating chain may exist. This

issue should be raised by the Reported-on Officer during the reporting period or within 30 days after the end of the reporting period.

10.A.2.h. OER Administrator

1. Designation:

STAFF/UNIT TYPE	OER ADMINISTRATOR
Headquarters	Headquarters Support Command
Atlantic Area Staff and Units	Chief, Administration Staff
Pacific Area Staff	Chief, Administration Staff
Pacific Area Units, if P or Pcs in rating chain	Chief, Administration Staff
Pacific Area Units, if P or Pcs not in rating chain	Chief, MLC Personnel Division
MLC Staff and Units	Chief, MLC Personnel Division
District Staff and Units	Chief, Administration Division
Headquarters Units	Unit Administrative Division Officer
Administratively Assigned (ADASGN)	Reporting Officer's OER Administrator

a. For all OERs that must be forwarded to Headquarters for Reviewer action, the Reporting Officer's OER Administrator will perform the duties of OER Administrator.

b. For officers assigned to other Armed Forces, the OER Administrator will be the staff or unit having ADASGN authority.

2. Responsibilities. The OER Administrator:

a. Ensures timely OER submission for those officers under their administrative jurisdiction for any part of a reporting period. A tracking system is encouraged. The OER Administrator shall ensure that **reserve OERs (original and two copies) are received by Commander, (CGPC-rpm) and active duty** OERs (original and one copy) are received by Commander, (CGPC-opm-3) not later than 45 days after the end of reporting periods.

b. Ensures the rating chain is cognizant of ☛ **Inactive Duty Reserve Boards, COMDTINST 1401.4 (series) and** Schedule of Officer Personnel Boards and Panels, COMDTINST 1401.5 (series). The OER Administrator shall establish a system to ensure that OERs for officers eligible for promotion and panel action are not delayed, and arrive at Commander, (CGPC-opm-3) **or Commander, (CGPC-rpm)** in time to accomplish a thorough quality review.

c. Ensures completeness and accuracy of OERs. OER Administrators shall maintain a system which verifies that OERs have accounted for all days. Ensure that the first report from a new duty station accounts for all days, including departure from a previous unit.

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:

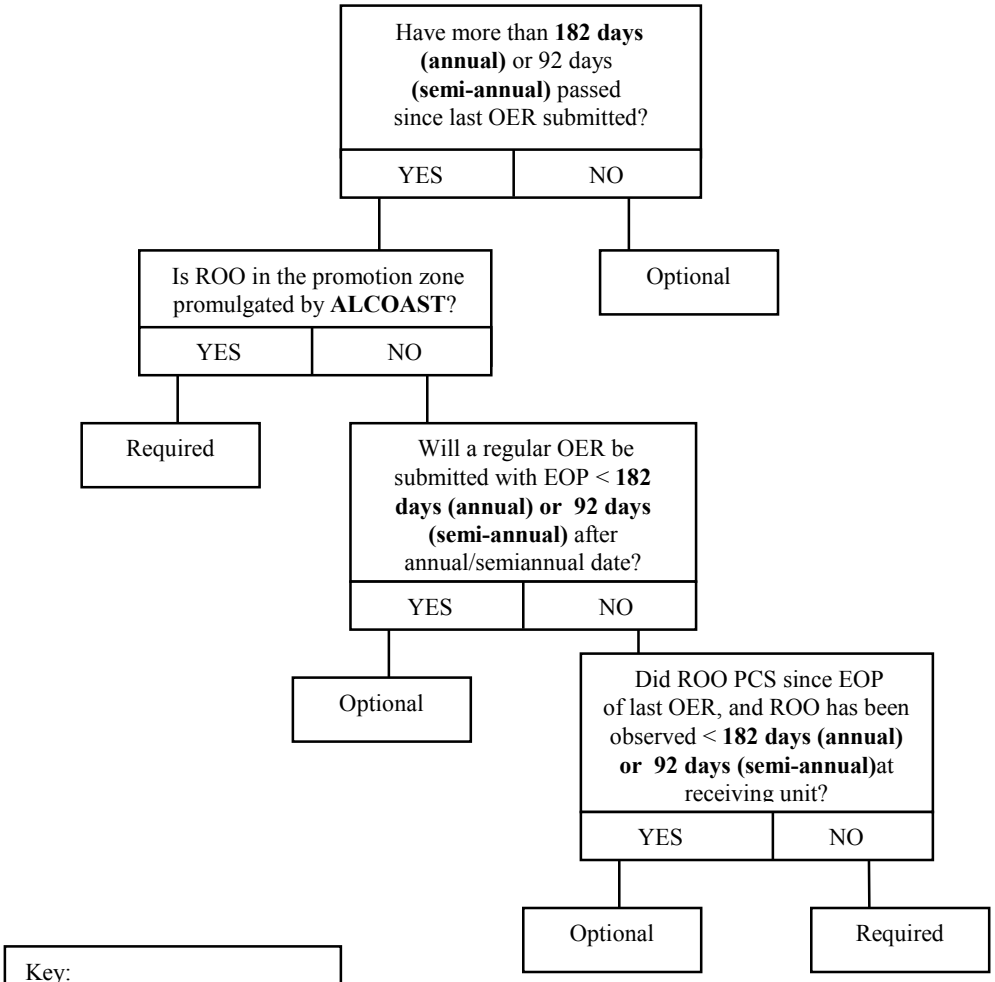
(1) A regular OER (or a special or ADSW OER which counts for continuity) was submitted within 6 months prior to the scheduled submission date.

(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)

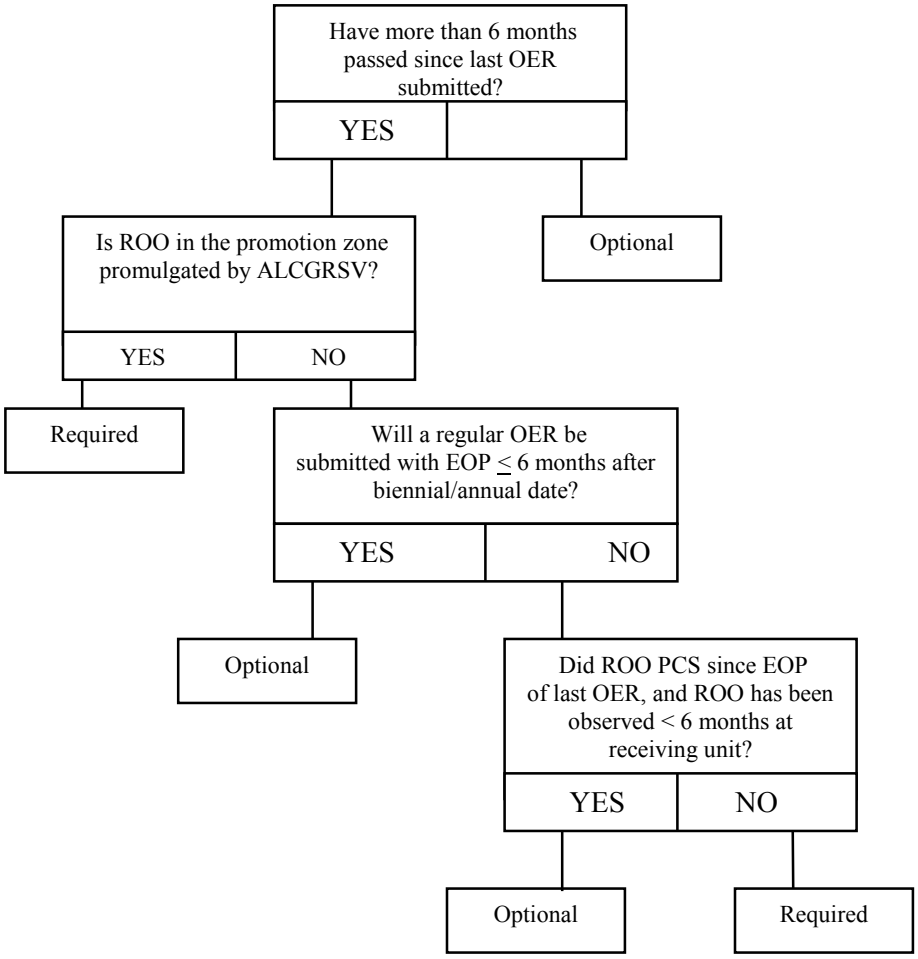


Key:
ROO = Reported-on Officer
EOP = End of period

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)

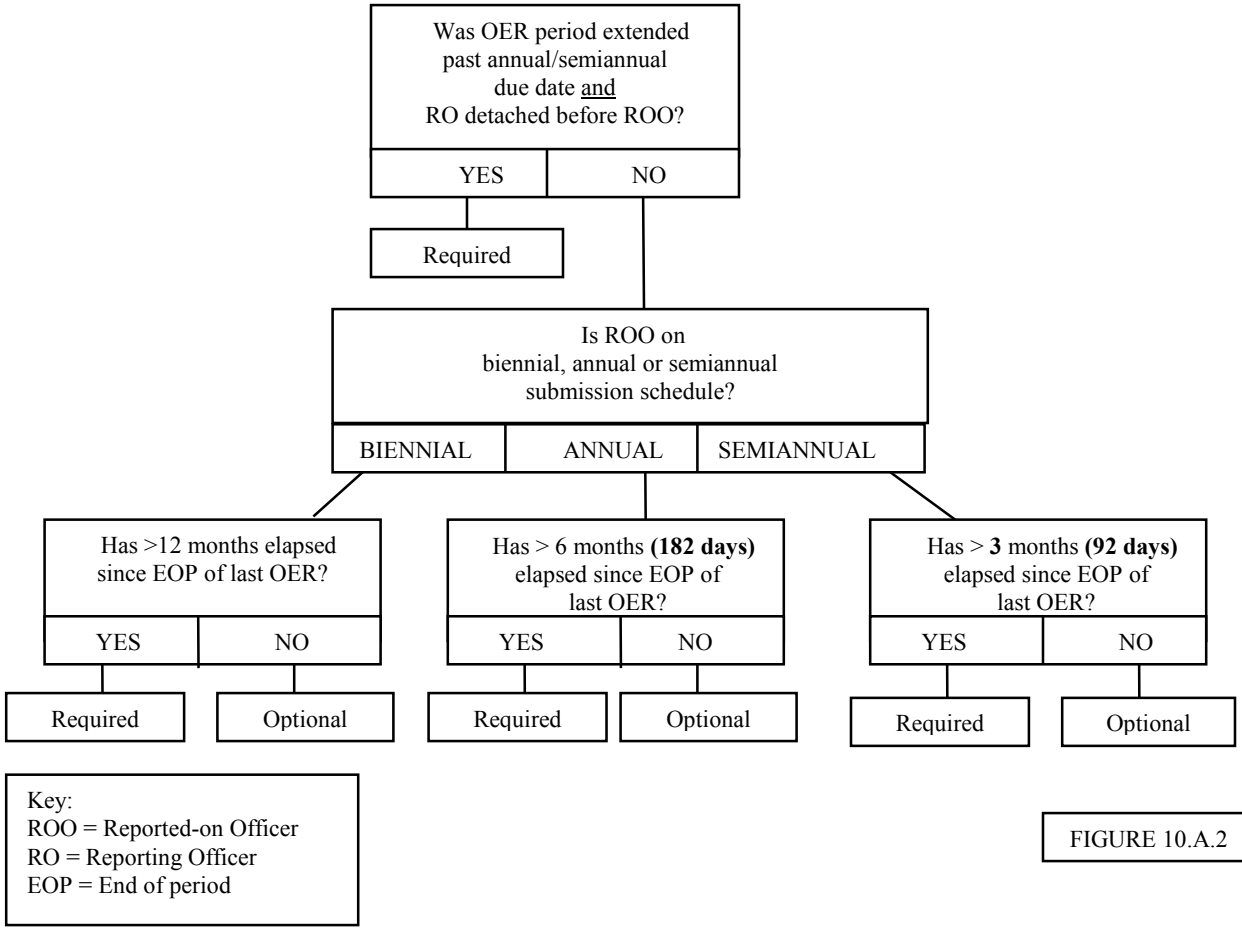


FIGURE 10.A.2

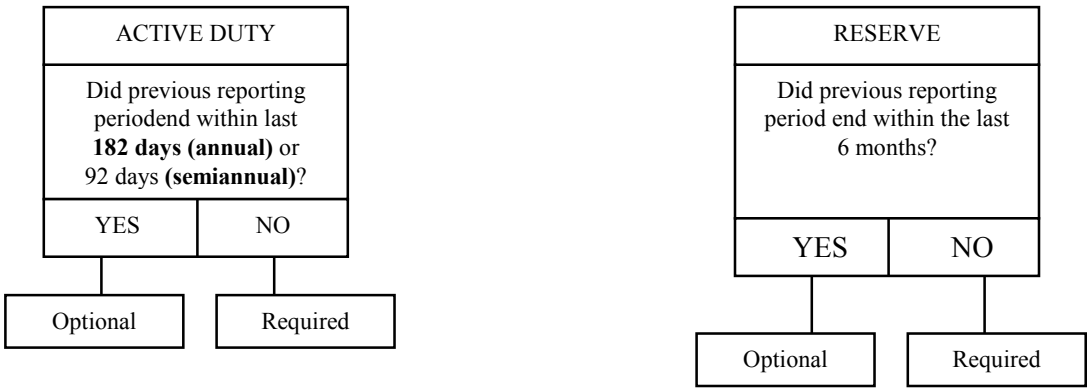
3. Detachment on PCS orders, or separation from the Service of the Reported-on Officer (Figure 10.A.3.):

   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.

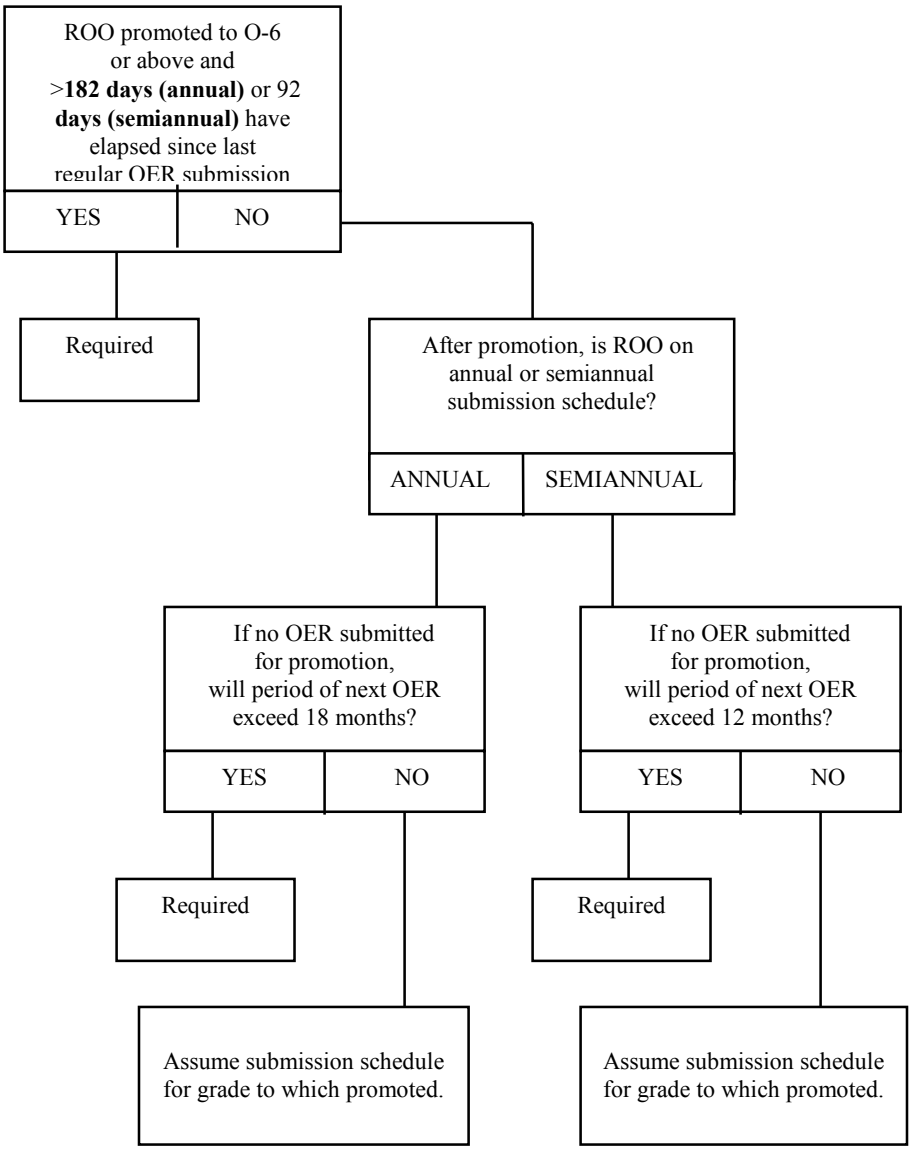
   c. Officers promoted to commander, or below, during a reporting period shall apply the submission criteria for the grade to which promoted to determine when their next OER is due (e.g., O-1 promoted to O-2 on 20 January shall do a 31 January O-2 semiannual OER). Promotion OERs are authorized only if 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)



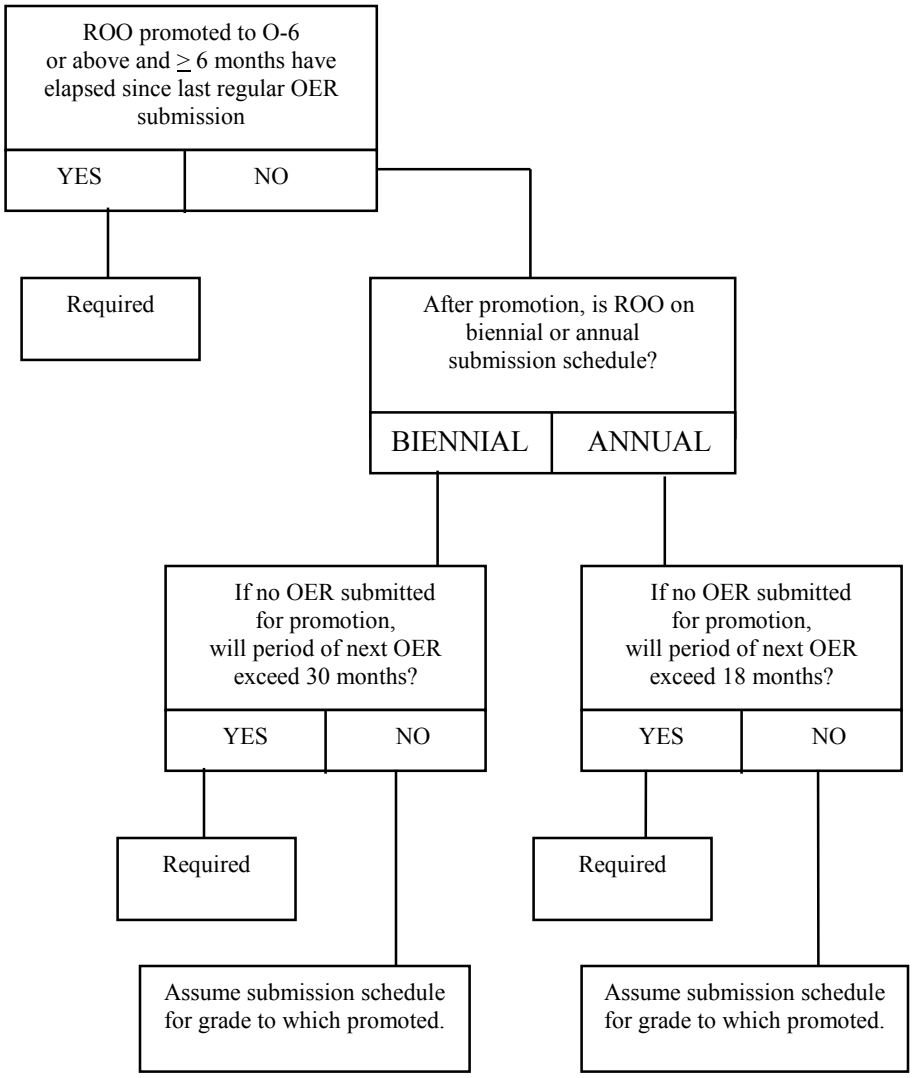
Key:
ROO = Reported-on Officer

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).

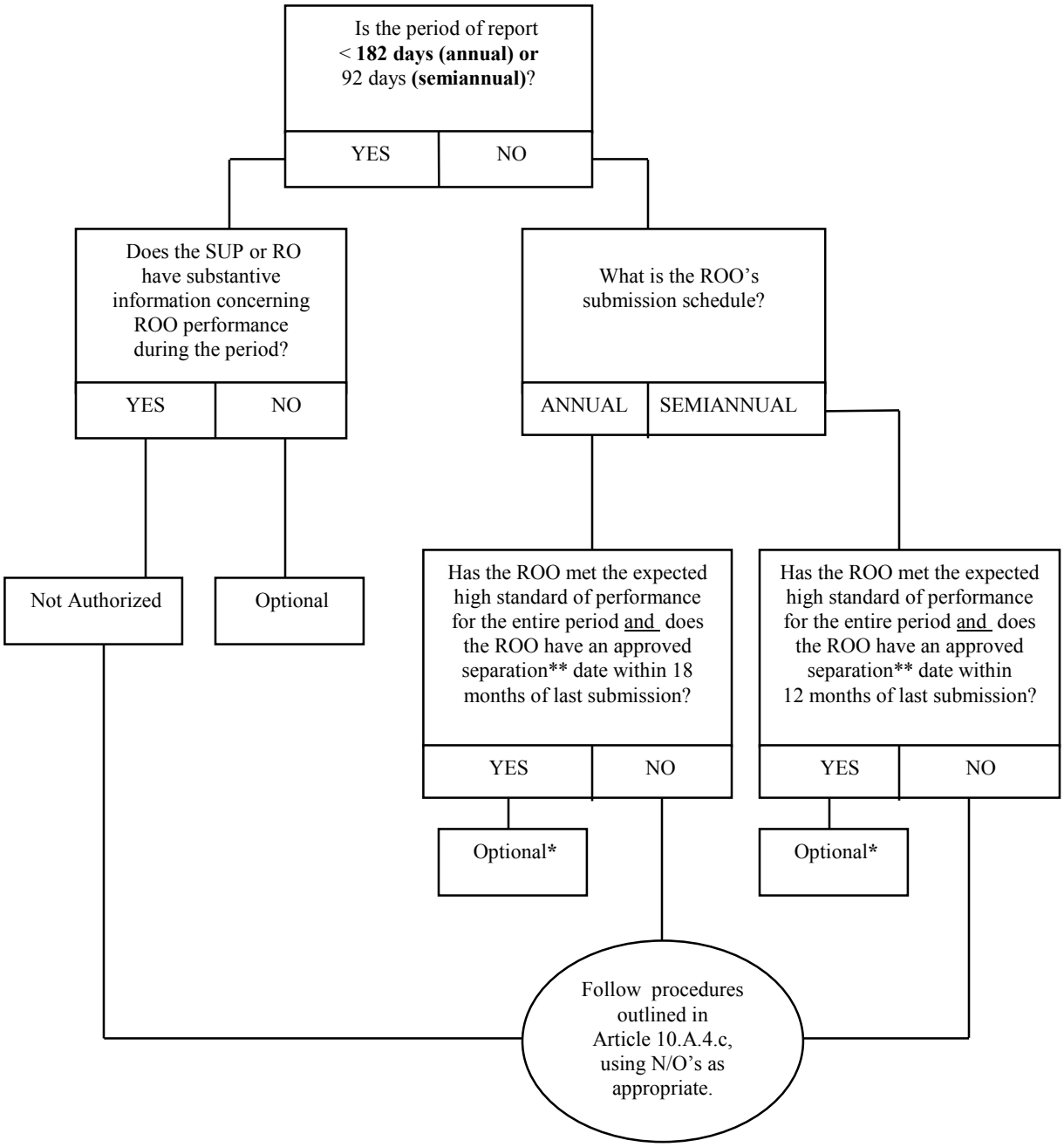
d. When submitting a continuity OER, the Reported-on Officer shall complete Sections 1 and 13. The designated Supervisor shall briefly describe the Reported-on Officer's responsibilities in Section 2 and state the reason the OER is submitted for continuity purposes, e.g., Submitted IAW ☞ Article 10.A.3.a.5., 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)



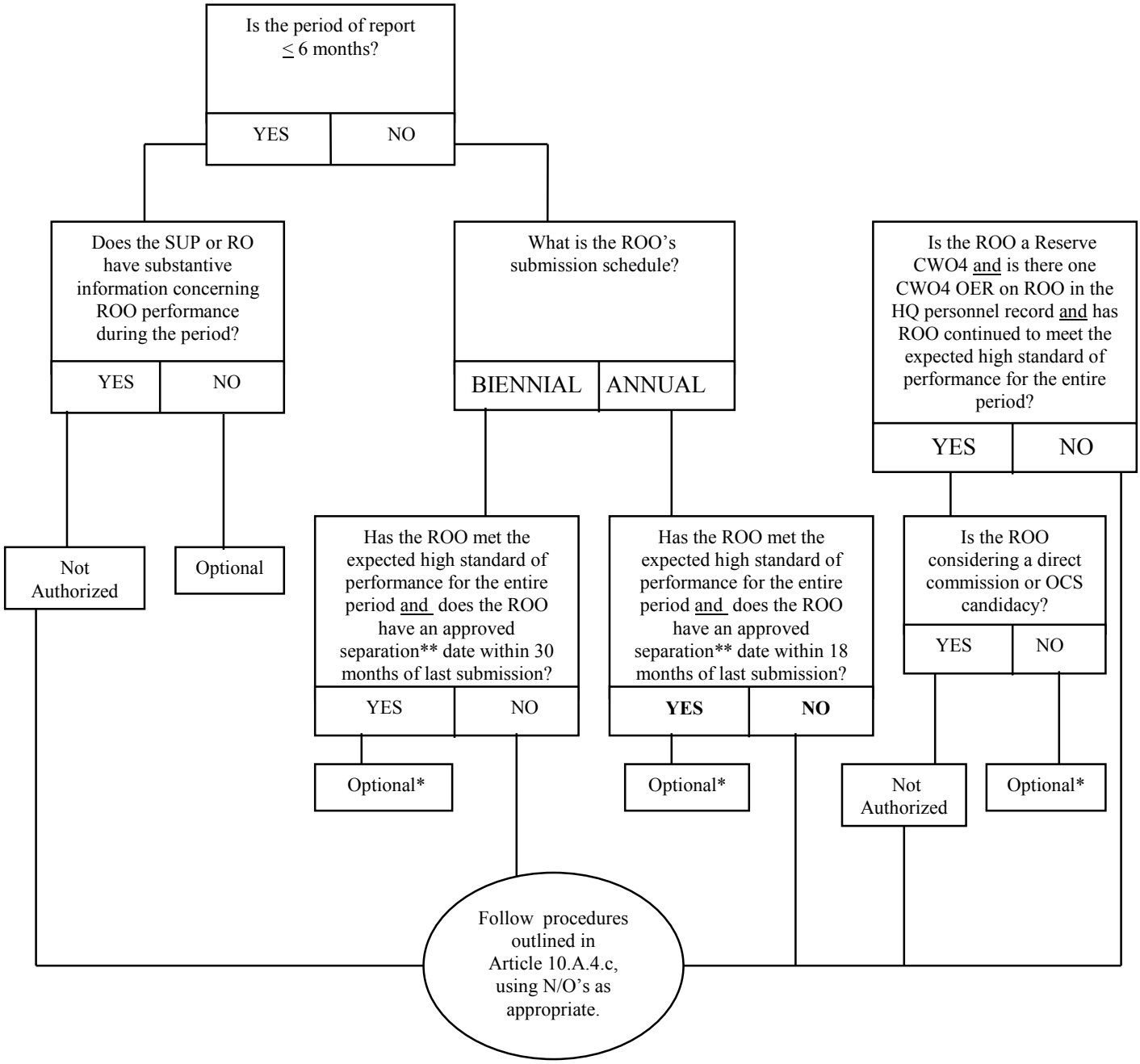
Key:
ROO = Reported-on Officer
SUP = Supervisor
RO = Reporting Officer
N/O = Not Observed

* 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.

(1) The reporting period for this special report will be the time frame during which the officer's conduct prompting the report occurred. The report shall clearly state: (1) the nature of the proceeding prompting the report and the result of the proceeding, e.g. criminal conviction, non-judicial punishment, or final reviewing authority's action directing a special OER due to criminal culpability; (2) any punishment imposed as a result of criminal conviction or non-judicial punishment; and (3) other information as necessary to accurately reflect the performance being evaluated. Information about the proceeding may be included in the report even if the proceeding took place outside of the reporting period. The evaluation shall be limited to those areas affected by such conduct, since all other dimensions will be evaluated in the regular OER. Any dimension which is not evaluated shall be marked "not observed." A Section 9 comparison or rating scale mark and Section 10 comments on the officer's potential are required. This OER does NOT count for continuity.

(2) If the conduct resulting in the court-martial, non-judicial punishment, or investigation occurs during the current reporting period, a special report is not required if the process is completed, i.e., not subject to further review, by the time that the regular report is due to be submitted for the current period. The basis for the court-martial, non-judicial punishment, or investigation shall be reported in the regular report.

c. Special OERs may be submitted for officers being considered by selection panels or selection boards for promotion, extension, or continuation if the period of report is at least six months and the OER will arrive at CGPC not later than 45 days before the board/panel convening date. For officers applying to postgraduate school, the period of report shall end on 31 March or 45 days before the application deadline. **Reported-on Officers (reserve only) who are on a biennial schedule and are in zone for promotion on the IDPL during an odd numbered year shall complete a Special OER for that year to document all performance since the last regular OER for board consideration. These OERs should not be delayed past the normal submission month (i.e. March for CDRs, April for LCDRs). Extensions will not be granted.**

d. To document significant historical performance or behavior of substance and consequence which was unknown when the regular OER was prepared and submitted. This report should not normally reflect performance reportable under ☛ Article 10.A.3.c.1.b. The special OER should be initiated by the original rating chain unless they are unavailable or disqualified. ☛ Article 10.A.2.g. applies. The Reviewer must be a flag officer. The special OER normally addresses only those performance or behavior dimensions relevant to the special OER since all other dimensions will have been properly evaluated in the regular OER. (This OER does not count for continuity.)

e. When specifically directed by another article in this manual, e.g., ☛ Article 4.F.6., Relief for Cause. This OER may count for continuity, depending upon the circumstances which prompt its submission.

2. Concurrent OERs. A concurrent OER is an OER submitted in addition to a regular or special OER. The permanent unit's OER is never considered a concurrent report and should not be so identified. A concurrent report is always in addition to a regular or special OER, and thus does not count for continuity. The unit to which the Reported-on Officer is permanently attached is always responsible for ensuring that continuity is maintained with either regular or special OERs. Concurrent reports may be submitted only when the officer is:

   a. Filling separate or distinct billets or command functions under different commanding officers.

   b. Filling a billet for which technical control and administrative control are separated, such as senior contracting officers.

   c. Commanding a unit for which operational control and administrative control are separated, e.g., units assigned to International Ice Patrol, Deep Freeze Operations, etc.

   d. Commanding a unit with divided operational control.

   e. Performing temporary assigned duty (TAD) away from a permanent station for a period of at least 60 consecutive days while being observed by a senior other than the regular Reporting Officer, e.g., senior aviator deployed aboard a Coast Guard icebreaker. In this case, the concurrent report normally will be written upon the detachment of the TAD officer and cover only the period of temporary additional duty.

3. Reserve. ADSW OERs (Figure 10.A.6.). These reports are Reserve-specific OERs for officers who are on Active Duty for Special Work (ADSW)-in support of the Active Component (AC) or Reserve Component (RC). The ADSW report counts for continuity. NOTE: Integrated Support Commands (ISCs) no longer have to submit continuity OERs for individuals on ADSW assignment. Due to the nature of ADSW reports, the submission schedule and amplifying guidelines are outlined below.

   a. ADSW of 6 Months or Less. If the ADSW orders are for a period of 6 months or less, performance for the entire period of ADSW shall be included in the Reported-on Officer's next Inactive Duty Training/Active Duty for Training (IDT/ADT) biennial/annual OER. The ADSW supervisor and reporting officer should provide the IDT/ADT unit supervisor with a draft OER Form CG-5310 (series) Sections 1-11. The draft may be handwritten and shall include marks and comments (bullet

statements may be used) for the period of observation. The ADSW supervisor and reporting officer shall sign the draft OER (no reviewer authentication is required) and forward it to the IDT/ADT unit supervisor. A copy of the draft OER may be provided to the Reported-on Officer.

(1) If the Reported-on Officer was in the Individual Ready Reserve (IRR) prior to reporting to the ADSW assignment, an ADSW OER shall be completed by the ADSW rating chain ☛Article 10.A.3.c.3.b. for the period of ADSW only. The ISC shall submit a continuity "Not Observed" OER to account for the period prior to the ADSW assignment when Reported-on Officer was in the IRR. The continuity OER shall be submitted IAW ☛Article 10.A.3.a.5.a.

b. ADSW Over 6 Months For a Rating Chain Other Than ROOs IDT/ADT Rating Chain. If the ADSW orders are for a period exceeding six months, performance shall be documented on OER Form CG-5310 (series) *upon completion of the ADSW assignment*.

Exception: An ADSW OER is required if the Reporting Officer has changed or detached from the unit and more than six months have elapsed since the ending date of the last ADSW OER or the date reported to the ADSW assignment, whichever is later. *NOTE: If there is 6 months or less time remaining from previous ADSW OER to completion of ADSW assignment, the performance may be documented in the next regular IDT/ADT OER.☛10.A.3.c.3.a. However, if Reported-on Officer was in the IRR prior to ADSW assignment, an ADSW OER must be completed, regardless of time remaining, to close out the ADSW assignment.*

Exception: An ADSW OER may be submitted if the Reported-on Officer is in/above zone for promotion. Document all ADSW performance completed up to the Reported-on Officer's regular OER submission month (i.e. April for CAPT; March for CDR).

(1) ADSW OERs: Include only documentation of ADSW performance. Preparation of ADSW OERs follows guidance in ☛Article 10.A.4. with the following clarification:

(a) Section 1l., "Exception Report": write or type in "ADSW". Do not fill in any other blocks in Section 1l.; section 1k. is left blank.

c. ADSW Over 6 Months For ROOs Regular IDT/ADT Rating Chain. Performance may be included in Reported-on Officer's regular biennial/annual IDT/ADT OER or a separate ADSW OER may be submitted. Preparation guidelines in ☛Article 10.A.4. apply. If ADSW performance is included in IDT/ADT OER:

(1) Section lk., "Occasion for Report" will be used. Fill in only one circle. Section 1l., "Exception Report" will be left blank.

d. <u>ADSW With Subsequent EAD Contract</u>. Reported-on Officers who are on an ADSW assignment and are immediately brought on an Extended Active Duty (EAD) contract in the same assignment may defer submitting an OER until their next regular OER submission date (following active duty submission schedule). All of the following requirements must be met in order to defer submission of OER:

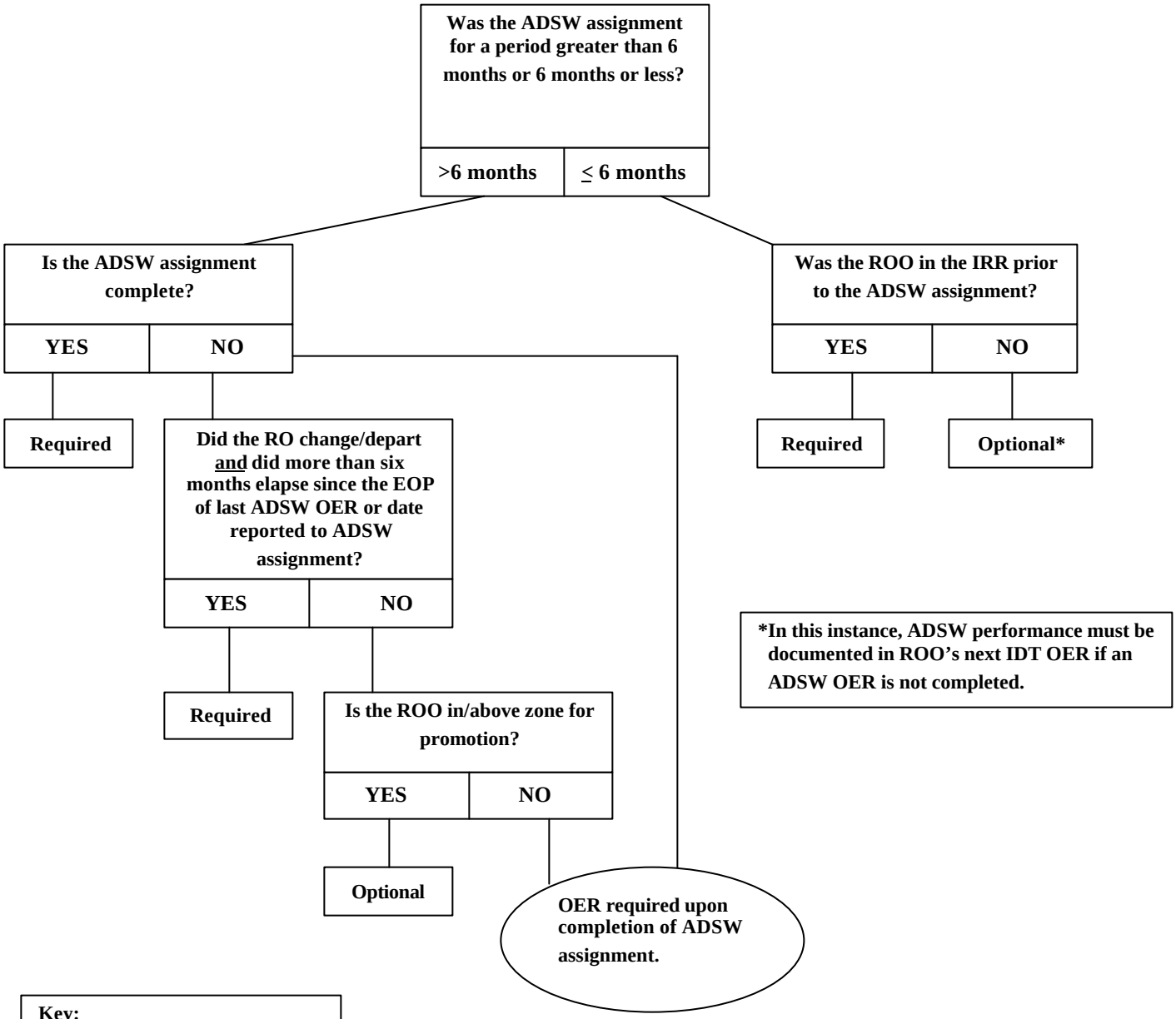
(1) There is no break in service. The EAD contract must begin the day after the ADSW assignment ends.

(2) There is no change in the description of duties and reporting officer.

(3) The reporting period does not extend beyond 18 months for annual reports, or 12 months for semiannual reports. (NOTE: Reported-on Officer is following active duty OER submission guidelines once on EAD contract.)

RESERVE OER FOR ACTIVE DUTY FOR SPECIAL WORK (ADSW)-IN SUPPORT OF THE ACTIVE COMPONENT (AC) OR RESERVE COMPONENT (RC)

10.A.3.c.(3)



Key:
EOP=End of Period
IDT=Inactive Duty for Training
RO=Reporting Officer
ROO=Reported-On Officer

Figure 10.A.6

10.A.3.d. Evaluation of Performance while Recalled to Active Duty from Retired Status

1. Because the personnel management goals (promotion, assignment, career development) of the OES don't apply to officers who are recalled to active duty from retired status, there is no mandatory requirement to submit an OER for these officers.

2. Where any member of the rating chain, including the Reported-on Officer, has information deemed significant enough to report for the retired recall period, a regular OER may be submitted and the procedures outlined in ☛ Article10.A.4.c. apply. Such information may be useful for future retired recall decisions regarding the officer. If the decision is made to submit a regular OER for the retired recall period, the following annotation should be made in Section 2 of the OER: "Submitted IAW PERSMAN Article 10.A.3.d."

3. If circumstances during the retired recall period warrant, a special OER may be submitted if the criteria of ☛ Article 10.A.3.c.1. are met.

10.A.4. Preparation and Processing of Evaluation Reports

10.A.4.a. General

This section describes the procedures for preparing and processing Officer Evaluation Reports (OERs). Members of the rating chain should prepare reports with care. They should ensure that comments are clear, concise, and accurate.

1. The OER is a series of forms, CG-5310, used to document Coast Guard officers' performance and potential.

2. Forward OERs to arrive at **Commander, (CGPC-rpm) or** Commander (CGPC-opm-3) not later than 45 days following the end of the reporting period.

3. OER form software will default to the desired font type and size. Commands should not try to adjust the default settings. For units that must complete OERs on non-standard terminals, only two fonts shall be used: *Courier* or *Times New Roman*. When using *Courier*, the size of type shall be no smaller than 10 point/12 pitch with not more than six lines per inch. When using *Times New Roman*, the size of type shall be 12 point with not more than five lines per inch.

4. Reporting Officers and Supervisors shall use the same type font throughout their respective sections. Particular care must be taken when adding comments after initial typing to ensure this requirement is met. Reports in all capital letters are prohibited. OER pages shall be one sided only; two-sided OERs are prohibited.

5. Other than underlining or capitalizing the primary duty in Section 2, text enhancements, e.g., underlining, boldface, all capital letters, are not allowed.

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.

k. OCCASION FOR REGULAR REPORT—☛ Article 10.A.3.a. Mark only one box for the occasion which has prompted the OER submission. The occasion is dictated by the end-of-period date in Block 1.j. Leave blank if the report is a Special, Concurrent **or ADSW** OER.

l. EXCEPTION REPORT—☛ Article 10.A.3.c. Mark special or concurrent, but not both, if the report is not a regular OER. **Write in "ADSW" if OER documents only ADSW performance.**

m. DATE SUBMITTED—The date the Reported-on Officer submits the OER form to the Supervisor. Enter dates in the same format as e. above.

2. Section 2, Description of Duties.

a. The Supervisor shall write a summary of the most important aspects of Reported-on Officer's job. Primary duties, collateral duties, special projects, key processes, and customer and supplier identities should be included. Use a common sense approach to describe the most important duties in a manner that will be understandable to a reader unfamiliar with the officer's job.

b. Discuss all major duties assigned to the Reported-on Officer during the reporting period. Underline, or type in all capital letters, the officer's primary duty title. If a Reported-on Officer serves at any time during the reporting period under the direction of an officer not his or her primary Supervisor, the Supervisor should attempt to obtain from the secondary supervisor a description of the Reported-on Officer's duties while working for the secondary supervisor (e.g., TAD for less than 60 days; **ADSW for 6 months or less**). A concurrent OER should normally be completed for TAD greater than 60 days. **An "ADSW" OER should normally be completed for ADSW greater than 6 months.** The primary Supervisor should note these duties, citing the unit and inclusive dates.

c. Describe duties and responsibilities to provide an overall understanding of the job. Also note conditions peculiar to the assignment. Include number of people supervised, funds controlled, unit operations or organizational relationships as appropriate. Define highly technical terms. Comments must be clear and concise and confined solely to the space allotted on the form.

d. Describe the duties and responsibilities for officers with limited opportunity to perform in accordance with ☛ Article 10.A.2.b.

e. Provide a brief reason for submission of Special OERs and Regular OERs submitted for continuity purposes only.

3. Section 2, Attachments.

   a. The following paragraphs address items that may or shall be listed as attachments to an OER:

      (1) Personal military decorations issued in accordance with Section 1.A.17. of the Medals and Awards Manual, COMDTINST M1650.29, or other U.S. Armed Services equivalent may be attached to an OER for the period in which received even if the performance cited does not relate to the period. Attach a copy of the award's certificate and citation and list the description (e.g., CG Achievement Medal dated 18 January 1999) in the attachment line in section 2 of the OER.

      (2) Copies of punitive letters of censure and copies of Court Memorandums shall be referred to and appended to the OER once the proceedings, including reviews and appeal, are completed; ☛ Articles 10.A.3.c. and 10.A.4.f. A written non-punitive censure or copy thereof may not be referred to or appended to the OER (☛ Article 8.E.4.) However, the performance which resulted in the non-punitive censure may be discussed in the OER.

   b. The Reported-on Officer, and other officers or officials outside the Reported-on Officer's normal rating chain, may submit to the Supervisor or Reporting Officer letters, certificates, citations, comments or other reliable documentation pertaining to performance of duty. Supervisors and Reporting Officers may use or cite such reports in the OER "comments" blocks, but shall not attach them to the OER.

4. Sections 3, 4, and 5.

   a. These sections are designed to measure an officer's demonstrated performance and qualities exhibited in three major evaluation areas:

      - Performance of Duties
      - Communication Skills
      - Leadership Skills

      Two or more performance dimensions (rating scales) define each evaluation area. Each performance dimension is defined in terms of three performance standards: below standard, standard, or above standard. Supervisors must read each standard carefully. A space for supporting comments follows each set of dimensions.

   b. For each evaluation area, the Supervisor shall review the Reported-on Officer's performance and qualities observed and noted during the reporting

period. Then, for each of the performance dimensions, the Supervisor shall carefully read the standards and compare the Reported-on Officer's performance to the level of performance described by the standards. The Supervisor shall take care to compare the officer's performance and qualities against the standards—not to other officers and not to the same officer in a previous reporting period. After determining which block best describes the Reported-on Officer's performance and qualities during the marking period, the Supervisor fills in the appropriate circle on the form in ink.

c. Where the Supervisor has insufficient information to provide a mark or if observations are believed inadequate to render a judgment, the "not observed" circle shall be used. The reason for the "not observed" must be briefly stated in the "comments" blocks or Section 2.

d. In the "comments" block following each evaluation area, the Supervisor shall include comments citing specific aspects of the Reported-on Officer's performance and behavior for each mark that deviates from a four. The Supervisor shall draw on his or her observations, those of any secondary supervisors, and other information accumulated during the reporting period.

e. Comments should amplify and be consistent with the numerical evaluations. They should identify specific strengths and weaknesses in performance. Comments must be sufficiently specific to paint a succinct picture of the officer's performance and qualities which compares reasonably with the picture defined by the standards marked on the performance dimensions in the evaluation area. Mere repetition or paraphrasing of the standards is not sufficient narrative justification for below or above standard marks.

f. When appropriate, specifically address the officer's acquisition (O1 through O4) and demonstration (all officers) of seamanship or airmanship expertise (expert skill or knowledge). The following factors should be considered: easy application of the rules of the road and Federal Aviation Regulations (FARs); understanding of, and facility with relative motion concepts; good "sea sense" and a feel for the forces acting on ships or aircraft; and the ability to translate environmental inputs and mission requirements into consistently correct control applications and leadership decisions. These are some of the factors which indicate potential for future successful operational assignments including operations officer, executive officer, and command. In short, compare and discuss the officer's critical competency requirements with regard to seamanship or airmanship.

g. A mark of four represents the expected standard of performance. Additional specific performance observations must be included when an officer has been assigned a mark of five or six to show how they exceeded this high level of performance. Those assigned the superlative mark of seven should have specific comments demonstrating how they exceeded the six standard block.

h. Citing weaknesses does not make the OER derogatory unless the OER contains a derogatory mark in accordance with ☛ Article 10.A.4.h.

i. All comments shall be confined to the space allotted to the Supervisor. No comments shall be continued from one comment block to another.

5. Section 6, Supervisor Authentication.

a. Block a. SIGNATURE—The Supervisor's signature verifies completion of their OES responsibilities and that comments and evaluations are correct. A typed or stamped name is required to clearly identify the Supervisor. Include Service abbreviation if other than Coast Guard.

b. Block b. GRADE—Two-character military pay grade, or civilian equivalent (e.g., O6, GS12).

c. Block c. SSN—Ensure correct.

d. Block d. TITLE OF POSITION (e.g., Chief, Administration Division; Commanding Officer; Chief, Officer Assignments Branch).

e. Block e. DATE—The date the Supervisor submitted the evaluation to the Reporting Officer. Enter in all numerals (e.g., 2000/04/25).

f. After signing the OER, the Supervisor gives it to the Reporting Officer, together with the OSF (if used), and any other authorized documentation or information.

6. Section 7, Reporting Officer Comments.

a. This section provides an opportunity for the Reporting Officer to comment on the Supervisor's evaluation. Although comments are not mandatory, Reporting Officers are encouraged to cite other information and observations they may have which would confirm or provide another perspective of the Reported-on Officer's performance and qualities demonstrated during the reporting period. By doing so, the Reporting Officer gives a more complete picture of the Reported-on Officer's capabilities.

b. Section 7 shall not include continuing comments from any other comment block.

7. Section 8.

a. This section measures an officer's personal and professional qualities. Each performance dimension is defined in terms of three performance standards: below standard, standard, or above standard. The standards are not the same for all forms. Reporting Officers must read each standard carefully. A space for supporting comments follows each set of dimensions.

b. For this evaluation area, the Reporting Officer shall review the Reported-on Officer's performance and qualities observed and noted during the reporting period. Then, for each performance dimension, the Reporting Officer shall carefully read the standards and compare the Reported-on Officer's performance to the level of performance described by the standards. The Reporting Officer shall take care to compare the officer's performance and qualities against the standards - not to other officers and not to the same officer in a previous reporting period. After determining which standard best describes the Reported-on Officer's performance and qualities during the marking period, the Reporting Officer fills in the appropriate circle on the form in ink.

c. Where the Reporting Officer has insufficient information to provide a mark or if observations are believed inadequate to render a judgment, the "not observed" circle shall be used. The reason for the "not observed" must be briefly stated in the "comments" block.

d. In the "comments" block following this evaluation area, the Reporting Officer shall include comments citing specific aspects of the Reported-on Officer's performance and behavior for each mark that deviates from a four. The Reporting Officer shall draw on his or her own observations, information provided by the Supervisor, and other information accumulated during the reporting period.

e. Comments should amplify and be consistent with the numerical evaluations. They should identify specific strengths and weaknesses in performance. Well-written comments must be sufficiently specific to paint a succinct picture of the officer's performance and qualities which compares reasonably with the picture defined by the standards marked on the performance dimensions in the evaluation area. Mere repetition or paraphrasing of the standards is not sufficient narrative justification for marks.

f. Citing weaknesses does not make the OER derogatory unless the OER contains a derogatory mark in accordance with ☛ Article 10.A.4.h.

g. All comments shall be confined to the space allotted to the Reporting Officer. No comments shall be continued from one comment block to another.

8. Section 9, Comparison and Rating Scales.

a. COMPARISON SCALE (W2 to O2 and O3 to O5 forms): The Reporting Officer shall fill in the circle that most closely reflects the Reporting Officer's ranking of the Reported-on Officer relative to all other officers of the same grade the Reporting Officer has known. NOTE: This section represents a relative ranking of the Reported-on Officer, not necessarily a trend of performance. Thus, from period to period, an officer could improve in performance but drop a category.

b. RATING SCALE (captain form): The Reporting Officer shall fill in the circle that most closely reflects the Reported-on Officer's performance in consideration of information contained in the OER.

c. No specific comments are required to support the Reporting Officer's judgment in this section. However, a mark other than in the center three circles is strengthened considerably if there are comments in the report from which one could reasonably draw a conclusion why this particular officer has been identified as different from the majority of officers of this grade. A mark of "unsatisfactory" requires compliance with ☛ Article 10.A.4.h.

d. No mark need be entered if there were insufficient opportunities to make a judgment. In this case the Reporting Officer should indicate so with a short statement in Section 10.

9. Section 10, Potential.

a. The Reporting Officer shall comment on the Reported-on Officer's potential for greater leadership roles and responsibilities in the Coast Guard. These comments shall be limited to performance or conduct demonstrated during the reporting period.

b. Comments in this section reflect the judgment of the Reporting Officer and may include, but are not limited to, the following:

- Qualification to assume the duties of the next grade.

- Specialties or types of assignment, such as command, for which the Reported-on Officer is qualified or shows aptitude.

- Recommendations for selection to a senior service school.

- Special talents or skills (or lack of) such as military readiness and warfare skills, seamanship or airmanship, etc., as applicable.

c. Comments shall be confined to the allotted space on the form.

10. Section 11, Reporting Officer Authentication.

a. Block a. SIGNATURE—The Reporting Officer's signature verifies completion of OES responsibilities and that comments and assigned marks are correct. A typed or stamped name is required to clearly identify the Reporting Officer. Include Service abbreviation if other than Coast Guard.

b. Block b. GRADE—Two-character military pay grade, or civilian equivalent (e.g., O6, GS14).

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.

d. The Reviewer shall ensure that the evaluation of the Reported-on Officer is consistent and that the derogatory information is substantiated. If the Reviewer finds otherwise, he or she shall return the report to the Reporting Officer for additional information and/or clarifying comments. Any substantive changes to the OER require its return to the Reported-on Officer to provide another 14-day opportunity for the Reported-on Officer to revise the addendum.

e. Since the above procedure does not constitute a request for correction of the record, the Reported-on Officer shall limit the addendum to a maximum of two single-spaced pages (8½" x 11") typed on one side with no enclosures. Rating chain members, addressing the Reported-on officer's addendum, shall each limit their comments to a maximum of one single-spaced page (8½" x 11") typed on one side with no enclosures.

10.A.4.i. Format for Addendum

1. Reported-on Officers and members of the rating chain shall each identify their attachments in the format below:

   a. NAME/RANK/SSN OF REPORTED-ON OFFICER.

   b. PERIOD OF REPORT.

   c. REPORTED-ON OFFICER/SUPERVISOR/REPORTING OFFICER/REVIEWER COMMENTS:

   d. Following the last line of comments the rating chain shall sign as below:

   Signature/Date
   Name: Rank: (typed)
   Rating chain designation

2. The addendum and attachments should be stapled to the back of the OER before submission to the OER Administrator.

10.A.4.j. Review of OERs at Coast Guard Personnel Command

1. OERs sent to Coast Guard Personnel Command by OER Administrators are received by **Commander, (CGPC-rpm), Reserve Personnel Management Division or** Commander, (CGPC-opm-3), Officer Evaluations Branch.

2. **Commander, (CGPC-rpm) or** Commander, (CGPC-opm) reviews OERs for substantive errors. Particular attention is given to inconsistencies between the numerical evaluations and written comments. The review is not intended to question a rating official's judgment about a subordinate's performance, but to ensure OERs have been prepared in accordance with OES guidelines.

3. Reports found unacceptable are returned to the Reporting Officer, via the Reviewer, with a letter identifying areas for correction. When corrected by the appropriate member(s) of the rating chain, OERs are returned to **Commander, (CGPC-rpm) or** Commander, (CGPC-opm-3) via the rating chain within 30 days.

4. After an OER has been accepted, **Commander, (CGPC-rpm) or** Commander, (CGPC-opm-3) returns a photocopy to the Reported-on Officer. This copy is stamped "Official Receipt Copy" to distinguish it from unofficial copies the officer may have received from the rating chain.

10.A.4.k. Correction of OERs

1. Comments in the OER must be sufficiently specific to present a complete picture of the Reported-on Officer's performance and qualities during the period. They should be both reasonably consistent with the numerical marks assigned and justify those marks which deviate from a four. On those marks indicated by **Commander, (CGPC-rpm) or** Commander, (CGPC-opm-3) as not being supported, the Rating chain should either provide additional narrative support reflecting specific performance observations or adjust the marks to the information already provided**.**

2. Administrative Remarks:

   a. Marks and comments may be changed only by the original Supervisor and Reporting Officer.

   b. Comments must be confined to the allotted space on the form. The Supervisor's comments must be confined to Sections 2-5 and the Reporting Officer's to Sections 7-8 and Section 10. Only the Reviewer may add a comment sheet in compliance with ☛ Article 10.A.4.d.

   c. All changes to the original OER should be initialed.

   d. The dates in Blocks 6.e., 11.e., and 12.f. should be adjusted to reflect the date that the necessary changes and reviews were actually made.

   e. A new OER form should be used if the corrections are extensive. A new form is required if more than two marks are changed or a different size or style of type is used for additional comments. The date submitted (Block 1.m.) should not be changed.

   f. The revised OER should be returned via the Reviewer, not the OER Administrator.

10.A.5. Preparation and Use of the Duty under Instruction (DUINS) OER

10.A.5.a. General

This section describes the procedures for preparing and processing Duty Under Instruction (DUINS) Officer Evaluation Reports (OERs).

1. The OER (CG-5310 (series)) submission schedule for officers assigned to DUINS shall be as follows:

   a. When a Reported-on Officer is assigned PCS duty under instruction to a civilian institution, Naval Post Graduate School (NPS) Monterey, or an Armed Forces School (Service or senior Service), OER submission will be coordinated with routine breaks in the school's academic schedule. For lieutenants (junior grade) and below, at a minimum OERs shall be submitted twice a year. For lieutenants and above, at a minimum OERs shall be submitted once a year.

   b. When a Reported-on Officer is assigned PCS duty under instruction to industry training, OERs shall be submitted upon detachment of the officer or completion of the program.

   c. When a Reported-on Officer is assigned PCS duty under instruction to Flight Training, OERs shall be submitted at the end of each training phase.

   d. When a Reported-on Officer is assigned PCS duty under instruction and performing duty as an intern or trainee at a Coast Guard unit (e.g., Law student, legal staff intern), a concurrent OER may be submitted for a period of greater than 14 days. This concurrent OER provides an opportunity for DUINS students to document performance and is an exception to the guidelines provided in ☛ Article 10.A.3.c.2.

2. Use the DUINS flowchart (Figure 10.A.7.) for general guidance when submitting a DUINS OER.

10.A.5.b. Designation of Rating Chain Members

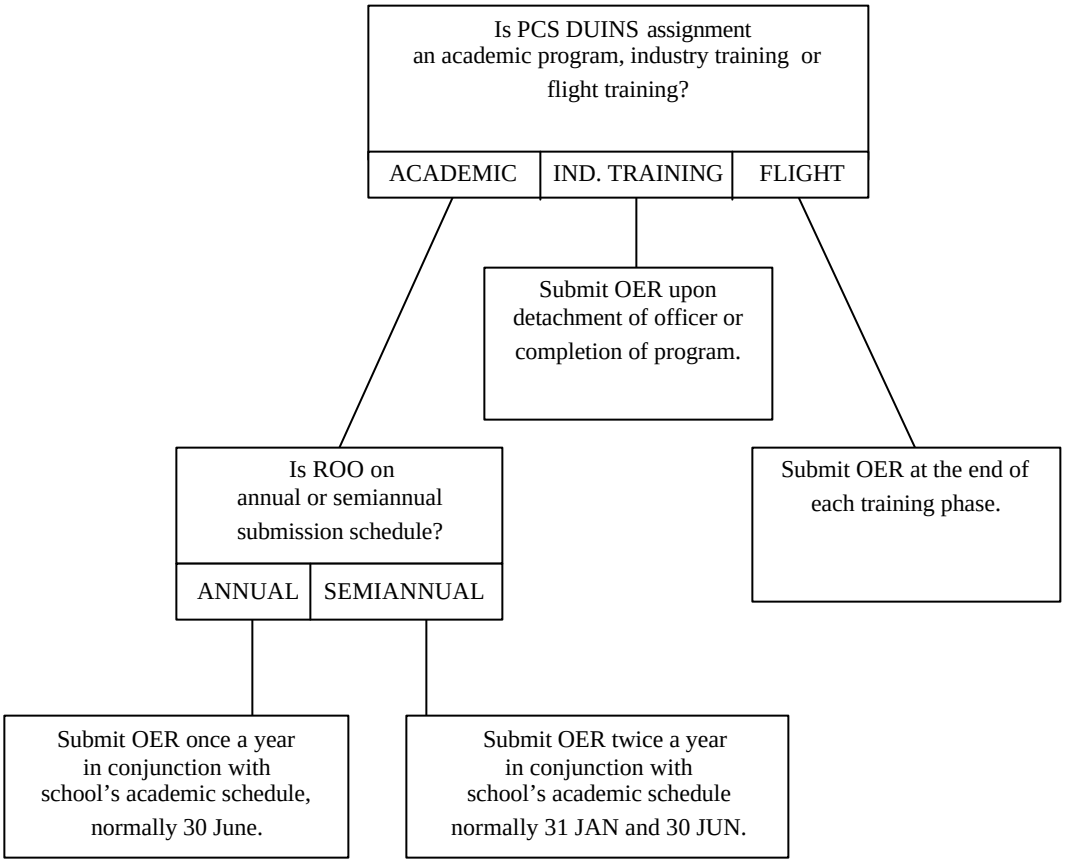
1. For Reported-on Officers assigned PCS duty under instruction to a civilian institution, industry training, or to NPS Monterey, rating officials will be individuals within the appropriate program managing office.

2. For Reported-on Officers assigned PCS to duty under instruction to Service schools such as flight training, Naval War College (command and staff), AFSC, etc., the host Service's chain of command will function as the Supervisor and Reporting Officer. The Reviewer will be either the Coast Guard liaison officer (if any) or an individual within the appropriate program managing office.

3. For officers assigned PCS to duty under instruction to senior Service Schools, e.g., Air War College, Naval War College, National War College, or State Department Foreign Service Institute, etc., the host Command's chain of command will function as the Supervisor and Reporting Officer. The Reviewer shall be a Coast Guard officer in the grade of captain or above from the appropriate program managing office.

OER FOR DUTY UNDER INSTRUCTION (DUINS)

10-A-5.a(1)



Key:
ROO = Reported-on Officer

FIGURE 10.A.7

10.A.5.c. Preparation

1. Section 1—Administrative Data. The Reported-on Officer will complete all items in this Section and Section 13 (Return Address). 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.

   b. SOCIAL SECURITY NUMBER—Ensure correct.

   c. RESERVE STATUS/DRILLS CONDUCTED—IDPL officers only**. Leave Blank.**

   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—The name of school, college, or university being attended or designation of industry training.

   g. ADMINISTRATIVE TARGET UNIT (ATU)—OPERATING FACILITY (OPFAC).

      (1) ATU—Use the two-digit numeric designation of personnel servicing unit to which administratively assigned (e.g., 01 for First District, 98 for Headquarters).

      (2) OPFAC—Use the OPFAC number assigned to the institution.

   h. DAYS NOT OBSERVED—Enter a two-digit number in all categories representing the days not observed during the evaluation period.

   i. DATE REPORTED—Indicate the actual date of reporting to the school specified in f. as shown by endorsement on orders. Enter date in the same format as e. above.

   j. PERIOD OF REPORT—The regular reporting period commences the day after the ending date of the previous regular OER and ends on the date of the occasion for the report. Dates shall be entered in the same format as e. above.

   k. OCCASION FOR REGULAR REPORT—Mark "Annual", "Semiannual" or "Detachment of Officer" as the occasion for the report.

l. EXCEPTION REPORT - Leave unmarked.

m. DATE SUBMITTED—The date the Reported-on Officer submits the OER form to the Supervisor. Dates will be entered in the same format as (e) above.

2. Section 2, Description of Duties and Attachments.

   a. Identify the institution or school attended and its location, the program or degree sought or earned, and the expected duration or completion of the program.

   b. List documents attached to the OER. Letter reports signed by school officials are required at the completion of a DUINS assignment at the Naval War College (senior college), Army War College, Air War College, Foreign Service Institute (senior seminar), ICAF, National War College, Harvard National Security Fellowship, National Defense University (NDU) Research Fellowship, and Sloan Fellowship.

   c. Do not attach transcripts or diplomas.

3. Sections 3 through 10.

   a. The "Not Observed" circle shall be used for all marks. Leave section 9 (comparison or rating scale) blank.

   b. As applicable to the program being attended, course titles, grades, and grade point average for each semester covered by the OER shall be listed in Block 3f.

   c. No other comments are authorized in these sections.

4. Reviewer Comments. Reviewer comments shall follow the format specified in ☛ Article 10.A.4.d.

10.A.6. PREPARATION AND USE OF THE OSF WORKSHEET

10.A.6.a. General

This section suggests procedures for preparing and using the optional OSF worksheet. This form may be used by either the Reported-on Officer, the Supervisor, or both, as an aid to establishing a clear understanding of job expectations and assist the Supervisor in providing constructive performance feedback and in preparing proper evaluations. Use of the OSF or similar format is mandatory for Supervisors of all Reported-on Officers in the grades of ensign and lieutenant (junior grade), when the Reported-on Officer requests its use, or when a senior member of the rating chain directs its use. The form may be handwritten or typed. If a documentation format other than the OSF is used, general adherence to the major sections of the OSF are encouraged.

10.A.6.b. Functions of the OSF

1. Serves as a vehicle for clarifying the Reported-on Officer's job responsibilities and areas of the job which either the Reported-on Officer and/or Supervisor feel should receive emphasis during the reporting period.

2. Serves as a means for the Reported-on Officer to inform the Supervisor if beginning or end-of-period performance feedback or counseling is desired.

3. Provides the Reported-on Officer a means of bringing to the Supervisor's attention significant accomplishments or aspects of performance which occurred during the period.

4. Provides a convenient place for the Supervisor to note significant accomplishments, shortcomings, behavior, or qualities observed during the period.

5. Serves as a vehicle for giving specific, constructive performance feedback.

6. Assists the Supervisor and Reporting Officer in preparing well-substantiated performance evaluations.

7. Serves as a vehicle for the supervisor of a TAD officer, assigned temporarily for periods of less than 60 days, **or an ADSW officer, assigned temporarily for periods of 6 months or less,** to relay information to the Reported-on Officer's OES Supervisor. The OSF is normally submitted to the Supervisor upon detachment of the officer from TAD.

8. Serves as a means for district commanders to report on commanding officers of Headquarters units located within their districts. This is an optional avenue to address community relations and those aspects of performance relating to the support services defined in Memoranda of Understanding (MOUs), host-tenant agreements, intra-service support agreements, or similar contracts. If used, OSFs will be submitted directly to the Reported-on Officer's regular Supervisor approximately 21 days before the end of the reporting period.

10.A.6.c. The Form

Form CG-5308 (**12/97**) may be used for all grades of officers. It consists of four pages with six major sections:

1. Administrative Data

2. Description of Duties

3. During Period Adjustments

4. Accomplishments and Shortcomings for the Reporting Period

5. Supervisor Comments on Reported-on Officer Accomplishments and Shortcomings

6. Performance Observations

10.A.6.d. Preparation

1. Section 1, Administrative Data.

   a. NAME/RANK OF REPORTED-ON OFFICER.

   b. NAME/RANK OF SUPERVISOR—Normally, this will be the primary Supervisor as published in the rating chain.

   c. PERIOD COVERED—The period of time covered by the information noted in the form. Normally the same as the OER reporting period.

2. Section 2a, Description of Duties.

   a. This space provides opportunity for the Reported-on Officer or Supervisor to make a "common sense" outline of the Reported-on Officer's normal duty requirements for the specific billet or duty position.

   b. Entries should show the type of work required rather than frequently changing tasks.

   c. Descriptions should be clear, concise, and specific; explain what the Reported-on Officer's job is; and not merely list primary and collateral duty titles.

   d. Entries should include a description of primary duties and significant collateral duties. Specific requirements, key activities, and available resources (such as amount of money controlled and number of people supervised) should also be described.

3. Section 2b, Areas of Emphasis.

   a. This section provides an opportunity for the Reported-on Officer or Supervisor to record specific projects to be completed, problems anticipated, progress sought, and specific results expected during the reporting period.

   b. Particular goals for the Reported-on Officer's professional development during the period may be listed as well (such as completion of professional qualifications or exams, attendance at particular training courses, or completion of correspondence courses, etc.).

4. Section 2c, Initial Meeting Desired.

   a. This section shall be used by the Reported-on Officer to notify the Supervisor

if a meeting is desired at the beginning of the reporting period to discuss what is expected for the coming period. If the Reported-on Officer desires a meeting, they shall submit the OSF to the Supervisor no later than 21 days before the beginning of the reporting period.

b. When the conference has been held, the Supervisor should date and initial the OSF in the space indicated.

5. Section 3, During Period Adjustments.

a. This section is useful when circumstances affecting the Reported-on Officer's duties, projects, and areas of emphasis change to any significant degree.

b. The Reported-on Officer or Supervisor may note new tasks, altered responsibilities, changes of resources, or special problems emerging during the reporting period that impact upon the Reported-on Officer's ability to attain the expected results.

6. Section 4a, Accomplishments for the Period.

a. In this section, the Reported-on Officer may list accomplishments and progress toward completing projects or achieving expected results entered in Section 2b. Educational or professional accomplishments achieved may be entered as well.

b. If the Reported-on Officer intends to apprise the Supervisor of accomplishments or progress for the period using the OSF, the Reported-on Officer shall submit the OSF no later than 21 days before the end of the reporting period.

7. Section 4b, End of Period Meeting Desired.

a. The Reported-on Officer shall use this section to notify the Supervisor an end-of-period meeting is desired.

b. When the conference has been held, the Supervisor should date and initial the OSF in the space indicated.

8. Section 5, Supervisor's Comments on the Reported-on Officer's Accomplishments and Shortcomings for Period.

a. The Supervisor may affirm, supplement, expand, or otherwise comment upon the Reported-on Officer's accomplishments during the reporting period. The Supervisor should draw from the information generated by conferences and other performance.

b. Comments here may become a subject for discussion during the end-of-period conference.

9. Section 6, a-f, Performance Observations.

a. This section of the OSF is used by the Supervisor to note specific examples of the Reported-on Officer's performance or qualities observed or brought to the Supervisor's attention in each of the major evaluation areas of the OER.

b. The most significant incidents or aspects of performance should be noted for recall to assist in providing constructive performance feedback and substantiating evaluations on the OER. Entries are best noted chronologically as they occur in the appropriate evaluation area.

c. For convenience, the Supervisor may use the OSF as a file folder to keep notations of observed performance and to append copies of correspondence, messages, or other documentation related to the Reported-on Officer's performance during the reporting period.

d. Supervisors are encouraged to exercise imagination in utilizing section 6 of the OSF as an aid in obtaining information related to the Reported-on Officer's performance. For example, practices such as circulating a copy of the OSF to other staff members who may have knowledge of the Reported-on Officer's performance or the performance of their organizational unit are acceptable and may be helpful.

10.A.6.e. Disposition of the OSF

1. When the OSF has been used by the Reported-on Officer and the Supervisor, the Supervisor should transfer any pertinent information or notes from his or her copy to the original, which has been held by the Reported-on Officer during the period. Having used the OSF as an aid in evaluating the Reported-on Officer's performance, the Supervisor then forwards the original OSF, the OER, and any other information available to the Reporting Officer. The Supervisor then destroys the copy of the OSF, if different from the original. A photocopy of the original may be retained.

2. The step in paragraph 1. above (describing the transfer of information from a working copy to the original OSF) represents one recommended way and is not intended to restrict the Supervisor in finding a flexible or more convenient way to finalize the OSF. There are a variety of approaches by which information may be obtained or transferred from one form to another subject to the Supervisor's preference. The goal is for the Reported-on Officer to be aware of what his or her evaluation will be based on and to provide the Supervisor and Reporting Officer with objective data for consideration in writing the OER.

3. Supervisors and Reported-on Officers are encouraged to be flexible in using the OSF as an aid in carrying out their duties within the spirit of these instructions. Filing copies of correspondence, messages, work lists, trip reports, and even paper notes in the OSF is a sound means of spontaneously documenting the Reported-on Officer's performance. These documents can greatly assist in giving performance feedback and writing an evaluation.

4. Assisted by the OSF, personal observations, and other information available, the Reporting Officer evaluates the Reported-on Officer's performance of duties, personal qualities, and potential for increased responsibilities. After completion of the appropriate OER sections, the Reporting Officer returns the OSF to the Reported-on Officer.

10.A.7. CORRECTION OF MILITARY RECORDS

Coast Guard officers are encouraged to review their record periodically. While Commander, (CGPC-opm) **and Commander, (CGPC-rpm)** attempt to ensure that OERs accurately reflect officers' performance, the possibility of administrative or substantive error still exists. Accordingly, officers may seek correction of any OER, or any portion thereof, if in their opinion the report is in error. Those officers wishing to exercise this right should follow the procedures to correct military records contained in Personnel Records Review Board, COMDTINST 1070.10 (series) and ☛ Article 14.B. for forwarding the application to the Personnel Records Review Board (PRRB) or Board for Correction of Military Records (BCMR), as appropriate. The application may be forwarded through the original rating chain at an officer's option. If the whereabouts of the original members of the rating chain are unknown, officers should submit the application directly to the PRRB or BCMR.

10.A.8. OES CHANGES

10.A.8.a. General

Commander, (CGPC) will report annually on the health of the Officer Evaluation System (OES). Statistical trends and conclusions will be included in the report, plus recommended changes for the current year and identification of issues and/or changes under consideration.

10.A.8.b. Participation

Anyone is encouraged to recommend improvement or change. Address formal or informal correspondence to **Commander, (CGPC-rpm) or** Commander, (CGPC-opm-3). Communication by telephone is also encouraged to discuss issues or areas of personal concern.

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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.b. 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.c. 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.**

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11.A. Casualties

11.A.1. General

11.A.1.a. Definition

A casualty is broadly defined as a person who:

1. Has an illness, injury, or wound of a critical or serious nature;

2. Is missing (including missing in action, interned in a foreign country; or captured, beleaguered, or besieged by a hostile force—a prisoner of war);

3. Was killed in action or died of wounds, illness, or any other cause.

11.A.1.b. Reporting Casualties

A personnel casualty report is required when a Coast Guard member, former member within 120 days of separation, retired member, cadet, reservist, dependent, or PHS officer detailed to the Coast Guard dies, becomes seriously ill, or is hospitalized with a condition which could lead to a disability retirement. In the case of illness, use of the International Classification of Disease (ICD) code(s) is authorized and preferred. Using the ICD code(s) safeguards the sensitive, private nature of these cases and complies with the intent of the Privacy Act to protect the member and/or dependent.

11.A.1.c. Reporting Requirements

The unit first receiving notification of a casualty prepares a personnel casualty report. The personnel casualty report prepared in accordance with ☛ Section 5.A., Personnel and Pay Procedures Manual, **HRSIC**INST M1000.2 (series) must be released within four hours of receiving casualty information. (For instructions when death is imminent, ☛ Physical Disability Evaluation System, COMDTINST M1850.2 (series)).

11.A.1.d. Continental United States

The term Continental United States (CONUS) as used in this chapter is defined as the contiguous 48 states and the District of Columbia.

11.A.1.e. Third Party Claims

The Federal Medical Care Recovery Act, implemented by Executive Order 11060 and an Attorney General Regulation, 28 CFR, Part 43, provides the authority under which a claim may be asserted to a third party in personal injury accidents.

11.A.2. Reporting Procedures

11.A.2.a. Time Constraints

A report shall be submitted within four hours of the receipt of casualty information by the commanding officer or immediate superior in command of the member who suffers the casualty or by the command or unit receiving initial notification of a casualty occurring to a member while away from the regularly assigned unit.

11.A.2.b. Addressees on Message Traffic

When any active duty member becomes a casualty at or near the unit to which assigned, the casualty shall be reported by message, if possible, to the commander of the district in which the next of kin resides. Commandant (G-WPM-2); the local district commander; commander, maintenance and logistic command; Coast Guard Personnel Command, and the Human Relations Services and Information Center (HRSIC) shall be information addressees. **All parties concerned are reminded that the information contained in these messages contain highly sensitive information and not for general distribution. Message traffic will be marked For Official Use Only (FOUO).**

11.A.2.c. When Away from Permanently Assigned Unit

When a Coast Guard unit commanding officer learns a Coast Guard member on active duty has become a casualty while away from the assigned duty station, a message report of the casualty shall be forwarded immediately to the commander of the district in which the next of kin resides. Commandant (G-WPM-2), the local district commander, the member's district commander and commanding officer, and the commander, maintenance and logistic command, Coast Guard Personnel Command, and HRSIC are information addressees.

11.A.2.d. Reservists

For a reservist on inactive duty training (drills), the casualty shall be reported in accordance with ☛ Article 7-E-2, Coast Guard Reserve Policy Manual, COMDTINST M1001.28 (series).

11.A.2.e. Retirees, Dependents, Former Members

The commanding officer of any Coast Guard unit who receives information of the death of a retired member, dependent, or discharged person who dies within 120 days after separation shall verify the fact and notify Commandant (G-WPM-2) in accordance with the casualty report set forth in ☛ Section 5.A., Personnel and Pay Procedures Manual, PPCINST M2000.1 (series).

11.A.2.f. Fleet Home Town News

Fleet Home Town News Center, Norfolk, Virginia, shall be an information addressee on all casualty reports.

11.A.2.g. Reports Involving Death

☛ Section 5.A., Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

11.A.3. Boards of Investigation

Upon receiving information a member's death resulted from injury or occurred in peculiar or doubtful circumstances, a fact-finding body will be ordered and submit a report to Commandant (G-L). Since final determination of entitlement to many survivor benefits depends on the Coast Guard clarifying the status of the decedent and the Veterans Administration determining service connection based on investigation reports, convene such a board as expeditiously as possible.

11.A.4. Missing or Missing in Action

11.A.4.a. Definition

For this section "missing" is the temporary casualty status of a person whose whereabouts or actual fate is unknown. The person is missing in action when he or she cannot be accounted for after combat or an operation, it has not been determined the member has died, evidence is not available which establishes the person has survived or has been interned in a foreign country or captured, beleaguered or besieged by a hostile force. Such person includes one who is in the active service or performs full-time training duty, other full-time duty, or inactive duty training.

11.A.4.b. Command Reporting

1. Not later than four hours following receipt of information that a person is missing, comply with ☛ Article 11.A.8 modifying report as necessary. Unknown or unconfirmed information in the original message will be so labeled and clarified in supplemental reports. The message shall include a statement of the status of the search or the impracticability of conducting a search.

2. After the initial report has been submitted placing a person in the status of missing or missing in action and searches are in progress, periodic message reports are required. If it is not feasible to submit such reports for security reasons, they should be submitted as soon as possible. The reports shall furnish extent, progress, and other pertinent information in order that the next of kin may be kept informed. Periodic reports shall be submitted until a final report is sent stating that the organized search has been discontinued and the person has been:

a. Recovered alive and returned to military control.

b. Retained in a missing status. In cases where evidence of death is not conclusive, a report as indicated in paragraph c. shall be submitted to Commandant (G-WPM-2) for review and ultimate determination of status under the Missing Persons Act, as amended.

c. Reported dead, search efforts unsuccessful; e.g., when a person is in a plane which is known to have crashed into the sea or to have been lost overboard and recovery is not possible, evidence of death is conclusive. Although recovery of remains was impossible, the person shall be reported dead.

11.A.4.c. Inconclusive Evidence of Death

If conclusive evidence of death is not established after the immediate and extensive search, and remains are not recovered later, the ultimate determination of status in the missing case is the processing responsibility of Commandant (G-L). Therefore, a written report shall be submitted furnishing all available details. The report shall include information as set forth in ☛ Section 5.A., Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

11.A.4.d. Conclusive Evidence of Death

Conclusive evidence of death may be considered to exist when information (eye-witness statements, circumstances of disappearance, results of immediate search, and local conditions such as depth of water, temperatures and other climatic conditions, terrain, etc.) immediately overcomes beyond any doubt or logical possibility a missing person may have survived. Such conclusive evidence need not necessarily be predicated on recovering remains since situations may arise in which the remains will never be recovered. If, after an immediate and extensive search, conclusive evidence of death exists, the responsible command has the right and duty to submit a report of death. The date of death will be the date the member became missing unless circumstances indicate subsequent survival. Pay and allowances extend to the date of receipt in Coast Guard Headquarters of evidence conclusively establishing death.

11.A.4.e. Command Report of Circumstances to Next of Kin

Many factors affect determinations made under the provisions of the Missing Persons Act, as amended; therefore, it is very important for the command to make no promise to the next of kin about the length of time personnel will be listed as missing. The next of kin shall be informed that a full report of the circumstances will be furnished to Commandant (G-L) for review and final determination of status. On completing this review, the next of kin and the command will be informed of the action taken.

11.A.4.f. Recovery of Aircraft After Long Lapse of Time

When a Coast Guard aircraft which has been lost is found and the personnel aboard are listed on Coast Guard records as missing or deceased, the command discovering the aircraft wreckage shall ensure that Commandant (G-WPM-2) and (G-OCS) are informed. To avoid the unnecessary distress and criticism which could result from report of erroneous identification, no information on recovery of remains or unofficial information which could lead to identification shall be released without submission of full details and recommendations to the Commandant.

11.A.4.g. Investigation in the Case of Deserter

Frequently, the next of kin of persons administratively held in the status of desertion petition the Coast Guard to remove the mark of desertion from their records and pay survivor benefits. Unless an investigation is conducted when the absentee disappears and its report is available, it is difficult to reconstruct the circumstances at some later date on which to determine whether the person may have erroneously been reported so, and had in fact died at the time of disappearance or on some later date. Therefore, in unusual cases, such as those where the individual has performed long, faithful service or is believed to have been happy in the Service and it appears the absence may have been involuntary due to accident, foul play, or illness, an informal, fact-finding investigation shall be made. A report thereof, similar to that required in the case of missing persons, shall be forwarded to Commandant (G-L). This report shall set forth any pertinent facts and any unusual circumstances brought to light, including statements as to the mental responsibility and last known physical condition of the person; any evidence, opinion, and recommendation as to doubt the person's intent to remain away permanently, and whether or not the member may be considered missing on the basis of the information available.

11.A.5. Death of Absentees and Deserters

While absence without authority beyond a prescribed period is a basis for administratively declaring a member a deserter, such period of absence does not necessarily establish desertion as such. When no administrative determination of desertion is made in such cases, or when such determination, if made, was erroneous and it is subsequently administratively determined that the member was absent without leave, the Comptroller General has held that in the absence of compelling evidence to the contrary, he or she would not be required to conclude that the absentee was a deserter for purposes of payment of the death gratuity. Therefore, in the case of the death of a member administratively listed as a deserter, the case shall be reported as specified in ☛ Article 11.A.4.h. and the report of the investigation of the attendant circumstances shall be forwarded to Commandant (G-L) for review and determination of line of duty; and recommendation concerning removal of the mark of desertion. In accordance with benefits authorized by 10 USC1481, Coast Guard

members administratively declared deserters are not eligible for subject benefits unless returned to military control prior to death.

11.A.6. Illness and/or Injury

11.A.6.a. Serious or Critical Injury or Illness, Including Wounded in Action (WIA)

A member is considered seriously ill or injured for purposes of notification of the next of kin when competent medical authority is of the opinion that the patient's physical condition, whether due to disease or injury, has reached a state which seriously endangers life. In case of doubt, it is better to err on the side of notifying the next of kin.

1. Initial Notification. The commanding officer shall submit an initial notification report, by message, in accordance with ☛ Article 11.A.2. The primary next of kin and Commandant (G-WPM-2), (G-WPW). (G-WKS), along with the Coast Guard Personnel Command will be notified immediately. Notification of additional persons is within the discretion of the commanding officer. Notification of next of kin is to be made in accordance with ☛ Article 11.A.7.

2. Progress Reports. Progress reports will be sent until the member is out of danger. When the next of kin is residing with or near the patient, subsequent progress reports to secondary next of kin by the commanding officer are within the later's discretion and depend upon the circumstances ;e.g., a reasonable assurance that the next of kin residing with or near the patient will keep the other members of the family informed.

11.A.6.b. Psychotic or Other Serious Psychiatric Disorders, Major Amputations or Disfigurements, Extensively Diminished Vision or Hearing, etc.

The commanding officer shall report by message in accordance with ☛ Article 11.A.2. Notification of the next of kin will be made in accordance with ☛ Article 11.A.7. In these cases the commanding officer will notify the primary next of kin only, except for married members, when the commanding officer may opt to notify the parents or other nearest adult relative named in the records. Notify by letter unless some critical condition exists which is deemed to justify message notification or there is a possibility the next of kin will learn of the condition unofficially. When a psychosis is involved, in order not to unduly alarm the next of kin, it is recommended that the next of kin initially be informed that the service member is under observation for an emotional illness pending full evaluation of their condition at a hospital particularly equipped and staffed to diagnose the patient's case. It should be assured that the patient is receiving the best possible care and that the next of kin will be informed of any change in condition. When a patient is

admitted to a continental hospital, the next of kin will be informed by the commanding officer of the patient's arrival and visiting privileges at such hospital.

11.A.7. Notifying Next of Kin About a Casualty

11.A.7.a. Principles of Casualty Notification

1. Completing CG 4170A, "BAQ/Dependency/Emergency Data and "SGLI Validation." Proper notification to the appropriate next of kin of a member of the Coast Guard who becomes a casualty is directly dependent upon a completed CG-4170A. It is critical for all personnel to keep this document current.

2. Definitions. This article contains the instructions considered necessary to effect a complete coverage of the very sensitive, extremely important responsibility of notifying next of kin of Coast Guard personnel casualties. For the sake of clarity and to avoid repetition of certain words or phrases, these definitions apply.

   a. Primary Next of Kin. The primary next of kin is a legal spouse; if no spouse, then the eldest child over the age of 21; if no child over the age of 21, then the father or mother; if none of these, then brothers or sisters, or some other blood relative or friend, in that order. When parents live together, the father is the primary next of kin; when separated or divorced, use discretion in selecting the one to ask for disposition instructions for remains; the parent having custody of the service member when he or she entered the Service and the information given on enlistment papers and CG-4170A are factors to consider in making this decision. In disposing of remains, sons of legal age take precedence over daughters of legal age and brothers over sisters.

   b. Secondary Next of Kin. Secondary next of kin are individuals who also shall be notified of casualty status, including any child of the service member who does not reside with the primary next of kin (in case of a minor, notify the adults with whom the child resides) and parents (both, if living separately). If neither child nor parent is listed, any other near relative named on the BAQ/Dependency/Emergency Data and SGLI Validation (CG-4170A) may be considered a secondary next of kin.

   c. Message. The term message (military usage) means telegram (commercial usage).

   d. Report of Delivery. Report of delivery is the reply furnished the originator of casualty notification messages by the agency making delivery.

11.A.7.b. Responsibility for Notification

If a casualty occurs, the district commander in whose jurisdiction the next of kin resides is the action addressee of the casualty report and notifies the next of kin.

11.A.7.c. Method of Notification

1. Casualties in Combat. The next of kin of Coast Guard personnel who are reported deceased, missing, seriously or critically ill or injured in combat, and those wounded in action who require admission to a hospital or corresponding field activity will be notified by a personal contact by a member of the Uniformed Services. Notify Commandant (G-WPM-2) by telephone as soon as possible after personal notification has been effected and confirmed by message. Commandant (G-WPM-2) will send a confirming notification telegram to the next of kin after being informed that the next of kin has been personally notified. Under no circumstances will initial notification be made by telegram.

2. Casualties from Other Than Combat Causes. Whenever practicable, the notification shall be made in person. The next of kin should be advised of available details concerning the casualty which are deemed appropriate. No reference of an unfavorable nature shall be made concerning line of duty or misconduct status, nor shall details be included which would be likely to aggravate the distress of the next of kin. In the case of deceased personnel, the next of kin's wishes as to the disposition of remains should be ascertained. The next of kin should be fully advised regarding funeral expenses payable by the Coast Guard. In case of missing personnel, the next of kin shall be advised of the circumstances surrounding the disappearance, the search being made, and whether or not the search is being continued.

11.A.7.d. Personal Notification

The individual delegated to personally contact the next of kin also advises the next of kin, to the extent possible, of the rights, benefits, and privileges to which they may be entitled as a result of the member's death. The delegate offers condolences on behalf of the Coast Guard, and should, among other things, counsel and advise on funeral arrangements, military honors, when requested, discontinuance of dependents' allotments and allowances, and other emergency matters deemed appropriate.

11.A.7.e. Telegram Notification

If circumstances do not permit personal notification, casualty information, except for combat casualties, may be sent to the next of kin by telegram. For notification of casualties occurring in combat, refer to subparagraph c.(1) of this article. Request a report of the delivery of the telegram from the carrier. In case of death, when the remains are available to be returned to the primary next of kin, two messages shall be used to make notification to the primary next of kin. The initial message to the

primary next of kin shall contain only the date, place and time of death, and a brief of the circumstances of death together with appropriate condolences and details as to how to contact the sender of the message for additional information or in connection with any special requests. When remains are not recovered or when it does not appear that positive identification of recovered remains can be established, only an initial message shall be sent to the primary next of kin. When it becomes necessary to notify the next of kin by telegram, include Commandant (G-WPM-2) as an information addressee. Suggested phraseology for telegram notification is provided in Enclosure (7), Personnel and Pay Procedures Manual, PPCINST M1000.2 (series)

11.A.8. Commanding Officer's Letter to Next of Kin Relating Circumstances of Casualty

11.A.8.a. Letter Notification Within 48 Hours

In all cases of death or of missing personnel (except as specified in subparagraph b. and in cases of serious or critical illness or injury, as appropriate), commanding officers shall write a letter to the spouse and parents or other applicable persons within 48 hours of the casualty occurrence. Should unusual circumstances preclude compliance within 48 hours, send the letter(s) at the earliest practicable date.

11.A.8.b. Facts To Include

The commanding officer's letter should contain sufficient facts about the incident, searches, or medical care, as applicable, to satisfactorily answer all immediate questions in the minds of the next of kin. If for any reason this cannot be done when the letter is prepared, explain the situation to the next of kin and send the supplemental information as soon as it becomes available or upon completion of the investigative report. Exercise care, however, to ensure that the information given corresponds to the findings of any court or board that may be convened, but the fact that a court or board is to investigate the case should not delay this communication, as it is important to give the circumstances connected with the occurrence, so far as definitely are known. In cases where cause of death, responsibility therefor, or other pertinent factors have to be established by review and evaluation of the report of the investigation of the attendant circumstances by Commandant (G-L), the next of kin may be so informed and any inquiries or complaints may be referred to the Commandant for information and further reply.

11.A.8.c. Once Searches Have Been Terminated

When searches for personnel in a casualty status are conducted, do not advise the next of kin that the searches have been terminated inasmuch as this allows possible misinterpretation. Suggested phraseology for this notification is contained in Enclosure (7), Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

11.A.8.d. Personal Consideration

This communication should be in language which conveys personal consideration for the next of kin, but extreme caution must be exercised to avoid the creation of any impression in their minds that the information furnished is inconsistent with the facts. The letter should convey warmth and a genuine interest in the person to whom it is addressed. In addition, an offer to be of assistance, if suitable to the situation, will reassure the relative of the Coast Guard's interest. The letter also may contain information concerning the disposition of personal effects, automobile, or will.

11.A.8.e. During Hostilities or International Incidents

During hostilities or in the case of international or other applicable incident, records of personnel missing in action will be treated as FOR OFFICIAL USE ONLY until the individual is determined dead or returned. Do not publicly disclose significant details, including biographical data. Missing in action notification only will be made to the primary next of kin and will disclose no information other than the fact that the member is missing. No letter of circumstances will be addressed to the next of kin from the command. The next of kin will be informed by the officer making the personal notification and/or by Commandant (G-WPM-2) that this is to protect the member since disclosure of information as to duty station, area, and/or circumstance of missing status may adversely affect the member's safety and well being. The next of kin also will be informed that any disclosures on their part could adversely affect the safety and well being of the service member as well as endanger security.

11.A.9. Definitions, Classifications, and Nomenclatures to Use in Collecting and Reporting Battle Casualty Statistics

11.A.9.a. Battle Casualty

A battle casualty is a person lost to his or her organization due to death, wound, missing, capture, or internment provided such loss is incurred in action. "In action" characterizes the casualty status as having been the direct result of hostile action, sustained in combat and related thereto, or sustained in going to or returning from a combat mission provided the occurrence was directly related to hostile action. However, injuries due to the elements or self-inflicted wounds are not considered as sustained in action and are thereby not reported as battle casualties.

11.A.9.b. Wounded in Action (WIA)

Use the term "wounded in action" to describe all battle casualties other than "killed in action" who have incurred a trauma or injury due to external agent or cause. Thus, broadly used it encompasses all kinds of wounds and other injuries incurred in action, whether the wound a pierces the body, as in a penetrating or perforating wound, or not, as in a contusion; all fractures; burns; blast concussions; all effects of gases and like chemical warfare agents; and the effects of exposure to radioactive

substances. Battle casualty reporting of the wounded in action will be limited to (but include all) those who require admission to a hospital or corresponding field activity or who die of their wounds after reaching any medical treatment facility. It should be noted that the "wounded in action" category includes "died of wounds received in action," but excludes "killed in action."

11.A.9.c. Died of Wounds Received in Action (DOW)

Use the term "died of wounds received in action" to describe all battle casualties who died of wounds or other injuries received in action, after having reached any medical treatment facility. It is essential to differentiate these cases from battle casualties found dead or who died before reaching a medical treatment facility (the "killed in action" group). It should be noted that reaching a medical treatment facility while still alive is the criterion. The fact death occurs before submitting a battle casualty report does not constitute a basis for considering such a case "killed in action." Count all cases of "died of wounds received in action" also as "wounded in action."

11.A.9.d. Killed in Action (KIA)

The term "killed in action" describes battle casualties who are killed outright or die of wounds or other injuries before reaching any medical treatment facility. This provides an objective basis to distinguish between these and "died of wounds received in action" cases since it is often impossible to determine whether deaths in combat were not instantaneous. Do not include "killed in action" cases in the "wounded in action" category.

11.A.9.e. Missing in Action (MIA)

This term describes all battle casualties whose whereabouts or actual fate cannot be determined and who are not known to be in an unauthorized absence status; e.g., desertion or absence without leave.

11.A.9.f. Captured (CPTR)

This term will be used to describe all battle casualties definitely known to have been taken into custody of a hostile force as a result of and for reasons arising out of any armed conflict in which Armed Forces of the United States are engaged.

11.A.9.g. Interned (ITD)

This term describes all battle casualties known to have been taken into custody of a non-belligerent foreign power as the result of and for reasons arising out of any armed conflict in which Armed Forces of the United States are engaged.

11.A.9.h. Beleaguered and Besieged

This term describes surrounded units of members rather than individuals. The dependents of persons in these categories will be provided for under the provisions of the Missing Persons Act.

11.A.10. Releasing Casualties' Names for Publication

11.A.10.a. Outside the Continental United States

Names of casualties will not be released for publication by newspapers, radio, or other means of public information by any command, wherever located, prior to a lapse of four hours after release of the notification of the next of kin. In cases of multiple casualties when notification to the next of kin of all persons involved will be delayed due to lack of information or identification of some individuals, partial release of the names of casualties for publication may be made by the operational commander at his or her discretion. For the beginning of the four-hour interval which must expire prior to release of names of casualties for publication, commands outside the United States are directed to use the date-time group of the message stating that the next of kin has been notified.

11.A.10.b. Within the Continental United States

1. Accidents Involving Military Personnel Having Occurred Within Coast Guard and Other U.S. Armed Forces Installations, CONUS. In all cases of accidents within the confines of Coast Guard and other U.S. Armed Forces installations within the CONUS:

    a. Public release of names and addresses of killed or injured military personnel may be withheld until such time as the next of kin can reasonably be expected to have received the official notification of the accident.

    b. Every effort should be made, however, to release such names and addresses, simultaneously with, or as soon thereafter as possible, the release of the accident news itself, so as to remove or lessen the anxiety of relatives of other personnel on the installation.

2. Accidents Involving Military Personnel Having Occurred Outside Coast Guard and Other U.S. Armed Forces Installations, CONUS. In all cases of accidents outside the confines of Coast Guard and other U.S. Armed Forces installations within the CONUS:

    a. If military personnel are in accidents involving civilian or military automobiles, trains, commercial or private airplanes, or any other types of accidents with the exception of those specified in subparagraph c., release the names and addresses of the personnel immediately on identification.

b. If the accidents involve military airplanes which crash in or on the borders of cities or towns or which cause civilian casualties or appreciable damage to property; that is, if there has been a major invasion of the civilian domain, release the names and addresses of the military personnel immediately on identification. If classified equipment is involved, observe normal security precautions with respect to the equipment.

c. If the accidents involve military airplanes which crash in localities remote from populated areas, involve no civilian casualties, and cause no appreciable property damage; that is, if there has been no major invasion of the civilian domain, withhold names and addresses of the military personnel until such time as the next of kin can reasonably be expected to have received official notification of the accident.

3. During Hostilities or in the Case of International or Other Applicable Incident. When personnel are reported missing in action, do not publicly disclose names of personnel casualties or significant details. ☛ Article 11.A.4.

11.A.11. Disposing of Casualties' Personal Effects

11.A.11.a. General

Personal effects are articles having an intimate relation to the owner, including:

a. Coast Guard owned special clothing and equipment;

b. Uniform clothing;

c. Money;

d. Negotiable and non-negotiable instruments (bonds, checks, wills, deeds, etc.);

e. Miscellaneous articles of intrinsic, sentimental, and utilitarian value (jewelry, fountain pens, cameras, medals, etc.); and

f. Perishable items (tobacco, food, beverages, etc.)

11.A.11.b. Deceased Personnel

1. General. The commanding officer shall, upon the death of any military person under his or her command, cause all the personal effects of the decedent, including money, clothing, personal papers, and miscellaneous articles of intrinsic, sentimental, and utility value, to be collected and inventoried except in those cases where the member occupies Government quarters or rental housing and the widow or widower requires no assistance. If the next of kin or other persons have knowledge of some personal belongings of the decedent having been left at previous duty stations, lockers ashore, etc., the commanding officer

shall cause an investigation to be initiated to locate such belongings and have them forwarded to the next of kin, or to ascertain their disposition. In the event of the simultaneous death of a Coast Guard member and his or her spouse, as in an automobile accident, the commanding officer shall cooperate with any surviving relatives of the deceased and the civil authorities to protect the property of the deceased occupying local civilian or Government rental housing.

2. Inventory Board. The commanding officer shall appoint, orally or in writing, an inventory board consisting of two members, one of whom is a commissioned officer, unless impractical. The inventory board will remove from the personal effects any classified matter, indecent material, and any articles likely to injure personnel. The material so removed will not be recorded on the inventory and will be disposed of in such manner as may be approved by the officer who appointed the board. Perishable items (tobacco, food, and beverages) found among the personal effects will be sold at public auction by the commanding officer or officer-in-charge first receiving the personal effects from the inventory board. Government property found in such effects will be recovered immediately for the Government by the commanding officer or officer in charge. The inventory will be recorded on CG-3853, “Personal Effects Inventory and Disposition.” It will consist of an original and three copies, duly attested and signed by the members of the board and by the officer who appointed the board.

3. Disposition of Form CG-3853. Copies of form CG-3853 will be distributed in accordance with the instructions in Section 5-A, Personnel and Pay Procedures Manual, PPCINST M1000.2 (series). When the next of kin, heir, or legal representative cannot be determined or located, the effects, other than money, together with remaining copies of form CG-3853 and copies of correspondence relating to search for the next of kin, will be shipped to the Coast Guard Supply Center, Baltimore, Maryland, for disposition.

4. Authority for Disposition of Personal Effects. Except in questionable cases, the deceased's commanding officer shall control the release of the personal effects to the next of kin without prior approval from Commandant (G-WPM-2). Under no circumstances will soiled or unlaundered garments be delivered or shipped to the next of kin prior to cleaning and pressing or laundering and ironing.

5. Disposing of Money Found in Personal Effects or Derived from the Sale of Perishable Personal Effects. When the next of kin, heir, or legal representative is known, send money found in the personal effects or derived from selling perishable personal effects (tobacco, food, and beverages) to the next of kin, heir, or legal representative either by check or registered mail. When the next of kin, heir, or legal representative cannot be determined, deposit such moneys to the credit of account symbol 20X6133, Payment of Unclaimed Moneys (T), as prescribed in the Accounting Manual, COMDTINST M7300.6 (series). Show the owner’s name on the pertinent accounting documents.

6. Shipping Personal Effects to Next of Kin, Heir, or Legal Representative. Personal effects of deceased personnel may be shipped at public expense. When personal effects include money, negotiable instruments, or articles of value, send these items separately by registered mail accompanied by a copy of a letter of advice with a description of the items shipped, the registry number of the shipment, and the pertinent data shown on the form CG-3853. Send the original of the letter to the consignee under separate cover.

7. Other Personal Effects. Hold privately owned vehicles, mobile homes, boats, or household goods at the custodian unit and coordinate their disposition with the local transportation officer.

8. Determining Next of Kin, Heir, or Legal Representative of Owner. If no duly appointed legal representative of the owner of the personal effects demands them from the Coast Guard, determine the owner's next of kin or heirs on this basis:

   a. Personnel records.

   b. Other documents applicable to the case.

   c. USC 2771 prescribes the precedence of the next of kin or heirs to whom the personal effects may be delivered; namely, to the widow or widower, or if none, then to a child or children. If there are no widow, widower, or descendants, then to the parents equally; if either the father or the mother is dead, then to the one surviving.

   d. If there are no widow, widower, child, father, or mother, then to the brothers and sisters and children of deceased brothers and sisters. However, regard such determination as administrative rather than legal, as the determination does not vest title to effects in the next of kin, heirs, or legal representative to whom the effects are delivered. Therefore, delivering the personal effects to other than the owner will be the subject of an advisory note written on a copy of the inventory or in a letter. The advisory note appears in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

      "Delivery of the personal effects into the custody of other than the owner thereof, by the United States Coast Guard, does not in any way vest title to the effects in the recipient. Delivery of the effects to the recipient is made so that distribution may be made in accordance with the laws of the State in which the owner of the effects was legally domiciled or to restore the effects to the owner in the event of their return from a missing status." When it is impracticable to divide the personal effects of deceased persons into equal shares and two or more persons within a class, as provided in 10 USC 2771, are entitled to receive the effects or a share of the effects, but cannot

agree among themselves as to which one of them shall receive the effects, then all of the effects may be delivered to one such person and other persons in the class concerned may be advised the name of the person to whom the effects were delivered. When doubt arises as to the person, other than the owner, who may be entitled to the personal effects, commands concerned will request Commandant (G-L) to make or to obtain a determination of the next of kin, heir or other person entitled to receive the personal effects. Personal effects will not be shipped to the next of kin prior to official notification regarding the status of the original owner of the effects.

9. Claims for Moneys Deposited to Account Symbol 20X6133, Payment of Unclaimed Moneys (T). Claims for money found in the personal effects of persons deceased and for the proceeds of the sale of such effects, when personal effects are sold, may be filed by the next of kin, the heir, or the legal representative of deceased Coast Guard personnel at anytime prior to the expiration of five years from the date of discovery of the money in the effects or the date of the sale of the effects. Send claims to Commandant (G-CFM-3).

11.A.11.c. Captured or Missing Personnel

The effects of persons captured or missing shall be collected, inventoried, and disposed of in the same manner as provided by ☛ Article 11.A.11.b.

11.A.11.d. Personnel Incapacitated Physically or Mentally

If any Coast Guard member becomes mentally or physically incapacitated under such circumstances as to render it impractical for them to care for their personal effects, the commanding officer shall cause such effects to be collected and inventoried as specified in ☛ Article 11.A.11.b. and held in appropriate safekeeping until the owner’s recovery or transfer. One copy of the inventory shall be retained by the commanding officer, a second copy shall be kept with the effects, and the third copy shall be sent to Commander, (CGPC-opm) or (CGPC-epm), for filing in the disabled person's Personnel Data Record. If the patient is transferred, the effects with the second copy of the inventory shall accompany him or her in care of the attendant, and a statement of the disposition of the effects shall accompany the transfer papers.

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11.B. Decedent Affairs

11.B.1. Primary Funeral Expenses

11.B.1.a. Active Duty Members

Primary funeral expenses for active duty members of the Coast Guard are authorized for the preparation and encasement of remains at government expense. Transportation of remains is authorized at government expense and covers the cost to transport the remains from one city to another, either by hearse, rail, or air, with no dollar limitation. Cost of destination transportation of eligible decedents to a funeral home and a local cemetery (or crematory) at government expense is authorized. This expense is not chargeable under secondary funeral expense. The responsible officer shall endeavor to assume custody of the body and arrange for preparation and encasement on contract. In cases when death occurs at or near a Coast Guard activity not having a contract for the care of the dead, other government contracts shall be utilized whenever available. Payment of primary funeral expenses does not preclude payment of authorized secondary funeral expenses.

11.B.1.b. Proposals on Contracts

When there is no existing contract, obtain proposals from three undertakers for the applicable services required incident to preparation and encasement. When multiple bids have been received and the lowest bid is exceeds government contracts, expenditure of an amount equal to the accepted bid is authorized. If it is impracticable to secure more than one proposal, a contract may be made with an available undertaker not to exceed government contracts. If standard government specifications cannot be obtained from the available undertaker without exceeding government contract limitations, the cognizant district commander or commanding officer of a Headquarters unit may authorize acceptance of the services of available undertaker at costs in excess of government contracts after ascertaining that such arrangements are the most advantageous to the government under the circumstances.

11.B.1.c. Supervisor Responsibilities

The officer supervising the preparation of remains shall determine by final inspection in each instance that embalming, cleansing, shaving, and dressing of the body have been properly performed, and the clothing and encasement meet the requirements of the occasion. In no instance shall a body be released for shipment until the inspecting officer is satisfied it is so preserved that it may be reasonably expected to reach its destination in proper condition.

11.B.1.d. Preparing the Body

Each body shall be dressed in clean, presentable, and complete uniform (except for cap and shoes) of the proper grade or rate. When a body is sent to the undertaker for embalming and further disposition, send with it a uniform and other necessary clothing, if available and if suitable for burial or if necessary, obtain new clothing.

11.B.1.e. Reimbursing Funeral Expenses

When available Coast Guard services are refused and the relatives take charge of the remains, or if a relative or other person has already concluded arrangements with an undertaker, all parties concerned should be advised that reimbursement by the Coast Guard for the expense of preparation and encasement may be made by allowing the amount these services would have cost if provided by a funeral director under an Armed Forces contract or if such contract services are not available, reimbursement may be made in an amount equal to the cost but not to exceed $1,750.

11.B.2. Secondary Funeral and Burial Expenses

11.B.2.a. Interment in Private Cemetery

In addition to preparation, encasement, and transportation of remains at government expense, further expenses of funeral and burial may be allowed not to exceed $3,100 when interment is made in a private cemetery. These shall include the usual and customary services, such as hearse hire, transportation for immediate relatives to cemetery, undertaker's services, clergyman's services, cost of single grave site, opening and closing of a grave, etc. If the remains are consigned to a funeral director prior to interment in a national cemetery, an amount not to exceed $2,000 may be allowed. If the remains are shipped directly to a national cemetery, an amount not to exceed $110 may be allowed. When interment is in a national cemetery the applicable amount allowed is for services not duplicating those furnished by the government. (Normally the services furnished by the government are limited to the grave site, its opening and closing, and at some locations, chaplain's services.)

11.B.2.b. Contract Undertaker Unavailable

When death occurs at a place where a contract undertaker is not available and interment is made locally, the applicable secondary allowances as set forth in paragraph a. may be allowed in addition to the expense for preparation and encasement authorized by ☛ Article 11.B.1.b.

11.B.2.c. Local Contract Undertaker

When the government pays primary expenses through a local contractor and remains are delivered to the family in the same city for private interment, the secondary expenses specified in paragraph a. may be allowed except for items which duplicate expenses already incurred.

11.B.2.d. Memorial Services

When memorial services are held for members declared dead, (body not recovered), an amount not to exceed $1,390 may be allowed.

11.B.3. Invoices for Initial and Secondary Funeral Expenses

An itemized bill for initial and secondary funeral expenses should be forwarded to the applicable district commander or commanding officer of a Headquarters unit for payment in accordance with the Decedent Affairs Guide, COMDTINST M1770.1 (series). If there is a question of legality or propriety of payment, invoice and supporting documents should be referred to Commandant (G-WPM-2).

11.B.4. Cremating Remains

Arrangements for cremation of remains may be made by the Coast Guard only when specifically requested by the next of kin, provided the total cost of the primary expenses does not exceed the allowance of $400. The expenses of cremation when ordered as above will be covered by emergency requisition approved in advance by the district commander. Transportation of cremated remains to the place designated by the next of kin may be allowed as an additional expense. The cost of cremation of remains, when incurred by the family, may be allowed as a proper item of expense within the limits of either the primary or secondary allowance

11.B.5. Retired or Former Members

11.B.5.a. Exceptions

The Coast Guard can pay no part of the charges for preparing, encasing, and shipping the bodies of retired or former service members except in the case of:

1. of their death.

2. Retired members hospitalized during periods of extended active duty who continue as patients in United States Government hospitals to the date of their death.

11.B.5.b. Veterans Administration's Allowance

The Veterans Administration makes an allowance of an amount up to $300 toward the funeral expenses of an honorably discharged or retired veteran of any war and personnel retired on account of physical disability. In addition, in the case of an eligible veteran not buried in a national cemetery, an amount up to $150 may be paid on a plot or interment allowance. In any case in which a veteran dies as the result of a service-connected disability, a sum not to exceed $1100 is allowed for burial and funeral expenses. This expense is in lieu of the foregoing expenses. Retired military personnel and former military personnel whose last separation from service was under honorable conditions are entitled to interment in a national cemetery, provided the remains are delivered to the cemetery properly encased.

11.B.6. Funeral Flags

11.B.6.a. Military Personnel Who Die While on Active Duty

District commanders, commanders of maintenance and logistics commands, and commanding officers of Headquarters units are authorized to issue the national ensign (U.S. National Ensign #8, cotton) to accompany the remains of Coast Guard military personnel who die on active duty. A national ensign shall be included whether burial is made in a private or a national cemetery. The national ensign shall be enclosed in a suitable canvas bag or sack and securely attached to the casket, or placed inside the shipping box, in which case the box shall be labeled "NATIONAL ENSIGN INSIDE" or the consignee otherwise notified. At activities where national ensigns are not carried by the supply department, they may be obtained, as required, from the Veterans Administration by application to the postmaster at any county seat post office or any other post office designated by the Veterans Administration. When national ensigns are procured in this manner, application for their replacement will be made to the United States Coast Guard by the Veterans Administration.

11.B.6.b. Retired and Former Coast Guard Military Personnel

A national ensign, with which to drape the casket of retired and former Coast Guard personnel discharged under conditions other than dishonorable, may be obtained upon application to the postmaster at any county seat post office or any other post office designated by the Veterans Administration. Reimbursement will not be made by the Veterans Administration for national ensigns privately purchased by relatives, friends, or other persons, nor will national ensigns be issued to undertakers, organizations, or individuals to replace those loaned or donated by them.

11.B.6.c. Presentation to Parents of Deceased Service Members Who Die on Active Duty

1. Public Law 91-397 provides for presentation of a national ensign (of equal size to the national ensign described in paragraph a. of this article) to the parent or parents of military personnel who die while on active duty eligible for Coast Guard decedent affairs program benefits if the next of kin is other than the parent or parents of the decedent.

2. An additional U.S. national ensign shall be issued to the escort for the remains for presentation to the parent or parents at the funeral services. If the parent or parents do not attend the services, the national ensign shall be returned to the district commander for disposition. Appropriate exceptions to this may be made by district commanders or commanding officers of Headquarters units.

11.B.7. Escorts

11.B.7.a. When Requested

One escort may be provided to accompany to the place of burial the body of one who dies while on active duty in the Coast Guard or while performing training duty or authorized travel thereto or therefrom. The escort may be a relative, a civilian friend of the deceased, or a Service person. An escort need not be furnished unless the next of kin specifically requests one.

11.B.7.b. Equivalent Grade or Rate

The escort, if in the Service, shall be of a grade or rate as near the equivalent of that of the deceased person as may be practicable and, when possible, should be a friend or associate of the deceased. The escort shall accompany the remains in transit and shall be responsible for safe delivery to destination. Orders to escort shall specifically instruct the escort to attend the funeral and burial service unless such attendance is contrary to the wishes of the next of kin. After the burial services, the escort shall proceed in accordance with his or her orders. Care will be exercised that personnel selected for escort duty shall be of such character and appearance as to reflect credit upon the Service. For per diem allowance, refer to the Joint Federal Travel Regulations, Vol. 1, Chapter 7, Part Q.

11.B.7.c. Civilian Escort

As the law provides for an escort of only one person, when a civilian accompanies the remains as escort, a Service escort shall not be detailed. In addition to transportation, a civilian escort is entitled to a per diem allowance in lieu of subsistence allowance. The per diem allowance shall be authorized in accordance with Standardized Government Travel Regulations. Written authority shall be issued to the escort by the unit concerned, covering the travel involved and when applicable to include a stopover period of not to exceed three days at burial point and specifying the per diem. The unit issuing the orders to the civilian escort shall prepare a travel voucher to cover the travel expenses of the escort which shall be forwarded, with two certified copies of the travel orders, to the Pay and Personnel Center for settlement.

11.B.7.d. From Points OUTCONUS

When remains are returned to CONUS from points outside CONUS, an escort to the port of entry is not required or authorized, except a dependent of the deceased who is overseas and entitled to transportation to CONUS may act as escort. When a dependent does not accompany the remains from overseas and proceeds to place of burial, the commander of the district in which the port of entry is located arranges for an escort to final destination as in other cases. A relative or friend acting as escort may travel at government expense from the proposed place of burial to the port of entry and then accompany the remains to the place of burial. Escorts for remains going overseas may go only to the port of departure or embarkation. A military escort may be assigned to accompany the remains outside the CONUS if Armed Forces representatives or other U.S. Government officials are not available to receive or transfer remains or otherwise guarantee safe transportation of remains; except that no escort shall be considered necessary under this provision if the delivery point is within the U.S. territory.

11.B.7.e. Transportation of Escort

An escort may be used when air freight and escort are both requested by the next of kin. The escort may travel on the same plane with the remains or separate transportation may be arranged. If separate transportation is arranged, the flight of the escort should be arranged so that the escort can meet the remains when they arrive at the airport.

11.B.8. Transporting Remains

11.B.8.a. Special Transportation Requirements

1. Remains of persons who have died of contagious or communicable diseases shall be placed in hermetically and permanently sealed metal caskets.

2. Special permission of health authorities at the place of disinterment and at the destination must be obtained before remains may be disinterred and transported to another locality. Disinterred remains shall be enclosed in metal or metal-lined boxes which shall be hermetically sealed. Bodies in a receiving vault, when prepared by licensed embalmers, shall not be regarded as disinterred bodies until after the expiration of 30 days.

3. A transit permit and a transit label issued by the proper health authorities shall be required for each body transported by common carrier.

11.B.8.b. Authorized Transportation Modes Inside CONUS

Shipment of remains of deceased personnel shall be made in accordance with the Personal Property Transportation Manual, COMDTINST M4050.6 (series).

1. By Rail as Baggage. In most parts of the CONUS, remains may be transported as baggage on presenting two passenger tickets. Two first-class adult tickets are required if no escort is used. When an escort is used, one first-class ticket is used for the remains and one for the escort. The deceased's personal effects up to 150 pounds may accompany the remains at no extra cost. Shipping personal effects in excess of 150 pounds should be made in accordance with ☛ Article 11.A.11. The separate Request for Transportation for the escort should include a round trip if return is by rail. Transporting remains as baggage should not be used when vehicular transfer at a junction point is required unless an escort accompanies the remains or the Service arranges for or provides the vehicular transfer.

2. By Railway Express. Normally, escorted remains should not be transported by railway express. However, in some instances the use of express service may be desirable because of the unavailability of baggage service. Baggage of the deceased not to exceed 150 pounds may be forwarded with the remains at no extra charge. Shipment of personal effects in excess of 150 pounds should be made in accordance with ☛ Article 11.A.11.

3. By Commercial Air Freight. This method may be used whether the next of kin requests it. However, if specifically requested by the next of kin, it does not necessarily have to be used. Generally, air freight is available only between large cities, and even then planes capable of carrying human remains do not fly frequently. Also consider delays caused by weather and mechanical failures. If in the opinion of the command arranging the transportation, this method would not be in the best interest of the next of kin, the command should bring this situation to the next of kin's attention. If the original request is adhered to, arrange air freight transportation. Refer to ☛ Article 11.B.7.e. for procedure when an escort is requested in addition to air freight transportation of remains.

4. By Funeral Coach or Other Suitable Closed Vehicle Provided by a Funeral Director.

   a. This method may be used:

      i. If common carrier service is not available, or

      ii. If common carrier service is available only part of the way to the city or town designated by the next of kin, for the remaining portion of the transportation required, or

      iii. If the cost is not in excess of the cost of the common carrier service, or

      iv. As a continuation of common carrier service when remains are consigned directly to a national cemetery and the cemetery cannot provide transportation from the terminal to the cemetery, or

      v. When requested by the next of kin and the next of kin pays any cost in excess of the cost of the method which the government would have used.

   b. When it is necessary to supplement air or rail transportation by funeral coach service, usually arrangements for such service should be made with the funeral director selected by the next of kin as consignee. The funeral director should be instructed to send the bill for the transportation to the commander of the district in which burial is made. When transportation has been provided to the city or town designated by the next of kin and the remains are consigned to a funeral director, a reasonable payment, as transportation expense, is authorized for removal from the commercial carrier terminal at destination to the funeral director's establishment.

5. By Combination Air Freight and Rail. Generally, this method should be used only if the carrier originally accepting the remains for transportation agrees to assume responsibility for all transportation to the common carrier terminal nearest the city or town designated by the next of kin. This type of transportation may be made on one government bill of lading if the carriers agree. Because of the many uncertainties in the combination of rail and air transportation, it is considered a generally undesirable method, and should be used only when the next of kin specifically requests it or when other methods are impracticable.

6. By Government Air. Government air transportation normally will not be requested nor provided within CONUS.

11.B.8.c. Authorized Transportation Modes Outside CONUS

Government air transportation (MAC, Navy, or Coast Guard) normally is used to transfer remains between two points outside CONUS, from a point outside CONUS to a point of entry inside CONUS, or from a point inside CONUS to a point outside CONUS. When U.S. Government transportation is not available, or its use would not be practical or would cause undue delay, the use of commercial air transportation is authorized.

11.B.9. Disposing of Remains of Dependents of Military Personnel

11.B.9.a. Transporting Remains

If an eligible dependent of a member of the Coast Guard (including commissioned officers of the Public Health Service assigned to the Coast Guard) dies while the member is on active duty (other than for training), inside as well as outside the CONUS, the Coast Guard will pay the cost of transporting the remains of the eligible dependent to the place of burial.

11.B.9.b. Notification Required

The activity making shipping arrangements for remains of dependents shall notify the receiving activity with the following information:

1. Name of deceased.
2. Name and address of consignee at final destination.
3. Type of transportation used and estimated time of arrival.

11.B.9.c. Mortuary Services

1. Under certain conditions the law also authorizes, with respect to these dependents, the furnishing of mortuary services and supplies on a reimbursable basis. Since the Coast Guard does not have mortuary services available, mortuary services and supplies may be requested from available Department of Defense activities. Every effort shall be made to embalm, dress, apply cosmetics, and encase the remains in a manner which will ensure their delivery in a viewable condition to the funeral director selected by the member.

2. The mortuary facility will collect charges for mortuary services and supplies furnished, including caskets, from the next of kin or interested person at time of preparation and encasement, unless other arrangements are approved by the facility furnishing the services and supplies.

11.B.10. Transporting Remains of Military Retirees Dying in Military Hospitals

When a military retired member or his or her dependent(s) dies while properly admitted to an Armed Forces medical facility located in the United States, at the request of the next of kin the Coast Guard pays to transport the member's remains to the place of burial or may pay the cost of such transportation. Transportation may not be to a place either outside the United States or farther from the place of death than the decedent's last permanent residence. Also, the cost of transportation may not exceed the cost for transportation from the place of death to that of last permanent residence. The term "United States" includes the commonwealth of Puerto Rico and the United States territories and possessions (10 USC 1490). Transporting remains under this authority will not be authorized if a deceased retired member qualifies for Veterans Administration transportation (38 USC 908); qualifies due to hospitalization in a United States hospital for more than 30 days while on active duty; or was retired and continued a patient until date of death (10 USC 1481 and 1482). These latter two programs take precedence.

11.B.11. Transporting Survivors of a Deceased Active Duty Member to Attend the Burial

11.B.11.a. Travel and Per Diem

Effective 1 October 1985, travel and per diem are authorized for survivors of deceased active duty members to attend the member’s burial ceremony. The authority for this travel is contained in Public Law 99-145 and the Joint Federal Travel Regulations (JFTR), Vol. 1, U5242.

11.B.11.b. When Authorized

Travel and per diem for surviving dependents are authorized (as defined in Appendix A to the JFTR) to attend the burial ceremonies of a deceased active duty Uniformed Services member. If no dependents survive, the deceased member's parents (including step-parents or parents by adoption) or any person, including a former step-parent, who has stood in loco parentis to the member at any time for a continuous period of at least five years before the member became 21 years of age may be authorized to travel under this provision. For the survivors to be eligible to travel, the member (without regard to rank or grade) must have died while serving on active duty for a period of 30 days or more.

11.B.11.c. Travel to Burial Site and Return

The eligible survivors will be entitled to travel and transportation allowances as prescribed in the JFTR for travel from the place of active duty or the place of residence to the burial site and return to the place of active duty or place of residence.

11.B.11.d. Further Guidance

The JFTR provides complete guidance on entitlements.

11.B.12. Interments in National Cemeteries

11.B.12.a. Authority

Authority for interment in national cemeteries is based on the provisions of the National Cemeteries Act of 1973 (38 USC 24).

11.B.12.b. Eligibility for Interment in National Cemeteries

1. Current and Former Members of the Coast Guard. Any members or former members of the Coast Guard whose last service terminated honorably by death, retirement, discharge, or otherwise, is eligible for burial in any national cemetery in which grave space is available. This includes any officer, cadet, or enlisted person of the United States Coast Guard and United States Coast Guard Reserve who has rendered active service.

2. Members of Reserve Components. Membership in the Coast Guard Reserve alone does not in itself constitute service within the meaning of the laws governing eligibility for interment in national cemeteries. However, members of the Coast Guard Reserve are eligible for interment in a national cemetery if death occurs while serving on active duty for training or performing full-time service. Certain members of the Reserve whose death occurs while hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while on duty or service or performing travel to or from that duty or service may also be eligible.

3. The spouse, widow, or widower of an eligible service member may be buried in the same grave in which the service member has been or will be interred, if space is available. Widows or widowers of members of the Armed Forces of the United States lost or buried at sea or officially determined to be permanently absent in a status of mission or missing in action also may be buried in the national cemetery of their choice, if space is available. If the spouse of an eligible service member should die first, this spouse may be buried in a national cemetery provided that prior to burial the service member executes an agreement to the effect that upon death, he or she elects to be buried in the same grave in the national cemetery concerned to the exclusion of any other national cemetery. The Superintendent of the cemetery will provide the forms for such agreement.

4. Minor children of an eligible service member may be buried in a national cemetery, but only in the same grave in which either parent will be or has been interred, if space therein is available. Should the death of the child occur prior to that of either of the parents, interment may be made when the Service-connected parent executes the agreement specified in subparagraph (3). Not more than one gravesite may be used for the interment or future interment of the persons involved in the spouse-parent-child relationship; namely, the Service-connected person, spouse of the Service-connected person (widow or widower), and eligible children of such Service-connected person.

5. Adult Children.

   a. Except when a prior written commitment was made, interment of adult children is authorized in national cemeteries only if they were unmarried and physically or mentally disabled and incapable of self-support and consequently depended on their for support or on others if both parents are deceased. In applying these regulations, "unmarried adult children" includes widows, widowers, divorcees, and unmarried persons 21 years of age or over and is restricted to those who were in fact, up to the time of death, dependent for support on the Service-connected parent or surviving spouse because of physical or mental condition. Burial of such eligible child may be made only in the same grave in which the Service-connected parent has been or will be interred, provided space there is available. If the death of an eligible adult child occurs before either parent's, interment may be made on the Service-connected parent's certification he or she eventually will be buried in the same grave.

   b. The interment of adult children will be made only on prior approval of the Office of the Chief of Support Services, Department of the Army. Submit requests for such interments at the time of death to the Superintendent of the national cemetery in which interment is desired, and accompany them with a notarized statement of data as to marital status and degree of dependency of the deceased child and the name of his or her parent whose military service burial is being requested. Submit also a certificate of a physician who has attended the decedent as to the nature and duration of the physical and/or mental disability.

11.B.12.c. Reservations

Regulations governing national cemeteries provide that grave sites will not be reserved. Grave sites are assigned only when immediate required for burial purposes.

11.B.12.d. Persons Ineligible for Interment

1. Fathers, mothers, and in-laws are not eligible for interment in a national cemetery by reason of relationship to an eligible Service person regardless of whether they are dependent upon the service member for support and/or are members of this individual's household.

2. Divorced and Remarried Spouses. Non-service-connected spouses who have been divorced from, or have remarried subsequent to the death of, the Service-connected spouse are not eligible for burial in national cemeteries based on the Service-connected ex-spouse's service.

3. Discharge Other Than Honorable. Persons whose last separation from the Coast Guard was under other than honorable conditions are not eligible for burial in a national cemetery notwithstanding the fact that they may have received veterans benefits, treatment in a Veterans Administration hospital, or that they died in such a hospital.

11.B.13. Headstones and Private Monuments

11.B.13.a. General

The Veterans Administration has the responsibility for furnishing headstones or markers. A member or former member of the Coast Guard who is eligible for burial in a national cemetery also is eligible for a headstone or marker for his or her grave in any government or non-government cemetery. Memorial markers may be furnished when the remains of a deceased active duty member are not recovered or identified, or have been buried at sea. The next of kin may, if desired, request a memorial marker to commemorate the individual, for placement in a national cemetery having available space, or in any private or local cemetery.

11.B.13.b. National Cemeteries

Headstones and markers will be furnished for unmarked graves in cemeteries under the jurisdiction of the Veterans Administration, Requirements Division (42A), without application from the next of kin, upon receipt of the report of interment.

11.B.13.c. Other Cemeteries

Obtain a headstone or marker for a deceased member or former member interred in a non-government cemetery (private or local cemetery) by submitting DD Form 1330, “Application for Headstone or Marker,” to the Veterans Administration, Requirements Division (42A), National Cemetery System, Washington, DC 20420. When applicable, Commandant (G-WPM-2) furnishes this form to the next of kin.

11.B.13.d. Private Monuments

1. The placement of private monuments at private expense is not permitted in newly established national cemeteries or in new sections of existing national cemeteries. Placement is restricted to those sections in existing national cemeteries in which private monuments were authorized as of 1 January 1947. All graves not marked by private monuments will be marked with regulation government headstones.

2. Authority to place monuments at private expense must be obtained from the Veterans Administration, Requirements Division. Send detailed specifications as to the design of the monument, material of which it will be constructed, finish, carving, lettering, etc., and exact inscription as it will appear on the monument to the Veterans Administration, Requirements Division, for approval.

11.B.14. Arrangements for Burial in Arlington National Cemetery

11.B.14.a. Requests

When a Coast Guard member (on active duty or in a retired status), or the member's spouse or minor dependent, dies outside the District of Columbia and burial in Arlington National Cemetery is requested, the person who has the right to dispose of remains or the funeral director sends the information to the Superintendent of Arlington National Cemetery. When message is used, Commanding Officer, Headquarters Support Command (HSC) and the commander of the Coast Guard district where the next of kin resides are information addressees. To reach the Superintendent, Arlington National Cemetery, Arlington, Virginia, by phone, call (703) 695-3250 or 3255. Office hours are from 0700 to 1700 hours, Monday through Friday, and from 0900 to 1700 hours, Saturday and Sunday. Requests transmitted by telegram should include the headings of each line item of information in subparagraphs (1) through (14). Remains are not to be shipped until after receiving verification of burial arrangements from the Superintendent of the cemetery.

1. Full name of deceased; if spouse or minor dependent, include relationship and full name of service member on whose service request for burial is based; service number, social security number, and branch of Service.

2. Grade held at time of death and highest grade held during service.

3. Date of entry on active duty and present duty status.

4. Place and date of birth.

5. Place and date of death.

6. Personal decorations.

7. Name, address, and relationship of next of kin requesting authority for burial.

8. Date and time interment services requested.

9. Type of honors desired: simple military, full military, or no military honors.

10. Type of service desired: chapel or graveside only.

11. Whether a chaplain is desired, and if so, whether Protestant (denomination), Catholic, or Jewish. In connection with interments at Arlington National Cemetery, when Catholic burial services are desired, the command Catholic Chaplain or local priest should provide an additional message stating that the deceased is entitled to Catholic services.

12. State to be inscribed on government headstone.

13. Whether interment will be in a burial vault or the shipping case; furnish size. If burial vault will be used, contractual arrangements must be made by the next of kin for purchase and delivery of the unit to the cemetery. The Superintendent of the cemetery must be notified of the outside dimensions of the vault in sufficient time so that the proper size grave can be prepared.

14. In the case of a deceased service member, whether or not the spouse desires a future burial reservation.

11.B.14.b. On Verification

On receiving verification burial arrangements are concluded, the remains should be shipped to Superintendent, Arlington National Cemetery, Arlington, VA, and consigned to Washington, D.C., to avoid the necessity and delay of obtaining a permit for the transfer of the body through the District of Columbia. The Superintendent, Arlington National Cemetery, and Commanding Officer, Headquarters Support Command (HSC) as information addressee should be advised by message:

1. Date and hour of arrival of remains.
2. Number of train or flight on which remains and funeral party will reach Washington, DC.
3. Number of persons in the funeral party.
4. Whether hotel reservations are desired; if so, type and number.

11.B.14.c. Coast Guard Representative

If practical, a Coast Guard representative will meet the escort and/or funeral party. If arriving by train, the Coast Guard representative will meet them at the Military Police Booth at Union Station, Washington, DC. When the escort and/or funeral party arrive by plane at Washington National Airport, the Coast Guard representative will meet them at the airline's ticket desk. Except under unusual circumstances, no attempt will be made to meet the escort of remains or funeral party arriving at Baltimore-Washington Airport or Dulles Airport; the Coast Guard representative will meet them at the Administration Building, Arlington National Cemetery, one-half hour before the services.

11.B.14.d. Transfer of Remains to National Airport

If the remains are shipped by air to Dulles International Airport or Baltimore-Washington Airport, prepaid arrangements must be made at the point of origin to transfer the remains to the National Airport.

11.B.14.e. Transportation to Cemetery

Remains will be met and transported to the cemetery between the hours of 0800 and 1500, Monday through Friday. The remains will be conveyed to the cemetery by government hearse. The services of an undertaker are not required when remains are shipped directly to the cemetery. No expense is incurred for this service, nor is there any expense attached to the opening and closing of the grave or other services furnished by the cemetery. Remains will not be received at the cemetery on Saturday, Sunday, or holidays.

11.B.14.f. Weekend and Holiday Arrangements

If remains are scheduled to arrive in Washington on Saturday, Sunday, or holidays, the Superintendent of the cemetery will make arrangements with a local undertaker for pickup, storage and delivery of the remains. In the case of active duty personnel and their dependents, the charges for this service will be billed to Commandant (G-WPM-2). For retired personnel and dependents, the next of kin will be responsible for the payment of these charges.

11.B.14.g. Without Attendant

Should it be impractical for relatives or friends to accompany the remains, the body will be received, conveyed to Arlington, and interred there with the same reverent respect and careful attention to every detail as though an attendant accompanied the remains.

11.B.15. Arrangements for Burial in Other National Cemeteries

11.B.15.a. Arrangements

Funeral directors and other persons making arrangements for interment shall not set a definite time for the funeral, or ship remains until after arrangements have been made with the Superintendent of the national cemetery or his or her office.

11.B.15.b. Telegram to Superintendent of the Cemetery

A telegram shall be sent as far in advance of shipment of remains as possible to the Superintendent of the national cemetery, with information addressee to the commander of the Coast Guard district in whose jurisdiction the national cemetery is located. The telegram shall contain information as set forth in ☛ Article 11.B.14.a., if available. Remains are not to be shipped until after receipt of instructions from the Superintendent of the national cemetery.

11.B.16. Honors at Funerals

11.B.16.a. Request for Rifle Squad

Whenever possible, to comply with requests of individuals or veterans' organizations for Coast Guard participation, a rifle squad of six enlisted members plus a petty officer in charge shall be supplied for the funeral of any person who at any time served in the Armed Forces and whose latest service terminated honorably. There are practical limitations to the degree in which the Coast Guard can participate in funerals, but every effort should be made to provide Coast Guard representation at such funerals. The following guidelines are based on criteria established by the Commandant.

1. Members who are killed or die while on active duty as the result of enemy action or operational accident shall be provided an escort (a rifle squad of six enlisted members plus a petty officer in charge), provided death resulted from combat, combat support operations or in the prosecution of an operational mission. Every effort shall be made to provide a bugler in these cases. When requested and within available personnel resources, six pallbearers shall also be provided.

2. In other active duty deaths, the above described ceremonial guard shall be provided, if feasible. When it is impossible to provide this detail, the reason for denying this honor should be clearly and unequivocally explained to the next of kin when the funeral arrangements are being made. Lesser escort or Coast Guard representation should be furnished if the ceremonial guard cannot be provided.

3. When personnel resources at the activity assuming responsibility for providing an escort for a military funeral are insufficient, the district commander is authorized to levy requirements on other Coast Guard units in his or her area. Reservists may be used.

4. In the case of death of persons retired with pay.

    a. It is highly desirable that ceremonial escort be furnished for burials in national cemeteries if it can be done without incurring undue expense.

    b. An escort should be furnished for burial in private cemeteries if the distance is reasonable, and the time the escort will be required to be away from regular duties does not exceed half the working day.

5. In the case of death of a reservist on inactive duty, it is appropriate to furnish a funeral escort composed principally of reservists from the member's unit. Commands are encouraged to utilize, on a voluntary basis, reservists and/or members of patriotic organizations.

6. In the case of death of honorary retired personnel, Coast Guard veterans, and veterans of Services other than the Coast Guard, burials in national cemeteries should be furnished escort in preference to those in private cemeteries, and next of kin should be advised or encouraged to request assistance from patriotic or veterans' organizations.

11.B.16.b. Limitations on Resources

Complaints of ill treatment and offended feelings can frequently be avoided if the responsible commander deals directly with the family and explains the limitations imposed by his or her resources. A demonstration of the commander's personal concern for the next of kin is in order and contributes greatly to their comfort and the lasting impression of the Coast Guard.

11.B.16.c. Participation and Responsibilities

It is essential that all members participating in funerals know in the deportment expected. Drivers and escorts must know routes and locations and should allow time to ensure punctuality. District commanders are encouraged to establish volunteer ceremonial units of the Coast Guard Reserve to provide escorts for funeral services. These units should be used when other Coast Guard units are remote or unable to provide escorts. Refer questions about the appropriateness of furnishing funeral honors to Commandant (G-WPM-2).

11.B.17. Burial at Sea of Inactive Personnel or Civilians

11.B.17.a. Requests

Requests to conduct burials at sea of the remains of inactive service personnel or civilians shall be referred to the district commander in the area in which death occurs or burial is desired. Based on operational commitments, the district commander will grant authority and arrange for the burial directly with authorized persons having charge of the remains. The date of burial will be determined by the availability of the Coast Guard vessel concerned. The transportation of the next of kin aboard the vessel for the ceremony will be at the discretion of the commanding officer.

11.B.17.b. Before Taking Remains Into Custody

Present these papers to the commanding officer concerned before taking the remains into Coast Guard custody:

1. The signed request and authorization from the person authorized to direct disposition of the remains.

2. A transit permit or burial permit issued by the responsible civil authorities at the place of death, whether or not the remains are cremated. Appropriate entry on the presentation of such papers, together with specific identifying data about them, shall be made in the log. After the burial, the commanding officer of the ship concerned should appropriately endorse these papers as to the fact of the burial and send them to the nearest Environmental Protection Agency Office.

11.B.17.c. Government Expenditures

There is no authority for the direct expenditure of government funds for materials in connection with disposition of remains in such cases.

11.B.17.d. Transporting Civilians on Coast Guard Vessels

The district commander may authorize the attendance of the next of kin at the burial at sea ceremony, subject to compliance with current directives concerning the transportation of civilians on board Coast Guard vessels.

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12.A. Separating Active Duty Commissioned and Warrant Officers

12.A.1. General

12.A.1.a. Continuation of Status

The President appoints regular Coast Guard and Coast Guard Reserve officers to an indefinite term. Once an individual legally accepts a commission or warrant in the Coast Guard and executes the oath of office, he or she acquires a status which continues until it is legally terminated.

12.A.1.b. Methods of Separation

Complete separation from the Coast Guard is accomplished by:

1. Acceptance of resignation;
2. Dismissal;
3. Revocation of commission or warrant;
4. Dropping from the rolls;
5. Termination until it is legally terminated; or
6. Discharge for cause.

12.A.1.c. Terminating Active Duty

Terminating active duty (without completely separating from the Coast Guard) includes retirement and a Reserve officer's release to inactive duty. Retirement procedures appear in ☞ Chapter 12.C.

12.A.2. Types of Officer Discharges

12.A.2.a. General

This Article discusses the discharge types and detailed procedures approved for Coast Guard officers. Officers who totally separate from the Coast Guard or Coast Guard Reserve while on active duty are entitled to one of the following discharges.

12.A.2.b. Honorable Discharge

The Service generally grants an Honorable Discharge to officers under circumstances which would warrant such a discharge for enlisted members. The following standards govern issuing honorable discharge certificates:

1. Acceptance of unqualified resignations as described in ☞ Article 12.A.6.a.

2. Discharge because of failure selection for promotion.

3. Administrative separation for cause for reasons specified in ☞ Article 12.A.15.c.1.

4. Other conditions generally resulting in an honorable discharge for enlisted members.

12.A.2.c. General Discharge

The Service grants a General Discharge to officers administratively separated for cause if the cause for separation or an officer's previous record would preclude honorable discharge but is not of such a nature as to require discharge under conditions other than honorable; for example:

1. Acceptance of resignations submitted in the form described in ☞ Article 12.A.6.b.

2. Separation for cause for reasons specified in ☞ Article 12.A.15.c.2.

12.A.2.d. Discharge Under Other Than Honorable Conditions

The Service generally grants a discharge under other than honorable conditions to officers separated for reasons other than dismissal pursuant to general court-martial sentence if the circumstances prompting separation are deemed counter to traditional naval concepts of "honor," in the following types of situations; for example:

1. Acceptance of a resignation to escape dismissal, typically for the good of the Service and submitted in the form described in ☞ Article 12.A.6.c.

2. Acceptance of a resignation for the good of the Service in lieu of trial by court-martial, submitted in the form described in ☞ Article 12.A.6.d.

3. Acceptance of a resignation for the good of the Service. Submit this type of resignation in the form described in ☞ Article 12.A.6.c.

4. Separation of officers for a civil authority conviction on criminal charges (except for officers dropped from the rolls under ☞ Article 12.A.14.).

5. Officers dropped from the rolls do not receive a certificate of discharge.

6. Separations for other reasons which would warrant a discharge under other than honorable conditions or a bad conduct discharge for enlisted members.

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.

12.A.6.b. Qualified Resignation if General Discharge Follows

An acceptable form for submitting this type of resignation is:

> I hereby submit my resignation from the United States Coast Guard and request its acceptance. I have been informed and understand if my resignation is accepted, I will receive a certificate of general discharge. Although the Coast Guard considers this separation to be under honorable conditions, I understand it is not the highest qualitative type of separation provided for Coast Guard officers; and, while I will be entitled to the major portion of veterans' rights and benefits presently authorized former officers whose service has been similar to mine, if any present or future statute specifically requires honorable discharge as a condition of granting rights or benefits, my eligibility for them may be at least doubtful.

12.A.6.c. Resignation for the Good of the Service

An acceptable form for submitting this type of resignation is:

> I hereby submit my resignation from the United States Coast Guard for the good of the Service and request its acceptance. I have been informed and understand if my resignation for the good of the Service is accepted, I will receive a discharge under other than honorable conditions; I may be deprived of substantial rights, benefits, and bounties Federal or State legislation confers or hereafter may confer on persons with honorable service in the Armed Forces of the United States; and I may expect to encounter substantial prejudice in civil life in situations in which the nature of service rendered in or character of separation from the Armed Forces may have a bearing.

12.A.6.d. Resignation in Lieu of Trial Before a General Court-Martial

1. The usual form for submitting this type of resignation is:

> I hereby submit my resignation from the United States Coast Guard for the good of the Service and in lieu of trial before a general court-martial. I have been informed and understand if my resignation for the good of the Service and in lieu of trial by general court-martial is accepted, I subsequently **may** receive a discharge under other than honorable conditions; I may be deprived of substantial rights, benefits, and bounties Federal or State legislation confers or later may confer on persons with honorable service in the Armed Forces of the United States; and I may expect to encounter substantial prejudice in civil life in situations in which the nature of service rendered in or the character of separation from the Armed Forces may have a bearing.

2. As the form of the resignation indicates, the officer concerned submits it as an alternative to facing trial before a general court-martial and to preclude the possibility such a trial might result in conviction, with ensuing sentence perhaps extending to dismissal from the Service and imprisonment. Whenever practical, an officer desiring to submit such a resignation should be given a receipted copy of the charges and specifications preferred; or, if they actually have not been preferred, should receive a receipted set of sample charges and specifications alleging offenses for which the officer might be brought to trial. Further, it is usually required prior to permitting an officer to resign in this manner he or she submit with the resignation a complete, detailed confession to the offense(s) at issue.

3. It is desirable for a psychiatrist, or a medical officer if a psychiatrist is not conveniently available, to submit for the case record a statement with his or her professional observations and impressions of the apparent mental and physical condition of the officer submitting the resignation.

4. Officers whose resignations for the good of the Service and in lieu of trial before a general court-martial are accepted **may** be awarded a discharge under other than honorable conditions.

12.A.7. Releasing Reserve Officers to Inactive Duty

12.A.7.a. Conditions for Approval

Commander (CGPC-opm) will approve a request for release to inactive duty (RELAD) or early release from a Reserve officer who has not fulfilled his or her active duty obligation only under the conditions listed below. Reserve officers serving under an active duty agreement normally must complete the period of active duty specified by the agreement.

1. When a specific program for early releases applicable to all Reserve officers within a group has been approved**, or;**

2. When the needs of the Service clearly would be served by approving the request, **or;**

3. When a hardship of extreme degree exists which the officer's early release can alleviate.

12.A.7.b. Automatic Release

Reserve officers not serving under active duty agreements and who have no outstanding obligation for continued active service will be released automatically to inactive duty when their period of active duty expires. **This includes officers who have greater than eight, but less than 18, years total service.** Commander (CGPC-opm) normally issues release orders four months in advance.

12.A.7.c. Officers Outside CONUS

Members assigned to OUTCONUS units are required to complete a minimum of two years at that unit before Commander (CGPC-opm) will consider them eligible for voluntary release.

12.A.7.d. Release of RPAs

Officers whose RPA designation has been removed under ☞ Article 1.B.3.i. will be released to inactive duty.

12.A.8. Involuntary Release of Reserve Officers

1. At any time, the Commandant may release a Reserve officer involuntarily to inactive duty. Commanding officers or other officers in the chain of command may recommend an involuntary release from active duty of a Reserve officer in their command **in the form of a letter to Commander (CGPC-opm) containing the following information:**

a. Officer's name;

b. Length of service;

c. Period of time officer was observed;

d. Reason for recommendation;

e. Specific facts or circumstances relating to performance;

f. Medical reports or opinions, if applicable;

g. Nature of counseling and other steps taken to correct deficiencies, if applicable;

h. Officer's response to counseling, if applicable;

i. Special Officer Evaluation Report, if applicable.

2. The recommending officer shall grant the officer concerned an opportunity to review the recommendation and permit him or her to comment as desired by letter endorsement.

2. A panel of senior officers as described in ☞ Article 12.A.11.b.3. shall review the recommendation. After thoroughly reviewing the officer's record, the panel recommends to the Commandant either releasing the officer or closing the case.

3. **Commander (CGPC-opm) sends the panel's recommendations to the Commandant for approval, modification, or disapproval (14 U.S.C. 281).**

12.A.9. Discharging Active Duty Reserve Officers

When it is necessary to recommend a Reserve officer serving on active duty for discharge from the U. S. Coast Guard Reserve, the following guidance applies.

1. Reserve officers with fewer than three years commissioned service being considered for an honorable discharge for the reasons in ☞ Article 12.A.15.c.1. will be processed as outlined in ☞ Article 12.A.11.b. Commander, (CGPC-rpm) will serve as a member of the panel of officers established in ☞ Article 12.A.11.b.

2. Reserve officers with fewer than three years commissioned service being considered for a general discharge for reasons contained in ☞ Article 12.A.15.c.2. or 3. will be processed by a single, special board of officers guided by the applicable procedures outlined in ☞ Article 12.A.15.h. A Reserve officer shall serve as a member of the board.

3. All Reserve officers with at least three years commissioned service being considered for discharge will be processed using the three-board process described in ☞ Article 12.A.15. A Reserve officer shall serve as a member of each board if possible.

4. Reserve officers discharged due to board action or at their request in lieu of board action receive an honorable discharge if ☞ Article 12.A.15.c.1. applies and a general discharge if ☞ Article 12.A.15.c.2. or 3. applies. Determine the amount of separation pay, if entitled, by computing years of service and basic pay as defined in the ☞ U.S. Coast Guard Pay Manual, COMDTINST M7220.29 (series).

12.A.10. Physical Examination

12.A.10.a. Terminology

The term “unfit for continued service” is used is used in this Article rather than “not fit for duty.” “Not fit for duty” is a local medical term meaning the member is unable to perform the immediate duties to which assigned for a short period of time. A finding of “not fit for duty” does not qualify the member for processing in the Physical Disability Evaluation System (PDES), and does not mean the member is not qualified for separation. A member could be “not fit for duty” and still be separated if the existing impairment does not lead to a physical disability as defined in the ☞ Physical Disability Evaluation System, 1850.2 (series) unless Commander (CGPC-opm) or (CGPC-epm) with the advice of Commander (CGPC-adm) considers it necessary to correct a physical defect. “Unfit for continued service” means a physical disability exists which renders the member unfit to perform the duties of his or her office, grade, rank, or rating. This determination can be made only through the PDES and could lead to the member’s separation, except as provided in ☞ Article 17.A.2.

12.A.10.b. Requirement

An officer being separated shall schedule any necessary physical examination so it is completed at least 60 days before the effective date of separation or release, although Commander (CGPC-opm) will not delay a separation or release date solely because the officer failed to complete a scheduled physical examination. A scheduled separation or release date may be delayed only if a question exists about a member's unfitness for continued service so as to require convening a medical board under the ☞ Physical Disability Evaluation System, COMDTINST M1850.2 (series) or if serious disease or injury intervenes. The district commander or commanding officer of the Headquarters unit concerned will issue any travel orders necessary to obtain a physical examination.

12.A.10.c. Exemption

If an officer has had a physical examination within one year of separation or release, a physical examination is not required before separation (e.g., retirement, resignation, or discharge) or release to inactive duty.

12.A.10.d. Physical Disability Evaluation System

If an officer enters the Physical Disability Evaluation System (PDES) or serious disease or injury intervenes before a scheduled separation or release, the command shall inform Commander (CGPC-opm-1) and (CGPC-adm) expeditiously by message or letter, which if necessary shall include a request for an appropriate delay in the officer's separation or release date. Delays of not more than 30 days will be granted at a time.

12.A.10.e. Delaying Separation

An officer's separation for hospitalization, medical observation, or PDES processing may be delayed only if the officer involved consents. If the officer withdraws that consent in writing, Commander (CGPC-opm) shall separate the officer not later than 60 days from the date such notice was received (14 U.S.C. 295).

12.A.10.f. Action Upon Physical Examination Results

This general guidance addresses various outcomes of a physical examination for separation or release.

1. If an officer is found qualified for separation or release the officer is processed for separation or release as scheduled.

2. If an officer is found qualified for separation or release and disagrees with the finding, Commander (CGPC-opm) and (CGPC-adm) shall be notified immediately.

3. If a question exists about an officer's unfitness to perform duties Commander (CGPC-opm) and (CGPC-adm) shall be notified immediately by message or letter. The officer shall then be processed under the ☞ **Physical Disability Evaluation System**, COMDTINST 1850.2 (series), Chapter 3.

4. If a question exists about an officer's unfitness to perform duties and he or she still desires to separate, comply with ☞ Article 12.C.3.b.

5. The following chart illustrates these guidelines.

Finding of Physical Examination	Member Agrees	Member Disagrees	Officer's Command Takes This Action
Fit for Duty	X		Send SF-88 and CG-4057 to Commander, (CGPC-opm), who issues separation orders
Fit for Duty		X	Notify Commander, (CGPC-opm) and comply with Article 3-B-5(e), Medical Manual, COMDTINST M6000.1 (series)
Unfit for Continued Service	X		Notify Commander, (CGPC-opm) and comply with Chapter 3, Physical Disability Evaluation System, COMDTINST M1850.2, (series)
Unfit for Continued Service		X	Comply with Article 12.C.3., Personnel Manual, COMDTINST M1000.6 (series)

12.A.11. Revoking Officers' Commissions in Their First Three Years of Service

12.A.11.a. General

1. The Service considers **the** first three years of an officer's career a probationary period during which he or she demonstrates ability to adapt to the requirements of Coast Guard life and shows capability for future development. Some officers either are unable to adapt to service life or their performance indicates it is doubtful whether the time and effort required will form them into effective officers.

2. The authority to revoke an officer's commission under this article is not designed for use when court-martial or separation for cause proceedings would be more appropriate.

12.A.11.b. Procedure

1. A commanding officer or a superior in the chain of command may recommend revoking the commission of an officer who has fewer than three years of continuous service as a Coast Guard commissioned officer. Commander (CGPC-opm) also may initiate board action to revoke an officer's regular commission based on knowledge of adverse information about the officer. A commanding officer or superior in the chain of command shall recommend revocation in the form of a letter to Commander (CGPC-opm) containing the following information.

a. Officer's name;

b. Length of service;

c. Period of time officer was observed;

d. Reason for recommendation;

e. Specific facts or circumstances relating to performance;

f. Medical reports or opinions, if applicable;

g. Nature of counseling and other steps taken to correct deficiencies;

h. Officer's response to counseling;

i. Special Officer Evaluation Report, if applicable.

2. The recommending officer shall grant the officer concerned an opportunity to review the recommendation and permit him or her to comment as desired by letter endorsement.

3. A panel of senior officers, normally consisting of the Coast Guard Personnel Command's Chief, Administration Division; Chief, Officer Personnel Management Division; and a senior officer representative from the Headquarters division **(or Commander (CGPC-rpm) in cases of Active Duty Reserve Officers per ☞ Article 12.A.9.1)** with cognizance of the officer's specialty shall review the recommendation. After thoroughly reviewing the officer's record, the panel recommends to the Commandant either executing the revocation proceedings under this Article or closing the case. Closing an officer's case does not preclude considering a subsequent recommendation to revoke his or her commission if additional facts or subsequent actions so warrant.

4. Commander (CGPC-opm) sends the panel's recommendations to the Commandant for approval, modification, or disapproval (14 U.S.C. 281).

5. Nothing contained in this Article shall prevent the court-martial of any officer in appropriate circumstances.

12.A.11.c. Separation

Officers whose commissions are revoked under this Article shall be discharged not later than three months from the date the panel report is approved; however, if the officer will have accumulated three years' commissioned service during this three-month time frame, the officer will be discharged not later than the day prior to the day the officer accumulates that service.

12.A.12. Vacating a Temporary Appointment

12.A.12.a. Authority

The appointing officer may vacate a temporary appointment made under ☞ Article 1.A.3.c. at any time. An officer whose appointment is so vacated reverts to his or her permanent status (14 U.S.C. 214 (c)).

12.A.12.b. Procedure

1. A commanding officer or a superior in the chain of command may recommend vacating any temporary officer's appointment to Commander (CGPC-opm). Commander (CGPC-opm), also may initiate board action to vacate an officer's temporary commission based on adverse information about the officer. ☞ Article 12.A.**8**. sets forth the criteria and procedure to vacate a temporary officer's appointment.

2. If Service needs dictate, the Commandant may vacate the appointment of temporary officers without regard to the ☞ Article 12.A.11. criteria. In this circumstance, he or she will consider all officers with temporary commissions. An officer whose appointment is so vacated reverts to his or her permanent status.

3. At his or her sole discretion, the Commandant may vacate the commission of temporary officers who have completed physician assistant training but fail to attain certification from the National Commission of Certification of Physician Assistants during their first two years of commissioned service, or subsequently fail to maintain this certification. An officer whose appointment is so vacated reverts to his or her permanent status.

12.A.13. Failing Selection for Promotion or Continuation

12.A.13.a. Chief Warrant Officers

☞ Article 5.B.4.c. if a chief warrant officer fails selection for promotion for the second time.

12.A.13.b. Ensigns

If during an ensign's first three years of commissioned service, a selection board for promotion to lieutenant (junior grade) determines his or her performance is unsatisfactory or he or she fails selection for promotion a second time, irrespective of ☞ Article 12.A.9. and 12.A.11. provisions, the Commandant may revoke the ensign's commission or vacate a temporary appointment in accordance with 14 U.S.C. 281, 14 U.S.C. 214(e), OR 10 U.S.C. 1162, as applicable.

ensign's commission or vacate a temporary appointment in accordance with 14 U.S.C. 281, 14 U.S.C. 214 (e), or 10 U.S.C. 1162, as applicable.

12.A.13.c. Lieutenants (Junior Grade)

Each permanent Regular Coast Guard officer serving as a lieutenant (junior grade) who fails selection for promotion to lieutenant for the second time shall:

1. Be honorably discharged not later than 30 June of the promotion year in which the second failure of selection occurs, or
2. If he or she so requests, be honorably discharged at an earlier date without loss of benefits that would accrue if the member were discharged on the date specified in 1. above, or
3. If on the date specified for discharge in this Article, the member is eligible for retirement under any law, retire on that date (14 U.S.C. 282).

12.A.13.d. Lieutenants

1. Each permanent Regular Coast Guard officer serving in the permanent grade of lieutenant who has failed selection for promotion to lieutenant commander for the second time shall:

   a. Be honorably discharged not later than 30 June of the promotion year in which the second failure of selection occurs, or

   b. If the member so requests, be honorably discharged at an earlier date without loss of benefits that would accrue if the member were discharged on that date under a. above, or

   c. If on the date specified for discharge in this article, the member is eligible for retirement under any law, retire on that date; or

   d. If on the date specified for discharge in a. above, the member has completed at least 18 years of active service, remain on active duty and retire on the last day of the month in which he or she completes 20 years of active service, unless earlier removed under another provision of law.

2. If Service needs require, the Commandant may direct a selection board convened under ☛ Article 14.A.10.a., to recommend for continuation on active duty for terms of between two and four years a designated number of permanent Regular lieutenants who otherwise would be discharged or retired under this Article. When so directed, the board shall recommend for continuation on active duty the officers under consideration who it believes are best-qualified for continuation.

With the Commandant's approval and despite subparagraph 1., each officer so recommended may continue on active duty for the recommended term. When he or she completes such term, unless selected for promotion or further continuation by a subsequent board, the officer shall be discharged honorably with severance or separation pay, as applicable, computed as shown in the Pay Manual, COMDTINST M7220.29 (series) or, if eligible for retirement under any law, retire.

3. If an officer who continues on active duty under subparagraph 2 is not selected for promotion by a subsequent board, he or she shall be retired on the last day of the month in which he or she completes 20 years of active service unless removed earlier from active duty (14 U.S.C. 283).

12.A.13.e. Regular Officers Serving Under Temporary Appointments

A Regular Coast Guard temporary officer appointed under ☛ Article 1.A.3. who serves as lieutenant (junior grade) or lieutenant and fails selection for promotion to lieutenant or lieutenant commander, respectively, for the second time shall:

1. Be honorably discharged not later than 30 June of the promotion year in which the second failure of selection occurs, or

2. If the member so requests, be honorably discharged at an earlier date without loss of benefits that would accrue if the member were discharged on that date under 1. above, or

3. If on the date specified for discharge in this Article the member is eligible to retire under any law, retire under that law on that date.

4. Each officer subject to discharge or retirement under this Article may elect to revert to his or her permanent grade (14 U.S.C. 284).

12.A.13.f. Lieutenant Commanders and Commanders

Lieutenant commanders or commanders who fail selection to the next higher grade for the second time shall remain on active duty and retire under ☛ Article 12.C.5.

12.A.13.g. Captains

If a board convened under 14 U.S.C. 289 does not recommend a captain for continuation on active duty , he or she shall retire in accordance with ☛ Article 12.C.5.

12.A.13.h. Effective Date of Separation

If this Article or ☛ Article 12.C.5. would require the discharge or retirement of any officer above the grade of ensign fewer than six months after approval of the report of the board which considered but did not select the officer:

1. For promotion for the second time or continuation, that officer's discharge or retirement shall be deferred until the last day of the sixth calendar month after such approval, or
2. For promotion for the third (or more) time, that officer shall be retired effective the last day of the month in which the officer completes 20 years' active service, unless earlier removed under another provision of law.

12.A.14. Dismissing or Dropping from the Rolls

12.A.14.a. Limitation on Dismissal

No commissioned officer may be dismissed from any Armed Force except:

1. By sentence of a general court-martial;
2. In commutation of a sentence of a general court-martial; or
3. In time of war, by order of the President.

12.A.14.b. Dropping from the Rolls

The President may drop from any Armed Force's rolls any commissioned officer who:

1. Has been absent without authority for at least three months, or
2. Is sentenced to confinement in a federal or state penitentiary or correctional institution after a court other than a court-martial or other military court has found that officer guilty of an offense and whose sentence has become final (10 U.S.C. 1161).

12.A.15. Separating Regular Coast Guard Officers for Cause

12.A.15.a. Authority

Pursuant to authority contained in 14 U.S.C. 321-327, this Article contains regulations to separate commissioned Regular Coast Guard officers for cause. While chief warrant officers are subject to the same provisions, all cases involving those officers are processed under ☛ Article 12.A.21.

12.A.15.b. Discussion

1. No person has an inherent right to continue to serve as an officer. An officer retains the privilege of service only so long as he or she performs satisfactorily. Responsibility for leadership and example requires an officer to accomplish his or her duty effectively and conduct himself or herself properly at all times. Retaining officers substandard in performance of duty or conduct, deficient in character, or otherwise unsuited for military service cannot be justified. There is no place for these individuals in the Coast Guard.

2. Every officer deserves a fair chance to demonstrate his or her capabilities. If an officer shows ineffective tendencies, especially if inexperienced, if possible the Service gives him or her another chance under another commanding officer. However, commanding officers should systematically record ineffectiveness in documents specific as to the period each covers, the duties observed, and the defects noted. The Service must remove any officer who has been given a fair chance to become an effective officer and has not done so lest others pay with their lives for his or her weakness.

3. A recommendation for separation under this Article cannot be based on empty generalities or vague impressions. It is necessary to establish with exactitude the reasons why an officer is considered ineffective. Basically, this officer is one who does not get acceptable results. Inefficiency is a relative matter, and a specific definition of the ineffective officer cannot be given. Many ineffective officers are decent, well-mannered, educated, honorable, intelligent, generous, and yet ineffective. It is perfectly proper to credit an officer for good qualities in the same letter or evaluation report which reveals ineffectiveness as an officer.

12.A.15.c. Causes for Separation

1. The existence of one or more of these or similar conditions **may require** removing an officer for substandard performance of duty or failure to meet standards prescribed by the Commandant:

   a. Downward trend in overall performance resulting in unacceptable service or a consistent record of substandard service.

   b. Failure to keep pace or progress with contemporaries; e.g. consistent below-average performance when compared to other officers of the same grade and length of service or failure of physician assistants to maintain certification from the National Commission on Certification of Physician Assistants.

   c. Failure to exercise necessary leadership or command expected of an officer of the same grade.

d. Failure to assimilate the technical proficiency required of his or her grade.

e. Failure to properly discharge assignments commensurate with his or her grade and experience.

f. Apathy, a pattern of conduct showing the development of a defective attitude, or other character and behavior disorders including inability or unwillingness to expend effort.

g. Failure to meet established weight standards.

2. Existence of one or more of these or similar conditions may require removing an officer for moral or professional dereliction:

a. Discreditable intentional failure to meet personal financial obligations.

b. Mismanaging personal affairs detrimentally affecting the officer's performance of duty.

c. Mismanaging personal affairs to the discredit of the Service.

d. Intentionally omitting or misstating facts in official statements or records for the purpose of misrepresentation.

e. Acts of personal misconduct prohibited by military or civilian authorities.

f. Homosexual conduct as defined in ☛ Article 12.D.4.

g. Intentional or negligent failure to perform duties or negligence in performing duties.

h. Conduct unbecoming an officer.

i. Involvement in a drug or alcohol incident as defined in Chapter 20 of this Manual.

j. One act of sexual harassment by assault or coercion, or conduct demonstrating an established pattern of sexual harassment by crude or offensive behavior, sexist behavior, and/or unwanted sexual attention.
☛ Article 8.I. and CG Sexual Harassment Prevention System, Commandant Instruction 5350.30 (series) for definitions and guidelines on sexual harassment.

k. Involvement in a prohibited relationship. ☛ Chapter 8.H. for policy guidance.

l. An act, either committed or omitted, or other behavior clearly not consistent with the interests of national security requires removing an officer.

m. An unreasonable refusal to submit to necessary and proper medical or dental treatment considered by competent medical or dental officers to be necessary to render member fit for duty (as determined by a medical board convened in accordance with the provisions of ☛ Physical Disability Evaluation System, COMDTINST M1850.2 (series)).

n. **A repeated refusal to receive an immunization ordered by competent authority.**

3. Any one of these or similar reasons causes serious doubt as to the advisability of permitting the officer concerned to retain a commission and normally prompts a review of his or her overall record. This review will determine if this derogatory information, when viewed in conjunction with other aspects of his or her record, warrants a recommendation for separation. Standing alone any one of these conditions may not support separation. However, any one of them when combined with other known deficiencies could form a pattern which, when viewed in relation to an officer's overall record, requires separation.
   a. Punishment under the Uniform Code of Military Justice, Article 15.
   b. Conviction by court-martial or a civil court.
   c. Denial of security clearance.
   d. Derogatory evaluation report.
   e. Failure to be recommended for promotion by a selection board selecting officers for promotion on a fully qualified basis.
   f. Failure by a Regular Coast Guard officer of any required course of training, instruction, or indoctrination at a service school.
   g. An approved finding of misconduct by a board of investigation.
4. Officers with less than three years of commissioned service will normally be processed under ☞ Article 12.A.9. or 12.A.11. depending upon their status.

12.A.15.d. Relationship of Separation to Discipline

A commanding officer shall not use separation in lieu of disciplinary action under the UCMJ, but if he or she believes the Service's and officer's interests will be served better by separation proceedings rather than disciplinary action, he or she may so refer any charges. The fact a court-martial has occurred shall not prohibit subsequent proceedings under this Article; however, separation proceedings may not be initiated until a prior UCMJ proceeding is complete.

12.A.15.e. Initiating Action

Commander, (CGPC-opm) shall review an officer's Personal Data Record (PDR) and weigh all facts and circumstances to determine whether an officer should be considered for action under this Article. If Commander, (CGPC-opm) decides further processing is warranted, Commander, (CGPC-c) will refer the case to a determination board. At any time, an area commander, district commander, maintenance and logistics commander, or unit commanding officer may request Commander, (CGPC-opm) to review an officer's PDR to determine whether the officer should be considered for separation.

12.A.15.f. Requiring Officers to Show Cause for Retention

At any time and place Commander, (CGPC) may convene a board of officers to review any Regular Coast Guard officer's record to

decide whether the officer should be required to show cause for retention on active duty because:

a. The officer's performance of duty has declined below the prescribed standards; or

b. The officer has demonstrated moral or professional dereliction; or

c. Retention is clearly inconsistent with the interests of national security.

2. A board of officers convened to review an officer's records (a "determination board") shall consist of at least three officers in the grade of commander or above who all are senior to any officer they consider.

3. The determination board will impartially review the officer's PDR, the initiating officer's recommendation, and all other available information relevant to the reasons for separation to determine whether it should require the officer to show cause for retention.

4. The determination board does not examine witnesses. It is limited to considering the documents presented to it.

5. Commander, (CGPC-opm) sends the determination board's findings to Commander, (CGPC-c), who will notify the officer concerned the determination board has found either:

   a. The officer should not be required to show cause for retention and the case is closed; or

   b. The officer should be required to show cause for retention.

6. If a determination board decides an officer is required to show cause for retention on active duty, Commander, (CGPC-opm) will:

   a. Give the officer a copy of the determination board's findings and all documents pertinent to the case except those the Commandant determines should be withheld in the interest of national security;

   b. Notify the officer in writing of the reasons for which he or she is being required to show cause for retention (notification shall be sent through the officer's commanding officer, who in turn shall state by endorsement the date of delivery to the officer concerned);

   c. Notify the officer that Commander, (CGPC-c) will convene a board of inquiry to hear the case at least 30 days after the date of notification of the

determination board's findings;

d. Inform the officer his or her appearance before a board of inquiry is the only opportunity to appear in person on his or her own behalf before final action in the case;

e. Notify the officer if separated from the Service after action by a board of review or at his or her own request after a determination board's finding he or she is required to show cause for his or her retention on active duty, the officer will receive an honorable discharge if the reason for separation is one contained in ☛ Article 12.A.15.c.1. and 5., and a general discharge if the reason is contained in ☛ Article 12.A.15.c.2. or 3;

f. Notify the officer of his or her entitlement to severance or separation pay, as applicable;

g. Notify the officer that if retired after action by a board of review or at his or her own request after a determination board's finding, the officer will be subject to evaluation under ☛ Article 12.C.15. provisions as to satisfactory service in a temporary grade;

h. Allow the officer reasonable time, at least 30 days, to prepare his or her defense;

i. Allow the officer to appear in person and to be represented by counsel at proceedings before a board of inquiry; and

j. Allow the officer full access to and furnishes copies of records relevant to the case at all stages of the proceedings, except a board shall withhold any records the Commandant determines should be withheld in the interests of national security. If any records are withheld under this clause, the officer whose case is under consideration shall, to the extent national security permits, be given the actual records or copies of them with the classified portions deleted.

7. The officer concerned must acknowledge receipt of the determination board's findings within five days of receipt. The officer returns the receipt to Commander, (CGPC-opm-1) through the chain of command.

8. An officer who has been notified a determination board has found he or she should be required to show cause for retention on active duty may apply for voluntary retirement or request early discharge from the Service. If the officer takes neither action, he or she shall be ordered to appear before a board of inquiry.

12.A.15.g. Physical Qualifications for Separation

If a determination board notifies an officer he or she must show cause for retention in the Service under ☛ Article 12.A.15.f.6., the command concerned shall ensure the officer reports immediately to the nearest medical facility for a standard physical examination as described in the Medical Manual, COMDTINST M6000.1 (series) if the officer has not completed one within the preceding three months. If travel is necessary in connection with the physical examination, the district commander or commanding officer of the Headquarters unit concerned will issue the travel orders. If the officer has a condition which requires him or her to enter the physical disability evaluation system or a serious disease or injury intervenes, Commander (CGPC-opm) and (CGPC-adm) shall be notified expeditiously by message. In these cases, the officer concerned is normally processed concurrently for cause under this Article and in the physical disability evaluation system. A final determination on the officer's status normally will not be made until both processes are completed.

12.A.15.h. Board of Inquiry

1. Purpose. The board of inquiry affords officers a fair, impartial hearing at which they have an opportunity to establish their retention in the Coast Guard is warranted. The officers concerned may present evidence to refute matters of record offered against them or otherwise establish they should be retained. The board of inquiry will consider all relevant evidence presented at the hearing and make findings and a recommendation based on a preponderance of evidence.

2. Composition.

   a. The board of inquiry shall consist of at least three officers, but in any case an odd number, commanders or above, all of whom are senior to the grade of any officer the board is considering. No officer shall sit as a member of a board of inquiry if he or she:

      (1) Is a witness in the case before the board;

      (2) Was a member of the determination board in the case under consideration (this provision does not apply to Reserve officers because their cases are referred directly to a special board of officers);

      (3) Appeared as a witness before or was a member of any previous determination board, special board, board of inquiry, or board of review which considered the officer for separation;

      (4) Initiated, investigated, was a member of, or was the reviewing authority in a court-martial before which the officer concerned was the accused;

(5) Previously recommended or participated in a recommendation for the officer's demotion, removal, or relief from active duty; or

(6) Previously was a reporting officer on any performance evaluations the board will view.

b. The board of inquiry will be assigned both a non-voting recorder and a non-voting legal advisor. The legal advisor shall meet the qualifications of Article 27(b), UCMJ, and if feasible also UCMJ Article 26(b) qualifications.

3. Instructions. After the board of inquiry convenes the legal adviser will instruct it as to its purpose. These instructions will be transcribed verbatim in the board's proceedings. The instruction will include, but need not be limited to, the following items:

a. By its action, the board establishes the minimum level of performance of duty or integrity acceptable of Coast Guard officers.

b. The board of inquiry is an administrative board not subject to the rules and procedures governing court or court-martial action. It does not judge the determination board's action.

c. As a result of the determination board's findings, the officer must show cause for retention on active duty. At the board of inquiry, the officer concerned has the opportunity to present evidence to refute matters of record offered against him or her or otherwise establish the Service should retain him or her. (Although not processed by a determination board, Reserve officers may provide evidence to refute matters of record offered against them or otherwise establish they should be retained. These same standards apply to chief warrant officers being considered for separation under ☛ Article 12.A.21.).

d. If the board determines it needs additional information to evaluate the case properly, it may request the information through the convening authority.

e. The board receives evidence presented during the board proceedings.

f. The board evaluates all evidence and information it receives or develops on the matter it is considering in the hearing and arrives at a clear, logical finding consistent with the information and evidence presented.

g. On the basis of its findings the board determines whether the Coast Guard should or should not retain the respondent.

h. The board makes appropriate recommendations consistent with its determination.

i. While the board considers old reports and records in establishing a pattern of substandard conduct or misconduct, an officer's instances of good performance or conduct in the remote past cannot negate a record of progressively deteriorating performance of duty or conduct.

j. An officer cannot offset allegations involving a defect in character or integrity by a rebuttal which attempts to emphasize other qualities in his or her favor.

k. The board may consider these additional items to assist it in evaluating material submitted to it:

(1) A record of recently improved performance may result from an unusual effort on the officer's part after learning he or she was recommended for separation for cause. By itself it does not overcome a pattern of ineffectiveness. The board may consider improved performance together with other evidence in the record to determine whether the officer has overcome the pattern.

(2) Promotion or selection for promotion, while proper evidence on the officer's behalf, does not necessarily justify his or her retention.

(3) Where poor performance is involved, it is essential for the board to examine the entire performance file in detail. In doing so, the board should consider these aspects.

(a) The length of time each report covers.

(b) The duty the officer performed and the level at which performed.

(c) The trend in performance—up or down—as the officer gained experience.

(4) Copies of all performance evaluations made available to the board will be made available to the officer concerned and vice versa. An officer's claim he or she was not aware of unfavorable remarks contained in such reports is not grounds for the board not to consider them.

(5) The officer concerned often solicits letters of commendation or appreciation or letters stating the officer's value to the Service. In some cases, these letters may be the only kind of evidence an officer is able to offer in refuting an accusation. The board must evaluate the

circumstances under which these letters are solicited in determining what weight it should give them. In so determining, it is proper for the board to consider the letter of solicitation if one exists, the period during which the writer knew or was closely acquainted with the officer, the writer's familiarity with the officer's habits and reputation, and the relationship between the writer and the officer, if any.

(6) The board may use punishment by court-martial or Article 15, UCMJ, for misconduct to support removal under these regulations.

4. Rights of Officer Concerned. The legal advisor shall explain to the officer concerned he or she has the following rights:

a. The officer may present evidence, represent himself or herself, or be represented by military counsel qualified under Article 27 (b), UCMJ, or civilian counsel of his or her own choice in all open board of inquiry proceedings; the officer must pay expenses incident to retaining civilian counsel.

b. At any time before the Commandant's final decision, the officer may apply for voluntary retirement, if eligible, or request early discharge under ☛ Article 12.A.15.f. or 14 U.S.C. 327, as applicable.

c. The officer may challenge for cause any voting member of the board.

d. The officer may request any witness whose testimony is pertinent to the case to appear as a witness before a board of inquiry hearing. The recorder of the board will invite those witnesses who meet ☛ Article 12.A.15.h.5.(j) requirements to appear.

e. The officer's counsel may question any witness brought before the board.

f. The officer is entitled to his or her rights under Article 31, UCMJ, and may or may not submit to examination by the board of inquiry.

(1) If he or she desires to submit to examination or make a statement under oath, he or she will be sworn.

(2) If he or she does not desire to make a sworn statement, the officer or the officer's counsel may make an unsworn statement, orally, in writing, or both. If the officer concerned makes an unsworn statement, he or she will not be subject to the board's cross-examination.

g. The officer will be allowed full access to and furnished copies of records

relevant to the case at all stages of the proceedings. However, the board shall withhold any records the Commandant determines should be withheld in the interest of national security. If a board withholds any records under this clause, the officer whose case is under consideration shall be furnished a summary of the records so withheld. Additionally, the officer will be furnished, to the extent the national security permits, the actual records or copies of them with the classified portions deleted.

h. The officer has the right to know how his or her officer evaluation reports or other reports on performance of duty reflect his or her past performance.

i. The officer or the officer's counsel may make a closing argument at the conclusion of presentation of evidence.

j. The officer is entitled to receive a copy of the verbatim transcript of proceedings.

5. Procedure.

a. A board of inquiry does not follow strict rules of evidence in its proceedings. The board should allow the officer concerned to present his or her case without undue interference; however, the officer should observe reasonable bounds of relevance. Decisions on the validity of these regulations and the constitutionality of the statutes authorizing this procedure are outside the board's responsibilities, and the board should not permit argument on these matters. The assigned legal adviser decides questions on the procedures prescribed by these regulations.

b. Voting members of the board will not review the case before the hearing.

c. The board will not allow spectators to be present during the proceedings, except those the officer concerned specifically requested in writing and the board president authorized. No one scheduled to be called as a witness or who has been a witness may be present as a spectator.

d. A board of inquiry may call witnesses on its own motion.

e. Witnesses appearing before the board shall testify under oath or affirmation.

f. The board's assigned legal advisor may not present the case or cross-examine witnesses. The legal advisor is present at all open sessions, instructs the board and respondent as appropriate, rules on all questions of evidence and procedure, and may excuse a member on challenge for cause.

g. The president may seek the legal advisor's guidance whenever necessary, but

the legal advisor will advise the board in open session in the presence of the officer concerned and his or her counsel and these proceedings become a part of the record. However, after the board has announced its recommendations in open session, it may request the legal advisor to attend its closed session to assist in the final drafting of the findings and recommendations.

h. A majority vote by secret written ballot shall decide any issue properly before the board for determination.

i. The board shall keep a verbatim record of its proceedings in open session.

j. On the board's behalf the recorder invites both the officer's and the Government's witnesses to appear if both are reasonably available and their testimony can contribute materially to the case. The procedures and policies in Rule 703, Rules for Courts-Martial, MCM, 1984, will be used as a general guide in determining what witnesses will be invited to appear. Article 49, UCMJ, will be used as a general guide in determining witnesses' availability. Using depositions or affidavits to obtain testimony of witnesses who are not reasonably available and of stipulations, when appropriate, is encouraged.

(1) If their superior determines Service requirements will not permit their appearance, the supervisor may prohibit Coast Guard members or civilian employees whose presence is requested as witnesses from appearing before the board, which then will use depositions or affidavits.

(2) Witnesses will travel by official military transportation when practical. If official military transportation is not available, witnesses may use commercial. The Government pays a civilian witness's fees and mileage under the Military Justice Manual, COMDTINST M5810.1 (series).

k. Recorder's Responsibilities.

(1) When the board of inquiry is convened, the board's recorder will examine and become familiar with all aspects of the case.

(2) The recorder determines if further investigation or additional documents are necessary to evaluate the case properly. If the recorder determines additional information is needed, he or she should request it as soon as possible.

(3) The recorder obtains factual information about requested and prospective witnesses' availability and then determines under ☛ Article 12.A.15.h.5.j. above which requested witnesses he or she will invite to appear on both the officer's and Government's behalf.

(4) The recorder ensures any travel orders necessary in accordance with ☛ Article 12.A.15.h.5.j. are issued promptly.

(5) The recorder notifies the board members in person or in writing of the time and place set for the hearing. He or she notifies the officer concerned by letter of the time and place set for the hearing and furnishes a copy to the officer's commanding officer.

(6) The recorder furnishes the officer concerned a copy of any records or other documentary material the board of inquiry will consider.

(7) The recorder makes other necessary preparations for the orderly progress of the case at the board hearing.

(8) The recorder ensures that a transcript of the hearing is prepared.

(9) The recorder also ensures the board has available a copy of these regulations.

(10) The recorder presents any material considered relevant to assist the board in reaching its finding.

(11) The recorder may cross-examine any witnesses called by the respondent.

(12) The recorder may present an opening statement and a final argument for the board's consideration.

6. Deliberations.

a. A board of inquiry must carefully consider the facts of each case and be specific with respect to the underlying facts which support its findings and recommendations. The president of the board must ensure board members are completely familiar with the facts developed in each case, as well as the purpose of the board of inquiry.

b. Before the board determines its findings and recommendations, it should review the purpose for which it was constituted, its guidance, and the evidence present before it in considering the following:

(1) The determination board found the officer concerned should be required to show cause. (Not applicable for Reserve officers with fewer than three years' service or for any chief warrant officer.)

(2) The purpose of the board of inquiry is to afford the officer concerned an opportunity to present evidence to refute matters of record offered against him or her or to otherwise establish the Service should retain him or her.

(3) The officer concerned must refute the Government's evidence and present evidence affirming his or her contention he or she is qualified to retain his or her current status.

(4) The board must consider an officer's record as a whole and make its recommendation based on a preponderance of evidence. Refuting any single reason for removal does not necessarily refute other documented reasons the board considers.

7. Findings and Recommendation.

a. The board determines its findings and recommendation by secret written ballot in closed session.

b. The board prepares a brief statement of the reason(s) (including factual data if necessary for clarification) for its findings.

c. After the board determines the findings, it makes an appropriate recommendation, limited to either retention or separation without qualifications.

d. A board of inquiry cannot concurrently recommend any proposal short of separation once it has concluded an officer should be separated for cause.

e. Final Action for Reserve and Chief Warrant Officer Proceedings. For Reserve officers processed for separation under ☛ Article 12.A.9. and chief warrant officers processed under ☛ Article 12.A.21.c., the president of the board shall advise the officer in open session of its recommendation and all applicable procedural matters listed as follows:

(1) If the special board finds the officer should be retained, the case shall be closed.

(2) If the special board recommends separation, its recommendation shall be sent to the Commandant who has final decision authority. The officer shall be furnished a copy of the verbatim record of the special board proceedings. Within 10 days after receiving or having access to a copy of the record of the special board proceedings, the officer or his or her counsel may submit a responsive rebuttal, limited to matters brought

before the special board, to Commander, (CGPC-opm-1).

(3) A summary of the board proceedings shall be sent to the Commandant.

8. Final Action for Regular Officers. In open session the president of the board advises the officer of its determination and all applicable procedural matters listed as follows:

a. When a board of inquiry determines the Service should retain the officer:

(1) The case shall be closed.

(2) A summary of the board's proceedings shall be sent to Commander, (CGPC-c).

(3) Commander, (CGPC-c) notifies the officer in writing through the chain of command.

b. When a board of inquiry determines the officer should be separated:

(1) Commander, (CGPC-c) notifies the officer in writing through the chain of command.

(2) A board of review will consider the case as described in ☛ Article 12.A.15.i.

c. Within 10 days after he or she receives or has access to a copy of the record of the board of inquiry proceedings, the officer or his or her counsel may file with the president of the board of review (c/o CGPC-opm-1) a rebuttal to the board of inquiry's findings and recommendations. If the officer files such a statement, he or she shall file a copy with the recorder to the board of inquiry, who in turn has 10 days in which to file a rebuttal to the statement of rebuttal and send to the officer concerned.

d. A verbatim record of the board of inquiry proceedings shall be sent to Commander, (CGPC-c) with a statement that the officer concerned was also furnished a copy.

12.A.15.i. Board of Review

1. On receiving the proceedings record of the board of inquiry which recommends separating an officer for cause, Commander, (CGPC-c) convenes a board of review.

2. The board of review consists of three officers senior to the members of the board of inquiry which considered the case. An officer may not be a member of the final review board if he or she was a member of the determination board or board of inquiry which considered the case or is ineligible to be a member of the board of inquiry for any reason listed in ☛ Article 12.A.15.h.2.

3. The board of review reviews the records and documented evidence the board of inquiry considered and made a part of its proceedings and any additional information the officer concerned or the recorder submitted under ☛ Article 12.A.15.h.8., to determine whether the officer concerned has or has not established he or she should be retained in the Coast Guard.

4. The officer concerned will not appear before the board of review, nor will counsel represent him or her.

5. After reviewing the case, the board of review determines without qualification whether to retain or separate the officer.

6. The officer is notified of the review board's findings and determination in writing through the chain of command.

7. If the board of review determines to retain the officer, the case is closed and Commander, (CGPC-c) so advises the officer in writing through the chain of command.

8. If the board of review determines to separate the officer, the board of review proceedings and its recommendation shall be sent to the Commandant who has final decision authority.

9. If the Commandant concurs with the board of review recommendation, the officer shall be separated. If the Commandant finds the officer should be retained, the case shall be closed. In either decision, Commander, (CGPC-c) so advises the officer in writing through the chain of command of the final action taken in the case.

12.A.15.j. Separation Date

An officer removed from active duty under these proceedings who does not request voluntary retirement before the specified separation date separates as specified in 14 U.S.C. 327(b) on the first day of the second month after that in which the Commandant approves the recommendation of the board of review. For example, if the Commandant approves the recommendation on 15 May, the officer shall be separated on 1 July.

12.A.16. Revoking the Coast Guard Band Director's Designation

The Secretary may revoke any designation as Director of the Coast Guard Band. If the Secretary does so, the member's appointment to commissioned grade under ☛ Article 1.A.6. terminates and the member has the following options.

1. Discharge from the Coast Guard; or
2. Reverting to the grade and status held when designated Director (14 USC 336).

12.A.17. Releasing Retired Recalled Officers from Active Duty

12.A.17.a. General

A retired officer recalled to active duty retains his or her retired status whether temporarily or permanently retired or transferred from the Temporary Disability Retired List (TDRL) to the Permanent Retired List while on active duty.

12.A.17.b. Release From Active Duty

On completing the term of service for which recalled, the Service either continues the retired officer for a further period of service or releases him or her from active duty; the released officer is entitled to recompute retired pay for years of service under 10 USC 1402.

12.A.17.c. Physical Disability

1. If an officer permanently retired for other than physical disability is recalled to active duty and while on active duty is found to have a physical disability of more than 30 percent, the officer remains on the Permanent Retired List and is entitled to recompute retired pay under 10 USC 1402 on release from active duty.

2. An officer on the Temporary Disability Retired List or retired permanently for physical disability who is recalled to active duty and found to have a physical disability in addition to or that aggravates the physical disability for which he or she retired is entitled to recompute retired pay under 10 USC 1402 on release from active duty.

12.A.17.d. Grade on Release

Since an officer can retire only once, the officer is released from active duty. The provisions of ☛ Article 12.C.15.f. do not apply. When released from active duty the retired officer is entitled to the grade in which he or she retired, to which certified on retirement or any higher grade to which promoted after recall to active duty.

12.A.18. Separating an Officer Serving in a Foreign Country

☛ Article 12.B.46.a. applies to officers. Address requests to Commander (CGPC-opm-1).

12.A.19. Severance and Separation Pay

12.A.19.a. Discharge Date

At his or her request and with the Secretary's approval, the Service may honorably discharge a Regular commissioned officer (except a commissioned warrant officer) retained on active duty under ☛ Articles 12.A.13.d. or f. and a commissioned warrant officer retained under ☛ Article 5.B.4. at any time before the otherwise specified retirement or discharge date.

12.A.19.b. Severance Pay

1. Each Regular lieutenant (junior grade), lieutenant, lieutenant commander, or commander involuntarily honorably discharged under ☛ Article 12.A.13. is entitled to a lump sum payment. The officer must elect severance pay and be discharged from active duty before becoming retirement eligible (14 USC 286).
2. The ☛ Pay Manual, COMDTINST M7220.29 (series), contains computations for severance and separation pay.

12.A.19.c. Separated for Cause

A regular Coast Guard officer separated for cause under article ☛ 12.A.15.c.1. and not eligible for retirement is entitled to severance pay. A regular Coast Guard officer separated for cause with a general discharge under ☛ Article 12.A.15.c.2. for moral or professional dereliction and not eligible for retirement, is not entitled to severance pay.

12.A.19.d. Warrant Officers

A commissioned warrant officer separated under ☛ Articles 5.B.4.c., i.e., twice failing of selection, or discharged under ☛ Article 12.A.21. for reasons specified in ☛ Article 12.A.15.c.1. and not eligible for retirement is entitled to severance pay. A commissioned warrant officer separated for unfitness or unsuitability under ☛ Article 12.A.21. for reasons specified in ☛ Article 12.A.15.c.2., i.e., removal for moral or professional dereliction, and not eligible for retirement is not eligible for severance pay.

12.A.19.e. Offsetting Deductions

Accepting a lump sum payment under this article does not deprive a person of any United States retirement benefits. However, an amount equal to the lump sum payment (14 USC 286 for Regular officers and 10 USC 1174 for Reserve officers) shall be deducted from the former member's retirement payments**. Any member in receipt of separation or severance pay and who subsequently becomes entitled to retired pay will have their retired pay withheld until the former separation/severance pay recouped.**

12.A.19.f. Reserve Officers

Unless the Secretary determines that the conditions under which a member was separated or discharged do not warrant such pay, a Reserve officer serving as a Reserve Program Administrator (RPA) or on extended active duty (EAD) discharged or released from active duty who has completed six or more consecutive, but fewer than 20 years' active service immediately before that discharge or release is entitled to separation pay computed under the regulations below as determined by the Commandant if the discharge or release from active duty is involuntary or the member was not accepted for an additional tour of active duty for which he or she volunteered.

1. Reserve officers involuntarily discharged, separated, or released from active duty are entitled to separation pay calculated under Section 10-J.4a.(1), ☛Coast Guard Pay Manual, COMDTINST M7220.29 (series).

2. Reserve officers discharged or released from active duty for the causes specified in ☛ Article 12.A.15.c.1., 2., or 3. are entitled to separation pay calculated under Section 10-J-4a.(2), ☛ Coast Guard Pay Manual, COMDTINST M7220.29 (series).

12.A.20. Terminating a Chief Warrant Officer Appointment

The Secretary may terminate the appointment of a chief warrant officer of the Regular Coast Guard at any time within three years after the date he or she accepted the original appointment as a chief warrant officer. A chief warrant officer whose appointment is terminated under this Article is not entitled to severance pay but may apply to the Commandant to reenlist (10 USC 1165). If approved, he or she reenlists in a grade the Commandant directs but not in one lower than the rate he or she held immediately before appointment as a chief warrant officer (10 USC 515). The procedures described in ☛ Article 12.A.11.b. apply.

12.A.21. Separating Chief Warrant Officers for Unfitness or Unsatisfactory Performance

12.A.21.a. General

The responsibility placed on chief warrant officers requires them to accomplish assigned duties effectively and adhere to proper standards of conduct at all times. Retaining chief warrant officers substandard in performance of duty or conduct, deficient in character, or otherwise unsuited for military service cannot be justified. The causes for separation listed in ☛ Article 12.A.15.c. apply.

12.A.21.b. Special Boards

Commander (CGPC-c) may submit to a board of at least three Coast Guard officers whose permanent grade is commander or above the names, records, and reports of warrant officers **who have been commissioned warrant officers for at least three years**. From among the names so furnished, the board shall determine any officer whose reports and records establish, in the board's opinion, unfitness or unsatisfactory

performance of duty or the officer's unsuitability for promotion. A finding of not qualified for promotion is appropriate only in cases involving an officer previously selected for promotion and being evaluated under ☛ Article 5.B.5.a.

12.A.21.c. Chief Warrant Officer Evaluation Boards

1. If a board convened under ☛ Article 12.A.21.b. finds a chief warrant officer unfit or unsatisfactory in performing duty, the officer shall be referred to an evaluation board convened by the Commander (CGPC-c). The board shall be composed of at least three Coast Guard officers whose permanent grade is commander or above.

2. A chief warrant officer whom an evaluation board convened under 1. above is considering does not appear before the board. However, the officer shall be advised of the reasons for the board and given at least 30 days to submit material on his or her own behalf.

3. If the evaluation board recommends that the officer should be retained, the case shall be closed. If the evaluation board recommends separation, the board's report shall be sent to the Commandant who has final decision authority. The officer will be notified of the Commandant's decision in writing through the chain of command.

4. In accordance with 10 USC 1166 a warrant officer whom the Commandant finds unfit or unsatisfactory following an evaluation board retires or separates on the first day of the month following 60 days after the Commandant acts on the board's recommendation as follows:

   a. If eligible for retirement under any provision of law, the officer shall be retired under that law.

   b. If the chief warrant officer is not eligible for retirement under any provision of law but has accrued at least three years of active service creditable under Section 511 of the Career Compensation Act of 1949, as amended, since the date he or she accepted the original appointment as a regular chief warrant officer, the officer shall separate with severance pay under 14 USC 286a, unless the separation was for reasons listed in ☛ Article 12.A.15.c.2. and the officer received a general discharge. However, officers entitled to severance pay may refuse it and instead request to enlist in a grade the Commandant prescribes under 10 USC 515.

   c. A chief warrant officer with fewer than three years of such service shall be separated under 10 USC 1165 without severance pay. However, he or she may request and, if the Commandant approves, enlist under 10 USC 515 in a grade the Commandant prescribes.

5. If the Commandant does not find a chief warrant officer unfit or unsatisfactory following an evaluation board, the case shall be closed.

Exhibit 12.A.1. PROCEDURAL GUIDE FOR A COAST GUARD BOARD OF INQUIRY CONDUCTED IAW 14 USC §322

The following script is to assist the Board of Inquiry:

Parties

Pres: This board will come to order. The time is _____ on _____. This hearing is being held at _____.

Rec: This board has been ordered by the Commander, Coast Guard Personnel Command by letter_____ (SSIC), dated_____, copies of which have been furnished to each member of the board, counsel for the respondent, and the respondent. This letter will be marked as Exhibit 1.

Rec: The respondent, _____, and the following persons detailed to the board are present:

President (senior member)_____

Member_____

Member_____

Counsel for the Board _____

Counsel for the respondent _____

Rec: _____ has been named reporter to this proceeding and will now be sworn. (Reporter rises and raises his or her right hand).

OATH: Do you swear or affirm that you will faithfully perform the duties of reporter to this board of inquiry so help you God?

[*NOTE: If it is known in advance that one being sworn will "affirm" rather than "swear", the words "swear or" and "so help you God" should be omitted from the oath.*]

Rptr: I do.

Rec: I am _____, and I have been detailed as recorder to the board. I am (not) qualified and certified under Article 27(b) of the Uniform Code of Military Justice & sworn under Article 42(a) UCMJ.

[*NOTE: Mark counsel's detailing letter, if any*]

Rsp Cnsl: I have been detailed to represent _____, the respondent, before this board by _____. I am qualified and certified under Article 27(b) of the Uniform Code of Military Justice and sworn under Article 42(a) UCMJ. (If a civilian attorney - I am admitted to practice law before the Supreme Court of the State of _____).

[*NOTE: Mark counsel's detailing letter, if any*]

Rights to Counsel

Pres: (To Respondent) _____, you have probably been advised of your rights to counsel established by the Coast Guard Personnel Manual and 14 U.S.C. 325. To insure that you fully understand those rights, I will describe them:

(1) You may choose to represent yourself, and not have counsel to assist you.
(2) You may be represented by

(a) military counsel, qualified in accordance with Article 27(b), UCMJ appointed at no cost to you, or

(b) civilian counsel of your own choice at no expense to the government.

Do you understand these rights to counsel?

Resp: [reply]

Pres: How do you choose to exercise your right to counsel?

Resp: [reply]

Pres: [To respondent's counsel] Do you perceive any actual or apparent conflicts of interest in your representation of _____?

Rsp Cnsl: [reply]

Precept for the Board

Rec: This board has been convened for the purpose of considering pertinent facts in the case of _____USCG, who is being required to show cause for retention on active duty in the Coast Guard by reason of _____
_____
(see determination board report & PERSMAN §12.A.15.c.)

Rec: (A copy of) the notification to the respondent that the Board of Determination in his/her case found that he/she should be required to show cause for retention on active duty in the Coast Guard and respondent's acknowledgement of same, is marked as Exhibit_____, and made part of the record.

[*NOTE: The notification letter alone may not state the specific reason(s) why the officer must show cause for retention. If this information is not contained in the convening order, then include the basic Determination Board Report, without any additional documents, into the Board of Inquiry's record at this point. The only reason to incorporate the Determination Board's report into the record is to clearly establish the specific reason(s) why the officer must show cause for retention.*]

Pres: The legal advisor will now instruct the board as to the purpose of the board of inquiry, as set forth in article 12.A.15.h.3 of the Coast Guard Personnel Manual (COMDTINST M1000.6A).

Legal Advisor Instructions to the Board of Inquiry

Leg Ad: I am _____and I have been appointed as legal advisor to this board. My duties are first of all to instruct the board regarding the purpose of the board and the procedural rules that the board will follow. Secondly, I will rule on questions concerning procedures, evidentiary questions, and challenges for cause presented against a member. I will also advise the president of the board on any other matters determined appropriate by the president. Any advice I give must only be given in open session, and will be made part of the record. I am required to be present for all open sessions, but I am prohibited from taking part in presenting the case or cross-examining witnesses. However, after the board has announced its recommendations in open session, it may request my presence in its closed session for the purpose of assisting in the final drafting of the findings and recommendations.

Leg Ad: The board is convened pursuant to 14 U.S.C. 321 - 327 and Article 12-A-15 of the Coast Guard Personnel Manual, copies of which have been provided to the board.

Leg Ad: The purpose of the board is to afford _____ (Resp) a fair and impartial hearing at which he/she has an opportunity to establish that his/her retention in the Coast Guard is warranted. _____ may present evidence to refute matters of record offered against him/her or otherwise establish that he/she should be retained. The board of inquiry will consider all relevant evidence presented at the hearing and make findings and a recommendation based on a preponderance of evidence. The members of this board have been selected in accordance with the criteria established in the statute and the Coast Guard Personnel Manual. In summary, these provisions are:

(1) There are at least 3 voting members.

(2) There are an odd number of members and at least three.

(3) All members serve in the grade of Commander or above and are senior to the respondent.

(4) No officer may sit as a member of this board of inquiry if he or she:

(a) Is a witness in the case before the board;

(b) Was a member of the determination board in the case under consideration.

[*Note: this provision does not apply to Reserve officers because their cases are referred directly to a special board of officers*]

(c) Appeared as a witness before, or was a member of any previous determination board, special board, board of inquiry, or board of review which considered the officer for separation;

(d) Initiated, investigated, was a member of, or was the reviewing authority in a court-martial before which the officer concerned was the accused;

(e) Previously recommended or participated in a recommendation for the officer's demotion, removal, or relief from active duty; or

(f) Previously was a reporting officer on any performance evaluations the board will view.

Leg Ad: (To the board) Does any member believe that any of these prohibitions applies to them? [Negative response from all members OR go into detail.]

As you have previously been advised, _____(respondent) is being required to show cause for retention on active duty in the Coast Guard. The burden of proof rests with_____(respondent) to effectively refute the reasons why he/she was required to show cause for retention on active duty, or to otherwise produce evidence to establish that (s)he should be retained. (S)he will be represented by_____, who will present any evidence and examine and cross-examine witnesses on behalf of the respondent, and will be provided an opportunity to present a closing argument at the conclusion of the presentation of evidence.

Leg Ad: The recorder, _____, has marshaled the documentary evidence and has invited witnesses to appear (on behalf of both the government and the respondent). He/She has become familiar with all aspects of the case, and is prepared to assist the board by presenting relevant evidence to the board, and by examining and cross-examining witnesses. At the board's discretion, he/she will also be prepared to summarize the evidence and argue on behalf of the government at the end of the case.

Leg Ad: I will now advise you specifically regarding your duty as members of this board.

(1) By its action, this board establishes the minimum level of performance of duty, integrity, or adherence to standards acceptable of Coast Guard officers. If this board determines that _____(respondent) has established that he/she should be retained, then his/her case will be closed and the officer retained. On the other hand, if this board determines that _____ has failed to establish that he/she should be retained, then you will send a recommendation for discharge to CGPC which will initiate the additional reviews required by law.

(2) This board of inquiry is an administrative board not subject to the rules and procedures governing court or court-martial action. It does not judge the Determination Board.

(3) As a result of the Determination Board's findings, _____ (respondent) must show cause for retention on active duty. At this board of inquiry, _____ has the opportunity to present evidence to refute matters of record offered against him or her or otherwise establish the Service should retain him or her.

[*NOTE: Although not processed by a determination board, Reserve officers may provide evidence to refute matters of record offered against them or otherwise establish they should be retained. These same standards apply to chief warrant officers being considered for separation under --> Article 12.A.21.*]

(4) If this board determines it needs additional information to evaluate the case properly, you may request the information through the convening authority.

(5) The board only receives evidence presented during the board proceedings.

(6) The board evaluates all evidence and information it receives or develops on the matter it is considering in the hearing and arrives at a clear, logical finding consistent with the information and evidence presented.

(7) On the basis of its findings the board determines whether the Coast Guard should or should not retain _____(respondent).

(8) Consistent with its determination, this board may cause the officer to be retained or may make a recommendation for discharge.

(9) While the board may consider old reports and records in establishing a pattern of substandard conduct or adherence to standards, an officer's instances of good performance or good conduct in the remote past cannot negate a record of progressively deteriorating performance of duty, conduct, or adherence to standards.

(10) An officer cannot offset allegations involving a defect in character or integrity by a rebuttal that attempts to emphasize other qualities in his or her favor.

(11) The board may consider these additional items to assist it in evaluating any material submitted for the board's consideration:

(a) A record of recently improved performance may result from an unusual effort on the officer's part after learning he or she was recommended for separation for cause. By itself it does not overcome a pattern of ineffectiveness. The board may consider improved performance together with other evidence in the record to determine whether the officer has established that retention is warranted.

(b) Promotion or selection for promotion, while proper evidence on the officer's behalf, does not necessarily justify his or her retention.

(c) In cases where poor performance is involved, it is essential for the board to examine the entire performance file in detail. In doing so, the board should consider these aspects.

(d) The length of time each report covers.

(e) The duty the officer performed and the level at which performed.

(f) The trend in performance, up or down, as the officer gained experience.

(g) Copies of all performance evaluations, and all other documentary evidence, made available to the board will be made available to _____ (respondent). An officer's claim that he or she was not aware of unfavorable remarks contained in such reports is not grounds for the board not to consider them.

(h) The officer concerned in a board of inquiry often solicits letters of support. In some cases, these letters may be the only kind of evidence an officer is able to offer to refute the Determination Board's findings. The board must evaluate the circumstances under which these letters are solicited in determining what weight it should give them. In so determining, it is proper for the board to consider the letter of solicitation, the period during which the writer knew or was closely acquainted with the officer, the writer's familiarity with the officer's habits and reputation, and the relationship between the writer and the officer, if any.

(i) The board may use punishment by court-martial or Article 15, UCMJ, for misconduct to support removal under these regulations.

Procedures

Leg Ad: The following additional rules of procedural nature will apply to these proceedings.

(1) A board of inquiry does not follow strict rules of evidence in its proceedings. The board should allow the officer concerned to present his or her case without undue interference; however, the officer should observe reasonable bounds of relevance.

(2) Decisions on the validity of the PERSMAN and the constitutionality of the statutes authorizing this procedure are outside the board's responsibilities, and the board should not permit evidence or argument on these matters.

(3) Spectators will not be allowed during the proceedings, unless the President so authorizes on the respondent's specific written request. No one scheduled to be called as a witness or who has been a witness may be present as a spectator.

(4) Voting members of the board may not review the case before the hearing. The board may call witnesses on its own motion. All witnesses will be sworn.

(5) Issues properly before the board shall be decided by a majority vote in a secret written ballot. The standard of proof applicable in these proceedings is by a preponderance of the evidence.

(6) A verbatim record of these proceedings will be made.

Leg Ad: Mr. President, this concludes my preliminary instructions to the board. Does any member of the board have any questions regarding these instructions?

Pres: (To Respondent)_____, the legal advisor will now advise you of your rights as set forth in 14 U.S.C. 325 and Article 12-A-15 of the Coast Guard Personnel Manual (COMDTINST M1000.6A). If you have any question in relation to these rights, do not hesitate to voice these questions either to me or in private consultation with your counsel.

Leg Ad: You may present evidence, represent yourself, or be represented by military counsel qualified under Article 27 (b), UCMJ, or civilian counsel of your own choice in all open board of inquiry proceedings. However, you must pay all expenses incident to retaining civilian counsel.

If this board recommends discharge then, at any time before the Commandant's final decision, you may apply for voluntary retirement, if eligible, or request early discharge under --> Article 12.A.15.f. PERSMAN or 14 U.S.C. 327, as applicable.

You may challenge for cause any voting member of the board.

You may request that any witness whose testimony is pertinent to the case appear as a witness before a board of inquiry hearing. The recorder of the board will invite those witnesses who meet the requirements of Article 12.A.15.h.5.(j) of the Personnel Manual to appear.

You, or your counsel, may question any witness brought before the board.

You are entitled to your rights under Article 31, UCMJ. You have the right, at your option, to testify or not testify before this board. If you choose not to testify, that decision will not be considered in any manner against you and is not relevant to any determination before the board.

If you elect to testify before this board, then you may be examined or cross-examined by the recorder and this board on any matter considered relevant to these proceedings, regardless of whether or not you testified to these matters when questioned by your counsel.

Leg Ad: Do you understand these rights?

Resp: [reply].

Leg Ad: If you desire to submit to examination or make a statement under oath, then you will be sworn.

If you do not desire to make a sworn statement, you or your counsel may make an unsworn statement, orally, in writing, or both. If you make an unsworn statement, then you will not be subject to cross-examination by the board or the recorder. However, the recorder may introduce evidence to rebut your statement.

Also, you may, if you wish, not testify or give any statement at all. If you do this, the board will not consider it against you in any way.

You have been, and will be, allowed full access to and furnished copies of records relevant to the case at all stages of the proceedings. This includes all officer evaluation reports and any other reports concerning your performance of duties. However, the board shall withhold any records the Commandant determines should be withheld in the interest of national security. If a board withholds any records under this clause, you shall be furnished a summary of the records withheld. Additionally, you will be furnished, to the extent the national security permits, the actual records or copies of them with the classified portions deleted.

You or your counsel may make a closing argument at the conclusion of presentation of evidence.

You are entitled to receive a copy of the verbatim transcript of these proceedings.

Finally, your failure to invoke any of your rights of which you have been apprised cannot be considered as a bar to the board's proceedings, findings, and recommendations.

Leg Ad: _____ Do you understand these rights as I have explained them? Do you have any questions?

Resp: [reply]

Pres: (To Respondent): _____, do you have any (other) questions about this board or these proceedings?

Resp: [reply]

(Swearing of the Board & Procedures for Challenges

Pres: Now that the preliminary advice and instructions have been completed, we will proceed to the swearing and the qualification of the members of the board.

Leg Ad: (To Respondent) As I mentioned earlier, you have the right to challenge any "voting member" of the board for cause only. The president and the other members of the board are "voting members". The recorder and legal advisor are not "voting members" and may not be challenged.

Leg Ad: A challenge may be made at any time during the proceedings. The grounds for challenge must show that the individual cannot be impartial on the issues before the board.

You or your counsel may question any voting member of this board in relation to any matter regarding possible grounds for a challenge for cause. I will determine any challenge for cause against a voting member.

Leg Ad: A sustained challenge will be reported to the convening authority, and, if it would reduce the number of members below three, the board will recess or adjourn until the convening authority appoints another member.

Leg Ad: (To Respondent:)_____, do you have any questions concerning this right or these procedures?

Resp: [reply]

Leg Ad: At this point the members of the board, the recorder, and I will be sworn.

(Members, recorder and legal advisor rise.)

Rec: (To members) Raise your right hand. Do you _____, _____, and _____, swear or affirm that you will faithfully perform all the duties incumbent upon you as members of this board of inquiry and that you will inquire into the matters now before you without partiality, so help you God?

Mem: I do.

Rec: (To Legal Advisor) Raise your right hand. Do you _____, swear or affirm that you will faithfully perform the duties of legal advisor for the board, so help you God?

Leg Ad: I do.

Pres: (To recorder) Raise your right hand. Do you_____, swear or affirm that you will faithfully perform the duties of recorder for the board, so help you God?

Rec: I do. (All take seats)

Rec: If any member of the board is aware of any matter which you believe may affect your ability to render a fair and impartial decision in the case now in hearing, you should now state such matters. (Ask each by name).

Mem: (I am not aware of any such matters.) (_____).

[*NOTE: Any positive answers should be heard outside of the hearing of the members not involved.*]

Pres: Does the respondent or counsel for the respondent wish to question any member of the board in relation to any matter regarding possible grounds for challenge for cause?

RC/Resp: [reply]

[*NOTE: After the respondent has completed questioning the board member(s), the recorder and legal advisor may ask follow-up questions.*]

Pres: Is there a challenge for cause against any voting member of this board?

[*NOTE: If a member is challenged, then all members should withdraw for any argument and the decision on the challenge.*]

RC/Resp: Respondent (has no challenges for cause against any of the members) (challenges (member _____on the basis that_____).

[*NOTE: If the board must be reconstituted as the result of a sustained challenge, repeat the appointing order procedures, as necessary.*]

Pre-Hearing Matters

Pres: At this time, the recorder will state briefly any appropriate pre-hearing matters involving the board which should be preserved on the record, and if applicable, place into evidence any documentary material concerning same.

Rec: There are (no) (the following) pre-hearing matters to be placed before the board. _____.

[*NOTE: What may be placed on the record here as exhibits are such matters as requests for counsel, witnesses, or continuances, answers to same, proposed witness and documentary evidence lists, or any other correspondence or documents concerning the board which are deemed appropriate.*]

Pres: Does the respondent or (his) (her) counsel have any comments, additions or objections to any of the foregoing concerning pre-hearing matters?

RC/Resp: [reply]

Evidentiary Matters

Leg Ad: The general procedures for hearing the evidence in the case are as follows:

(1) The recorder will present any evidence considered relevant to a proper evaluation of the case.

(2) The respondent will then be provided an opportunity to present evidence or call witnesses to show cause for retention on active duty.

(3) Prior to hearing witnesses, the board, at its discretion, may recess to review the documentary evidence presented. This recess may either precede or follow the presentation of documents by the respondent.

Pres: Does the respondent, or counsel, have any questions or comments concerning the evidentiary procedures?

RC/Resp: [reply]

Pres: The recorder will place on the record at this time the names of witnesses which are presently expected to testify before this board and their order of appearance.

Rec: The following witnesses, in the order listed, are expected to testify before this board:_____
_____
_____
_____.

[*NOTE: If the witnesses and their order are on a written list, that document may be made an exhibit, if it is not already, with copies to the members, counsel, and respondent, in lieu of verbally listing witnesses.*]

Pres: Are there any other witnesses which the respondent wishes to appear before this board?

RC/Resp: [reply]

Pres: (To Recorder)_____you may present any additional documentary evidence relevant to the board's inquiry

[*NOTE: The following general procedure should be followed for each exhibit throughout the proceedings:*]

Rec: The recorder has the following documents ready for presentation to the board for consideration in these proceedings.

Rec: I have previously advised the respondent and his/her counsel concerning these documents and have made them available for their inspection. I now show these exhibits (individually) to the respondent and his/her counsel for their inspection.

Rec: Exhibit #_____is _____.

[*NOTE – give exhibits to the legal advisor who will hold until any objections are resolved.*]

Pres: Does the respondent or his/her counsel have any objections concerning this exhibit?

RC/Resp: (No objection) (We object _____because_____).

Leg Ad: (1) (Your objection(s) is (are) noted for the record.)

(2) Exhibit _____is accepted and will be made part of the record.

(3) Exhibit _____is excluded as being (totally irrelevant) (_____). I will retain the exhibit until the board has reached its decision. The exhibit will then be included in the record as an exhibit offered but not admitted.

[*NOTE: Repeat this procedure for each exhibit.*]

Rec: I have no further documentary evidence.

Pres: Does the respondent, or counsel, have any documentary evidence to submit to the board at this time?

[*NOTE: Offer the respondent an opportunity to introduce documents at this time following the same general procedure. However, the respondent may wait until the recorder has presented all of his/her evidence to introduce any evidence.*]

Pres: Before calling any witnesses, I intend to recess the board so that we may familiarize ourselves with the documents which have been admitted, and thus be better able to address the issues with witnesses that follow. Does either the recorder or the respondent or counsel have any other matter to bring to the board's attention before we recess the board?

Recess to Review Documents

The Board Reconvenes

Pres: The board will come to order.

Rec: The respondent, counsel for the respondent, recorder, legal advisor, the president and all members of the board are present.

Pres: We will now hear the witnesses.

Pres: (To Recorder)_____, call the first witness.

Rec: The first witness is _____.

Rec: Do you swear, or affirm, that the testimony that you shall give in the case in hearing shall be the truth, the whole truth and nothing but the truth, so help you God?

Wit: I do.

Rec: [question the witness]

RC/Resp: [Cross-examine the witness]

[*NOTE: The board members are allowed to examine the witness. This usually occurs after the recorder and counsel for the respondent/respondent have concluded questioning. However, board members are free to interject questions at any point if necessary for them to follow the testimony of a witness.*]

[NOTE: Proceed to hear all witnesses in a similar fashion.]

Rec: I have no further evidence to present.

Pres: (To respondent/respondent's counsel) Do you have any additional evidence that you would like to present?

RC/Resp: [Presents evidence]

RC/Resp: The respondent has nothing further to present.

[*NOTE: The recorder may introduce rebuttal evidence, if appropriate, at this point.*]

Pres: Is there any more evidence that the board should consider?

Rec: [reply]

RC/Resp: [reply]

Pres: Having no other evidence to be considered, the respondent and his/her counsel may make argument or address any other comments to the board at this time. The recorder has the option to make an opening and rebuttal argument.

Rec: [Opening argument]

RC/Resp: The respondent (waives argument) (has an argument for the consideration of the board)_____.

Rec: [Rebuttal argument if any]

Final Board Instructions

Leg Ad: Mr. President and members, I will now instruct you in certain matters which are appropriate for your consideration while the board is in closed session.

A board of inquiry must carefully consider the facts of each case and be specific with respect to the underlying facts which support its findings and recommendations. The president of the board must ensure board members are completely familiar with the facts developed in each case, as well as the purpose of the board of inquiry.

Before the board determines its findings and recommendations, it should review the purpose for which it was constituted, its guidance, and the evidence before it. You should also consider the following:

The determination board found that _____ should be required to show cause for retention.

[*Not applicable for Reserve officers with fewer than three years' of service or for any chief warrant officer*.]

The purpose of the board of inquiry is to afford the officer concerned an opportunity to present evidence to refute matters of record offered against him or her or to otherwise establish the Service should retain him or her.

The officer concerned, _____, must refute the Government's evidence and present evidence affirming his or her contention he or she is qualified to retain his or her current status.

The board must consider an officer's record as a whole and make its recommendation based on a preponderance of evidence. Refuting any single reason for removal does not necessarily refute other documented reasons the board considers.

The board determines its findings and recommendation by secret written ballot in closed session.

The board prepares a brief statement of the reason (including factual data if necessary for clarification) for its findings.

After the board determines the findings, it makes an appropriate statement concerning retention. This statement must be limited to either retention or separation without qualifications. A board of inquiry cannot concurrently recommend any proposal short of separation once it has concluded that an officer should be separated for cause.

Once the board has reached a decision, you shall return to an open session. The president of the board will advise the officer of its determination and all applicable procedural matters.

[*NOTE: If necessary, the legal advisor may instruct on specific issues raised by the case.*]

Leg Ad: Mr. President do you, or any member of the board have any questions regarding the instructions I have given?

Pres: [reply]

Pres: At _____hours, this board will now retire to deliberate.

Findings

Pres: The board will come to order.

Rec: The respondent, counsel for respondent, recorder, legal advisor, the president and all members of the board are present.

Pres: (To Respondent)_____, you are hereby advised that this board of inquiry recommends that you be (retained or separated).

[Continue from appropriate section below]

(IF RETENTION)

Pres: (To Respondent)_____, the board having recommended your retention on active duty, this case is now closed. The proceedings of the board of inquiry will be summarized, and you will be provided a copy of this summary. The original report will be forwarded to the Commander, (CGPC-c) who will formally notify you of the results in writing via the chain of command.

(IF SEPARATION RECOMMENDED)

Pres: (To Respondent)_____, since the board of inquiry has recommended separation, the record of the proceedings of this board will be forwarded to Commander, (CGPC-c) who will notify you of the results in writing through the chain of command.

A Board of Review will consider your case as described in Article 12.A.15.i of the PERSMAN and 14 USC §323.

You will be furnished a copy of the verbatim record of this board of inquiry, and of our findings and recommendations. If you would prefer, the copy of the record may be served on your counsel rather than yourself. Do you want the copy delivered to you or your counsel?

Resp: I wish my copy of the record be delivered to _____.

Pres: Within 10 days after you receive or have access to a copy of the record of the board of inquiry proceedings, you or your counsel may file with the president of the Board of Review (c/o CGPC-opm-1) a rebuttal to this board of inquiry's findings and recommendation. If you or your counsel files such a statement, a copy must be provided to the recorder at this board of inquiry, who in turn has 10 days in which to file a rebuttal to your statement and send to you (your counsel) a copy.

The Board of Review will hear the case whether or not you file a statement of rebuttal. You will be furnished a copy of the report of the board of review. If the board of review recommends retention on active duty, your case is closed. If the board of review recommends separation, your case may be forwarded to the Commandant. In either case, you will be notified of the action of the board of review on the completion of its deliberations.

Pres: This completes the open session of this board of inquiry. The legal advisor is requested to join the board in closed session to assist in the final drafting of the findings and recommendation.

Pres: This board of inquiry is adjourned.

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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12.B. Separating Active Duty Enlisted Members

12.B.1. General

12.B.1.a. Discharge Authority

Commander, Coast Guard Personnel Command is the Discharge Authority in all cases of administrative separation except in those cases specified in ☛ Articles 12.B.7., 12.B.9., 12.B.11., 12.B.15., 12.B.16., and 12.B.20. in which the district commander, maintenance and logistics commands, or commanding officer, as appropriate, may be the Discharge Authority.

12.B.1.b. Scope

The Service separates all Regular Coast Guard and Coast Guard Reserve active duty enlisted members according to the instructions contained in this Article. ☛ Article 12.B.54. contains a summary of various entitlements as they pertain to the different types of discharge. ☛ Reserve Policy Manual, COMDTINST M1001.28 (series) for processing Selected Reserve (SELRES) and Individual Ready Reserve (IRR) members.

12.B.1.c. Unqualified for Retention

The Armed Forces have the right and the duty to separate those members who clearly demonstrate they are unqualified for retention. Except for members separated under ☛ Article 12.B.20., separated members receive an appropriately characterized discharge certificate. At the same time, such members have rights the Coast Guard strives to protect. ☛ Articles 12.B.15., 16., 18., and 32., as appropriate.

12.B.1.d. Retention or Separation

In determining whether a member should retain current military status or be separated administratively, the Service may evaluate the member's entire military record, including records of non-judicial punishment imposed during a previous enlistment or period of service, all courts-martial records or convictions, and any other material or relevant factors. Commanding officers, investigating officers, administrative discharge boards, and other agencies charged with making such decisions consider records of non-judicial punishment imposed during a previous enlistment or period of service only if, under the case's particular circumstances, the records would have a direct, strong probative value in determining whether retention or administrative separation is appropriate.

1. Cases in which the circumstances may warrant using such records ordinarily are limited to those involving patterns of conduct which become manifest only over an extended period of time.

2. When the Service considers a record of non-judicial punishment imposed during a current enlistment or period of service, isolated incidents and events remote in time or with insignificant value in determining whether retention or administrative separation should be effected shall have minimal influence on the determination.

3. If the Service decides to separate a member administratively, ☛ Article 12.B.2.e. applies in determining the type of discharge.

12.B.1.e. Cases Involving Concurrent Disability Evaluation and Disciplinary Action

1. Disability statutes do not preclude disciplinary separation. The separations described here supersede disability separation or retirement. If Commander, (CGPC-adm) is processing a member for disability while simultaneously Commander, (CGPC-epm-1) is evaluating him or her for an involuntary administrative separation for misconduct or disciplinary proceedings which could result in a punitive discharge or an unsuspended punitive discharge is pending, Commander, (CGPC-adm) suspends the disability evaluation and Commander, (CGPC-epm-1) considers the disciplinary action. If the action taken does not include punitive or administrative discharge for misconduct, Commander, (CGPC-adm) sends or returns the case to Commander, (CGPC-adm) for processing. If the action includes either a punitive or administrative discharge for misconduct, the medical board report shall be filed in the terminated member's medical personnel data record (MED PDR).

2. Notwithstanding subparagraph e.1. above, disability evaluation in a member's case may proceed if Commander, (CGPC-c) or the Commandant (G-C) so direct. In such a case, the Commandant decides the ultimate disposition.

12.B.1.f. Definitions

As used in this article, these definitions apply:

1. Member. An enlisted man or woman of the Coast Guard.

2. Discharge. Complete severance from all military status.

3. Release from Active Duty. Termination of active duty status and transfer or reversion to a Reserve component not on active duty.

4. Separation. A general term including discharge and release from active duty.

5. Administrative Separation. Discharge or release from active duty when enlistment or required period of service expires or before then in the manner prescribed in this Article or by law but specifically excluding separation by sentence of general or special court-martial.

6. Military Record. A member's behavior while in military service, including general comportment and performance of duty.

7. Prior Enlistment or Period of Service. Service in any Armed Forces component which culminated in issuing a discharge certificate or certificate of service.

8. Administrative Discharge Board. A fact-finding board consisting of at least three experienced commissioned officers, at least one of whom serves as a lieutenant commander or higher, and may include as non-voting recorder the legal counsel appointed to represent the Government. ☛ Article 12.B.31. and the Administrative Investigations Manual, COMDTINST M5830.1 (series).

9. Discharge Authority. As established here and implemented by regulations issued by an Armed Force, an official authorized to make a final decision on specified types of discharges.

10. Respondent. A Coast Guard member who has been notified the Service has initiated action to discharge him or her under a specified Service regulation.

11. Counsel. A lawyer within the meaning of Article 27(b)(1) of the Uniform Code of Military Justice unless appropriate authority certifies in the permanent record a lawyer so qualified is not available and describes the qualifications of the substituted non-lawyer counsel.

12. Continental United States. The United States less Alaska and Hawaii.

13. Characterization of Service for Administrative Separation. A determination reflecting a member's military behavior and performance of duty during a specific period of service. The three characterizations are: (1) honorable, (2) under honorable conditions, and (3) under other than honorable conditions.

14. Minority Group. A segment of the population possessing common traits transmissible by descent or common characteristics and a cultural heritage significantly different from that of the general population.

15. Entry Level Status. The first 180 days of continuous active duty.

12.B.2. Determining the Type of Discharge

12.B.2.a. Policy

The Service discharges members with the type and character of service as determined by the reason for discharge, military record, and certain other conditions set forth here.

12.B.2.b. Procedure

In determining a member's type of discharge and character of service under these conditions, if a commanding officer believes a member should be issued a higher or lower type of discharge, he or she should so recommend to Commander, (CGPC-epm-1). The commanding officer should support such recommendation with pertinent parts of the member's Personnel Data Record (PDR). When the member is transferring for discharge, the commanding officer should make such recommendation before transfer with a copy to the unit to which the member is transferring.

12.B.2.c. Types of Discharge

1. There are five types of discharge for characterized separations:

    a. Honorable Discharge, DD Form 256 CG—Separation with honor.

    b. General Discharge, DD Form 257 CG—Separation under honorable conditions.

    c. Discharge Under Other Than Honorable Conditions, DD Form 794 CG—Separation under conditions other than honorable.

    d. Bad Conduct Discharge, DD Form 259 CG—Separation under conditions other than honorable.

    e. Dishonorable Discharge, DD Form 260 CG—Separation with dishonor.

2. An Uncharacterized Discharge applies when separation is without specific character. There is no certificate for this type discharge.

12.B.2.d. Reasons for Discharge

There are 14 formal reasons for discharge:

1. Enlistment expires.
2. Service obligation fulfilled.
3. Convenience of the Government.
4. Dependency or hardship.

5. Minority (age).
6. Disability.
7. Unsuitability.
8. Security.
9. Misconduct.
10. Court-martial sentence.
11. Entry-level separation (uncharacterized discharge).
12. For the good of the Service.
13. Homosexual conduct as defined in ☛ Chapter 12.E.
14. Care of Newborn Children as defined in ☛Chapter 12.F.

12.B.2.e. Characterization of Service

Except as indicated below, the sole criterion on which the Coast Guard characterizes service in the current enlistment or period of service is the member's military record during that enlistment, period of service, or any term extension the law or the Commandant prescribes or the member consents to. In characterizing service, the following shall not be considered:

1. Previous service activities, including among others records of court-martial conviction, non-judicial punishment, absence without leave, or commission of other offenses for which punishment was not imposed.
2. Pre-service activities, except misrepresentations including omitting facts which if known would have precluded, postponed or otherwise affected the member's eligibility for enlistment.
3. Activities occurring under ☛ Article 12.B.20. provisions.

12.B.2.f. Standards for Discharge

1. Honorable Discharge. A member's commanding officer or higher authority can effect a separation with an honorable discharge if the member is eligible for or subject to discharge and the member merits an honorable discharge under the standards prescribed here. Issuing an honorable discharge depends on:

   a. The member is eligible for discharge for one of these reasons:

      (1) Enlistment expires.

      (2) Service obligation fulfilled.

      (3) Convenience of the Government.

(4) Dependency or hardship.

(5) Minority (age).

(6) Unsuitability.

(7) Misconduct (except involvement with illegal drugs or obstructing drug urinalysis testing by tampering).

(8) The Commandant so directs.

b. Proper military behavior and proficient performance of duty with due consideration for the member's age, length of service, grade, and general aptitude. The Service will not necessarily deny a member an honorable discharge solely for a specific number of courts-martial convictions or actions under Article 15, UCMJ during his or her current enlistment or obligated service.

c. Through 30 June 1983, the member must have made a minimum final average of 2.7 in proficiency and 3.0 in conduct.

d. After 30 June 1983, the member must have a minimum characteristic average of 2.5 in each factor over the period of the enlistment. ☛ Article 12.B.48.b. contains directions for determining the final characteristic average.

e. If a member meets the prescribed final minimum average for an honorable discharge in only one of the two marking systems (i.e., averages only 2.5 in proficiency and 2.8 in conduct through 30 June 1983, but is clearly above the prescribed final minimum averages for service after 30 June 1983, or vice versa), the commanding officer shall notify Commander, (CGPC-epm-1) by letter of the situation at the earliest possible date. The letter must include, as a minimum, the final averages for the individual's marks under both marking systems, and the commanding officer's definite recommendation of the type of discharge proposed in the case.

f. Special Consideration. In any case in which a general discharge or a discharge under other than honorable conditions is warranted for one of the reasons set forth above, the Service may award the member an honorable or general discharge, as appropriate, under these conditions if the member:

(1) During the current or previous enlistment, period of obligated service, or any voluntary or involuntary extensions he or she has earned a Medal of Honor, Distinguished Service Medal, Legion of Merit, Distinguished Flying Cross, Coast Guard Medal, Bronze Star Medal, Air Medal, Coast Guard Commendation Medal, Gold Life Saving Medal, Silver Life Saving Medal or any other Armed Forces award equivalent to any of these decorations. In each case, the member's military record shall be fully considered in connection with any action taken.

(2) Is discharged for a disability incurred in the line of duty and resulting from action against an enemy.

(3) Is discharged while undergoing recruit training; the ☛ Article 12.B.2.f. proficiency mark requirement shall be disregarded.

(4) Received favorable action from Commander, (CGPC-epm-1) on a recommendation submitted under ☛ Article 12.B.2.b.

(5) If the particular circumstances in a given case warrant, the Commandant may direct issuing an honorable or general discharge in lieu of discharge under other than honorable conditions.

2. General Discharge. The member's commanding officer or higher authority may effect a separation with a general discharge if the member is subject to discharge and a general discharge is warranted under the standards prescribed in this paragraph. When a general discharge is issued for one of the reasons listed in ☛ Article 12.B.2.f.1.a., the specific reason shall be stated in an entry on a Administrative Remarks, CG-3307, in the member's Personnel Data Record. A general discharge applies in these situations:

a. The member either:

(1) Has been identified as a user, possessor, or distributor of illegal drugs or paraphernalia; or

(2) Has tampered with drug urinalysis samples, supplies, or documentation;

However, the commanding officer may recommend a discharge under other than honorable conditions in severe circumstances, including among others, tampering with evidence in drug seizure cases or distributing drugs for profit, to other Coast Guard members or to minors. ☛ Articles 12.B.2.f.3. and 12.B.32. for guidance and procedures.

b. The member is eligible for discharge for one of the reasons listed in ☛ Article 12.B.2.f.1.a. and

(1) The member's final average marks are less than those shown in ☛ Article 12.B.2.f.1.c. and ☛ Article 12.B.2.f.1.d for the respective periods, or

(2) When based on the individual's overall military record or the severity of the incident(s) which results in discharge, Commander, (CGPC-epm-1) directs issuing a general discharge.

3. Discharge Under Other Than Honorable Conditions. The Service may issue a discharge under other than honorable conditions for misconduct, security reasons or good of the Service if an administrative discharge board approves a recommendation for such a discharge or the member waives his or her right to board action. Such a discharge will be issued in lieu of trial by court-martial only if the Commandant determines an administrative discharge will best serve the interests of both the Service and the member. ☛ Article 12.B.2.f.1.c.

4. Bad Conduct Discharge. A bad conduct discharge, separation from the Service "under conditions other than honorable," may be issued only as a result of an approved sentence of a general or special court-martial.

5. Dishonorable Discharge. Separation from the Service under dishonorable conditions; a dishonorable discharge may be issued only as a result of an approved sentence of a general court-martial.

6. Uncharacterized Discharge. An uncharacterized discharge by its own connotation is separation without characterization of service. An uncharacterized discharge may be issued only if the provisions of ☛ Article 12.B.20. apply.

12.B.2.g. Reenlistment Codes

Each member discharged from the Service is assigned one of the following reenlistment codes, as appropriate. ☛ Certificate of Release or Discharge from Active Duty, DD Form 214, COMDTINST M1900.4 (series).

1. RE-1 Eligible for reenlistment.

2. RE-2 Ineligible for reenlistment due to retirement.

3. RE-3 Eligible for reenlistment except for a disqualifying factor. Assign the appropriate letter from COMDTINST M1900.4 (series); e.g., RE-3Y (unsatisfactory performance).

4. RE-4 Not eligible for reenlistment.

12.B.3. Explaining Discharge Types and Related Matters

Commanding officers periodically will explain to members the types of discharge certificates listed in ☛ Article 12.B.2., the basis for issuance, and the possible effects of various certificates on reenlistment, civilian employment, veterans' benefits and related matters. At a minimum commanding officers shall do so each time they explain UCMJ articles under ☛ Article 8.B.1. Commanding officers shall

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).

b. If the member has dependents and subsequently reenlists, it is possible he or she may not be entitled to transportation of dependents and household goods at Government expense. Although entitled to transportation of dependents and household goods at separation, the member is not guaranteed reenlistment in a pay grade that carries this entitlement.

c. The interviewer should advise a member who is a citizen of the Republic of the Philippines if transferred for separation under ☞ Article 12.B.47. and the member subsequently desires to reenlist, he or she will not be entitled to file for U.S. citizenship unless the reenlistment or extension actually takes place in the United States or its stated possessions (American Samoa, Swans Island, Guam, Puerto Rico, and the Virgin Islands.)

d. If the member is eligible to reenlist but does not intend to reenlist in the Coast Guard at his or her present duty station, **they must complete an Electronic Assignment Data Card (E-ADC) six months prior to their date of separation indicating their intentions (i.e. discharge, RELAD) (Personnel, Pay and Procedures Manual, HRSIC1000.2A).** If the member has a Selected Reserve obligation, **they must indicate their desire** for assignment to a Selected Reserve unit **or Individual Ready Reserve (IRR) on their E-ADC**. If the member does not have an obligation under 10 U.S.C. 651, the interviewer should encourage him or her to enlist in the Coast Guard Reserve. Commanding officers are authorized to enlist such members in accordance with the ☞ **Coast Guard** Recruiting Manual, COMDTINST M1100.2 (series), Article 3-F-6.

12.B.4.d. Personnel Data Record Entries

Members **that have indicated indecision or a desire not to reenlist or extend** shall acknowledge the following information on CG-3307 to be filed in the member's Personnel Data Record.

1. The interview date.

2. The member's expressed intention **not to** reenlist **or extend their enlistment**.

3. The commanding officer's determination whether the member is eligible to reenlist (if not, include the reasons) and the reenlistment and separation codes being assigned. If a member is not eligible to reenlist even though the average marks for Proficiency, Leadership, and Conduct meet the requirement for honorable discharge through 30 June 1983, a full explanation shall be entered.

4. If the member is eligible to reenlist but is not doing so within 24 hours of discharge, his or her signed Statement of Understanding that to remain in a continuous Service status, he or she must reenlist within three months of the discharge date (☞ Article 1.G.7.), but he or she may not be able to reenlist in the rate he or she held at discharge unless that rate is on the open rate list when the member reenlists. ☞ Article 1.G.3.

5. If the member is not eligible to reenlist, the interviewer informs the member of the reason for the determination and requires him or her to sign a statement on CG-3307 of the Personnel Data Record as having been so informed. ☞ Article 12.B.5.
6. If the member is a citizen of the Republic of the Philippines, a statement concerning future intention to apply for U. S. citizenship. ☞ Article 12.B.4.c.3.

12.B.5. Processing Procedures for Personnel Ineligible to Reenlist

12.B.5.a. Scope

If at the time of the initial pre-discharge interview conducted under ☞ Article 12.B.4.b. or any time after a commanding officer determines an enlisted member is not eligible to reenlist, this Article's procedures apply.

12.B.5.b. Fewer than Eight Years' Service

Commanding officers must notify a member with fewer than eight years of total active and/or Reserve military service at the time of the interview of the reasons why he or she is ineligible to reenlist and that he or she may submit a written appeal through the chain of command to Commander, (CGPC-epm-1) within 15 days of notification. The command shall furnish clerical assistance in preparing this appeal. The member must sign a statement on an Administrative Remarks, CG-3307, in his or her PDR acknowledging this notification.

12.B.5.c. More than Eight Years' Service

Commanding officers must notify a member with eight or more years of total active and/or Reserve military service at the time of the interview of the ineligibility determination. The member must sign a statement on a Administrative Remarks, CG-3307, in his or her PDR acknowledging this notification. The notice shall include this information:

1. The basis for the determination.
2. The member has the right to present the case and appear in person before a reenlistment board.
3. The member has the right to be represented by counsel.
4. The member may waive these rights in writing; however, he or she may do so only after legally qualified counsel has fully counseled the member on the matter. If the member then waives the right to a hearing before a board, he or she must submit a signed statement in this general format:

From:
To: Commander, (CGPC-epm-1)
Via:

Subj: WAIVER OF HEARING

1. My commanding officer has advised me he/she does not consider me eligible to reenlist, the reasons for this decision, and that a person ineligible to reenlist may not reenlist. He/she also advised me that unless I waive such rights in writing:

a. A board of at least three officers will hear my case.

b. I may appear in person before such board.

c. I may be represented by counsel.

2. I hereby waive my right to a hearing before a board. I *(am) (am not) submitting a statement in my own behalf.

3. I voluntarily sign this statement of my own free will after having been counseled by legally qualified counsel who has been provided to assist me. I have retained a copy of this statement.

_____
(Signature of Individual)

_____
(Signature and Grade of Legally Qualified Counsel)

_____
(Signature and Grade of Witness)

*Use only words which apply.

12.B.5.d. Appellant Procedures

On receiving an appeal, Commander, (CGPC) may direct that a particular appellant with fewer than eight years' total active and/or Reserve military service will be afforded the same rights to a board hearing as a member with eight or more years of such service possesses. Further, Commander, CGPC may reject a particular member's waiver of rights and direct a board to hear the case. The board convenes under the Administrative Investigations Manual, COMDTINST M5830.1 (series); the board members and procedures are the same as for Administrative Discharge Boards in ☞ Article 12.B.31. The board renders findings about the member's eligibility to reenlist or can specify a probationary enlistment extension for any period up to one year.

12.B.5.e. Documentation

When board action is required, the convening authority furnishes the president of the board with the respondent's PDR and the commanding officer's comments and recommendations. However, if the commanding officer recommending denial of reenlistment also functions as the convening authority, he or she shall not furnish any comments or recommendations. A convening authority shall not appear before a board he or she convenes. When the commanding officer and convening authority are one and the same, the documents are limited to:

1. Summary of military offenses.
2. Civil convictions.
3. If submitted, the member's signed statement on his or her own behalf.
4. 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 CG-3306 showing factor marks.

12.B.5.f. Probation Extension

If the board recommends probationary enlistment extension, these guidelines apply:

1. The board shall propose the probation's length and terms, which should address the particular deficiencies that have led to recommended denial of reenlistment and provide the respondent with clear, specific standards of performance and conduct expected during the probation.
2. On receiving the reenlistment board's report, the commanding officer or convening authority may offer the respondent an opportunity to begin voluntary evaluation under the recommended probation terms if the commanding officer deems such action appropriate. He or she should inform the respondent that failure to begin evaluation under the probation terms will not affect how the final reviewing authority considers the case, but sincere, successful, voluntary compliance could favorably affect consideration. The commanding officer also should inform the respondent voluntary evaluation while on probation is not binding on Commander, (CGPC-c) as Final Reviewing Authority.
3. If the commanding officer agrees to begin a respondent's requested evaluation under recommended probationary terms, he or she shall inform the respondent of the precise terms of probation on a Administrative Remarks, CG-3307, in the respondent's PDR. The respondent acknowledges them in writing at the end of this mandatory statement:

   > I hereby agree to comply with terms of probation as set forth above the reenlistment board recommended in my case. I realize the convening authority and reviewing authorities will not consider my compliance with these probationary terms binding on the action they take on my reenlistment board and the Commandant as Final Reviewing Authority may cancel, amend, or extend these probationary terms.

4. When a commanding officer agrees to implement a respondent's evaluation under probationary terms recommended by a reenlistment board, he or she sends a letter report of that action to Commander, (CGPC-epm-1) independent of his or her endorsement to the reenlistment board's report. The letter report shall state the terms of probation as implemented and indicate whether the respondent's transfer for evaluation is warranted or desirable.

5. The commanding officer under whom the respondent is serving a probationary extension will evaluate his or her performance of the probation terms every 30 days and enter the respondent's progress on a Administrative Remarks, CG-3307, in his or her PDR. Until Commander, (CGPC-c) publishes the Action of the Final Reviewing Authority on the Reenlistment Board at the end of each 90-day period of the probation or sooner if necessary, the commanding officer will send Commander, (CGPC-adm-2) a synopsis of the respondent's performance.

12.B.5.g. Deadlines

When practical, a board shall convene early enough so Commander, (CGPC-adm-2) can receive the completed report and one copy at least 120 days before the enlistment expires. When a member entitled to a board hearing waives this right, the documents specified in ☞ Article 12.B.5.e. plus the member's signed waiver of rights in the format prescribed in ☞ Article 12.B.5.c. shall be submitted to Commander, (CGPC-adm-2) 60 days before the member's enlistment expires or as soon thereafter as practical.

12.B.5.h. Pending Notice

Members awaiting action of the Final Reviewing Authority shall be retained until Commander, (CGPC-epm-1) advises the commanding officer of the Final Reviewing Authority's action.

12.B.5.i. Coast Guard Personnel Command's Final Action

In acting on a reenlistment board's recommendation, Commander, (CGPC-c) as Final Reviewing Authority will take action similar to that provided for in the case of administrative discharge boards in ☞ Article 12.B.31.d.

12.B.6. Physical Examination Before Separation

12.B.6.a. Applicability

Before retirement, involuntary separation, or release from active duty (RELAD) into the Ready Reserve (selected drilling or IRR), every enlisted member, except those discharged or retired for physical or mental disability, shall be given a complete physical examination in accordance with the ☞ Medical Manual, COMDTINST M6000.1 (series). Other members separating from the Coast Guard; e.g., discharge or transfer to standby reserve (non-drilling) may request a medical and dental screening. The examination results shall be recorded on Standard Form 88. To allow additional time to process enlisted members being discharged for enlistment expiration or being released from active duty, the physical examination shall be given at least six months before separation from active duty. All physical examinations for separations are good for 12 months. If the member is discharged

for immediate reenlistment, the physical examination is not required. However, before discharge for immediate reenlistment, the commanding officer shall review the member's health record and require him or her to undergo a physical examination if evidence in the record or personal knowledge indicates a potential health problem.

12.B.6.b. Physically Qualified for Separation

When the physical examination is completed and the member is found physically qualified for separation, the member will be advised and required to sign a statement on the reverse side of the Chronological Record of Service, CG-4057, agreeing or disagreeing with the findings. When the member agrees he or she is physically qualified for separation, the original of Standard Form 88 shall be sent to Commander, (CGPC-adm) along with the terminated health record.

12.B.6.c. Objections to Findings

If a member objects to a finding of physically qualified for separation, the Standard Form 88 together with the member's written objections shall be sent immediately to Commander, (CGPC-epm-1) for review. If necessary the member may remain in service beyond the enlistment expiration date under ☞ Article 12.B.11.i. authority. However, completing the CG-4057 as soon as possible after the physical should preclude the need for this enlistment extension.

12.B.6.d. Disqualifying Conditions

When the examination for separation finds disqualifying physical or mental impairments, use the following procedures:

1. If the member desires to reenlist and the physical or mental impairment is permanent, send Standard Form 88 directly to Commander, (CGPC-epm-1), with a request for waiver or such other recommendations as are indicated.
2. If the member desires to reenlist and the physical or mental impairment is temporary, the necessary treatment shall be provided and the member remains in service under ☞ Article 12.B.11.f.
3. If the member does not desire to reenlist or is being discharged for reasons other than enlistment expiration and the physical or mental impairment is permanent, a medical board is convened under ☞ Chapter 17 and the member remains in service under ☞ Article 12.B.11.i.
4. If the member does not desire to reenlist or is being discharged for other than enlistment expiration and the disability is temporary, the member may consent to remain in service under ☞ Article 12.B.11.f. so necessary treatment may be given and a medical board convened if indicated. If the member does not consent to remain in the Service, a medical board is convened under ☞ Chapter 17 and the member remains in service under ☞ Article 12.B.11.i.

12.B.7. Enlisted Members' Early Separation

12.B.7.a. General

Under certain circumstances enlisted members may be separated before their normal enlistment expiration date provided such early departure is in the Government's best interest. In determining the eligibility date for early separation, consideration must be given to any deductible time that changes the normal enlistment expiration date, enlistment extension, period of obligated active duty, or obligated service. Early separation under this Article does not deprive a member of any right, privilege, or benefit to which otherwise entitled, except pay, allowances, and credit for service for any unexpired period not served. The member is entitled to a travel allowance and lump sum payment for leave and does not have to pay back a pro-rated portion of any reenlistment bonus he or she previously received.

12.B.7.b. Early Separation

Commanding officers are authorized to separate members three or fewer months before the normal separation date without referring to Coast Guard Personnel Command in these circumstances. Refer other cases in which such early separation appears warranted to Commander, (CGPC-epm-1).

1. When a cutter or mobile command is about to depart with the probability it will not return to the United States before the member's enlistment or period of obligated active duty expires.
2. When a cutter or mobile command is about to depart and the travel allowance then due the member is materially less than it would be if he or she separated in the port where the cutter is expected to be on the normal separation date.
3. When a member serving outside CONUS declines to reenlist, he or she may be:
   a. Separated on first reporting to a unit in CONUS on debarkation, or
   b. Separated on reporting to a district office in CONUS for further assignment to duty in that district, or
   c. Separated at the overseas duty station effective not earlier than the date of his or her scheduled rotation date when serving in other than a foreign country and if transfer to CONUS is not otherwise indicated. ☞ Article 12.B.46.
4. When a member requests in writing a discharge so he or she can reenlist immediately, except for a member who:
   a. Has received notice of selection for appointment to warrant or commissioned grade.
   b. Has been selected for or is enrolled in any military service's Officer Candidate School.
   c. Is in transit pursuant to permanent change of station orders.
   d. Has requested or received authorization for retirement.

5. Serves outside CONUS and indicates he or she intends to reenlist immediately on board in lieu of transfer for separation. Commanding officers shall effect early separation for immediate reenlistment on or about the date the member normally would transfer for separation.

12.B.7.c. Early Separation Procedures

Use these procedures in the cases of members released early from active duty under this Article and ☞ Article 12.B.8.

1. An active duty member with a Reserve obligation under 10 U.S.C. 651 released from active duty under this Article will receive a CG Reserve Assignment Request and Orders, CG-5525, in the 4th month before separation. The member will complete the CG-5525 and send it to the district commander (r) of the district where the member will reside after separation. If the member has a Selected Reserve obligation, he or she must request assignment to a Selected Reserve unit. The CG-5525 should be processed to reach the member's PERSRU before his or her early separation date. Commanding officers should encourage a member who does not have an obligation under 10 U.S.C. 651 to immediately enlist in the Coast Guard Reserve to continue his or her service. Commanding officers can effect such enlistments under the ☞ **Coast Guard** Recruiting Manual, COMDTINST M1100.2 (series), Article 3-F-6.
2. A Reserve member with or without a remaining obligation will receive a Coast Guard Reserve Assignment and Orders, CG-5525, in the fourth month before separation. The member completes and sends the CG-5525 to the district commander (r) of the district where the member will reside after separation. The CG-5525 should be processed to reach the member's PERSRU before his or her early separation date. The member remains in the Ready Reserve on inactive duty until he or she completes his or her obligation or enlistment expires, if applicable.

12.B.7.d. Voluntary Separation Procedures for Members Serving on an Indefinite Reenlistment Contract

Subject to the provision of 14 U.S.C. 357, an active duty member serving on an indefinite reenlistment under ☞ Article 1.G.6., may be separated at the discretion of Commander, (CGPC-epm). The actual separation of these members will be based on the overall needs of the Service. The provisions listed below generally apply; however, needs of the Service may impact the actual separation date.

1. **An enlisted member may only submit a request for voluntary separation to Commander, (CGPC-epm), if the member:**
   a. **Will have completed all obligated service requirements for promotion or advanced training before the separation date, and**
   b. **Requests an effective date of separation that provides:**
      (1) **Completing at least one year of duty at current duty station as of the requested separation date if assigned INCONUS.**
      (2) **Completing the prescribed tour length or at least two years, whichever is less, as of the requested separation date if assigned OUTCONUS.**

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.

From: Commanding Officer, (Unit)
To: (Individual concerned)

Subj: UNSATISFACTORY PERFORMANCE

Ref: (a) Personnel Manual, COMDTINST M1000.6 (series), Article 12.B.9.

1. This is to inform you that for the previous (number) months, your performance has been unsatisfactory compared to your peers in your pay grade. You are considered to be on performance probation. You must take stock of your actions that have caused this situation to develop and take corrective action. Your performance must improve over the next six months, or you will be considered for discharge.

2. The reasons for being placed on performance probation are: (state specific facts, incidents, unheeded corrective performance guidance, and any other documentation which supports the unsatisfactory performance evaluation(s)).

12.B.9.e. Discharge Processing

1. Notification Procedures. After the commanding officer notifies a member of unsatisfactory performance and closely observes the member (in most cases for six months), if he or she has not substantially improved his or her performance, the commanding officer will notify him or her in writing of the proposed discharge action. The official notification will be in letter form using the following example:

From: Commanding Officer, (Unit)
To: (Individual concerned)

Subj: DISCHARGE

Ref: (a) Personnel Manual, COMDTINST M1000.6 (series), Article 12.B.9.

1. This is to inform you I have initiated action to discharge you from the U.S. Coast Guard pursuant to the provisions of reference (a). Your performance marks for this enlistment support a [an] [honorable/general] discharge. The reasons for my action are: [State specific facts and incidents which caused the recommendation. Include dates and circumstances of contributory events, including (if applicable) non-judicial punishment and courts-martial; evaluate the member's potential to advance and satisfactorily complete enlistment.]

2. The decision on your discharge and the type of discharge you will receive rest with the [District Commander, Superintendent Coast Guard Academy, Maintenance and Logistics Command, or Commander, (CGPC-epm-1)]. * If you are awarded a general discharge, you may expect to encounter prejudice in civilian life.

*(Eliminate if performance marks entitle the member to an honorable discharge.)

(a) You may submit a statement on your behalf.

(b) You may disagree with my recommendation; if so, your rebuttal will be forwarded with my recommendation.

(c) You have the right to present your case and appear in person before an administrative discharge board. [Omit for members with fewer than eight years Regular or Reserve service.]

2. Acknowledgment. A member notified of a recommendation for discharge under this Article must indicate he or she understands his or her rights by completing this endorsement. The member may include a personal statement on his or her behalf in this response. The member must submit a signed acknowledgment using the following format.

FIRST ENDORSEMENT on

From: [Individual concerned]
To: Commanding Officer, [Unit]

Subj: DISCHARGE

1. I hereby acknowledge notification of my proposed discharge.

2. I [waive my right to submit/have attached] a statement in my behalf.

3. * I understand if I receive a general discharge under honorable conditions I may expect to encounter prejudice in civilian life.

*(Necessary only if ☞ Article 12.B.2.f. indicates a general discharge.)

4. **I hereby acknowledge I have been provided the opportunity to consult with [insert name], a lawyer.

**(Necessary only if ☞ Article 12.B.2.f. indicates a general discharge.)

5. I [object/do not object] to discharge from the U.S. Coast Guard.

_____
[Signature of individual]

3. Right to Counsel. Commanding officers shall give any individual recommended for discharge under this Article whose performance evaluations indicate the possibility of receiving a general discharge the opportunity to consult with a military lawyer for an explanation of rights before sending the discharge recommendation to the District Commander, Superintendent, Coast Guard Academy, Maintenance and Logistics Command, or Commander, (CGPC-epm-1). The member may consult a civilian counsel of choice at his or her own expense.

4. Submitting Recommendation. Submit each recommendation for discharge under this article to the District Commander, Superintendent, Coast Guard Academy, Commander, Maintenance and Logistics Command, or Commander, (CGPC-epm-1) and include:

   a. A statement of all the circumstances of the case.

   b. A signed copy of the notification letter.

   c. The member's signed acknowledgment.

d. 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.

e. Summary of military offenses.

5. Discharge Authority. An honorable or general discharge shall be issued under ☛ Article 12.B.2. to a member discharged under this Article. Members in Class "A" School immediately following recruit training who are separated under this Article receive an honorable discharge.

12.B.9.f. Surrender of Uniform

The member must surrender his or her uniform. ☛ Article 12.B.53.d.

12.B.10. Transfers at Time of Sailing

If a member is transferred ashore at time of sailing for misconduct, pending disciplinary action, or inability to make deployment for medical reasons and action for separation as indicated, the commanding officer of the unit initiating the transfer must send all available data on the member, including his or her recommendation and full documentation for separation, to the PERSRU to help avoid discharge processing delays.

12.B.11. Expiration of Enlistment

12.B.11.a. General

Unless a member voluntarily or involuntarily remains beyond the normal enlistment expiration date as provided in this Article or by other instructions the Commandant issues, a member shall be discharged or released from active duty and transferred to the Reserve to fulfill any remaining service obligation on the day before the applicable enlistment anniversary date. ☛ Article 12.B.7. for conditions allowing early separation within three months of the date service normally expires. A member who has declined to reenlist on the day after discharge shall not be discharged in a foreign country except when Commander, (CGPC-epm-1) specifically authorizes or as authorized by ☛ Article 12.B.46.a. Members whose normal enlistment expiration date falls on Friday, Saturday, Sunday, or a holiday shall not be separated more than seven days before the normal separation date.

12.B.11.b. Making up Lost Time

An enlisted Coast Guard member absent from duty due to the causes listed below for more than one day on return to full duty is obligated to serve for any period necessary to complete a full term of enlistment or obligated service. This does not preclude the member recommended for reenlistment from separating early for immediate reenlistment under ☛ Article 12.B.7.

1. Desertion, or

2. Absence without proper authority, including the civil arrest situations outlined in the Pay Manual, COMDTINST M7220.29 (series), or

3. Confinement under sentence which has become final, or

4. Confinement while awaiting trial and disposition of the member's case, and whose conviction has become final, or

5. Intemperate use of drugs or alcoholic liquor or disease or injury resulting from the member's own misconduct.

12.B.11.c. Extending Enlistment in Time of War or National Emergency

The Secretary may extend all Coast Guard members' enlistments during time of war or national emergency.

12.B.11.d. Cutter at Sea

No member will separate from a cutter at sea. Except as otherwise provided in this paragraph, a member whose enlistment expires shall remain in the Coast Guard until the cutter on which the member serves first arrives at its permanent station or a port in a state of the United States or the District of Columbia (14 U.S.C. 367(a)(1)).

1. The member may voluntarily extend enlistment. Commanding officers are hereby authorized under ☛ Article 1.G.31.a. to accept one voluntary enlistment extension for any number of full months.

2. Subject to such restrictions as higher command imposes, a cutter's commanding officer may discharge fully qualified members so they can reenlist immediately while the cutter serves at sea. As provided in ☛ Article 12.B.7.b., commanding officers may effect the discharge any time within three months before the normal enlistment expires up to the normal expiration of enlistment.

3. A member serving on a cutter in foreign waters on the date his or her enlistment or extension expires who declines to reenlist and does not voluntarily extend the enlistment under Item 1. above remains in the Coast Guard until the cutter returns to a port in the CONUS or the member transfers there to separate. If the cutter's commanding officer certifies and the cognizant superior command ashore concurs retaining the member is essential to the public interest, the member is entitled to an increase of 25 percent in basic pay for the retention period. ☛ 10 U.S.C. 5540 and 14 U.S.C. 367. If a member remains beyond enlistment expiration for lack of transportation, because his or her continued service is merely desirable, or he or she derives some benefit from continued service, opposed to retention because such services are essential to the public interest, the member is not entitled to the 25 percent increase in basic pay. A member so retained shall separate at the earliest possible date after arrival in the CONUS and in any case within 30 days after arrival. 10 U.S.C. 5540 excludes members retained beyond enlistment expiration at shore stations; on cutters on duty in waters in or around United States possessions and territories or in ports or waters within U.S. sovereign jurisdiction; and Reserve members retained on active duty beyond the expiration of their period of active duty, distinguished from the normal date enlistment expires. The member must execute the signed statement required by ☛ Article 12.B.46.b. The Personnel and Pay Procedures Manual, PPCINST M1000.2 (series), contains procedures for entering Form CG-3312A in the member's PDR to document whether the retention was essential to the public interest and the cutter's location when enlistment expired. The Pay Manual, COMDTINST M7220.29 (series), contains instructions governing payment of the 25 percent addition to basic pay.

12.B.11.e. Attached to Shore Station Outside CONUS

A member attached to a shore station in a foreign country on the date his or her enlistment or extension expires may be detained in service up to three months:

1. If not immediately reenlisting, until first arrival at a port where separation can be effected. ☛ Article 12.B.46.b.; or

2. If immediately reenlisting, until reenlistment can be effected at current station; or

3. If not immediately reenlisting and requests separation in the area where serving under ☛ Article 12.B.46.a. provisions, until separation can be effected.

12.B.11.f. Undergoing Medical Treatment or Hospitalization

1. Incident to Service.

   a. An active duty member whose enlistment expires while he or she suffers from a disease or injury incident to service and not due to his or her own misconduct and who needs medical care or hospitalization may remain in the Service after the normal enlistment expiration date with his or her consent, which should be in writing and signed by the ill member on Form CG-3312A in his or her PDR. ☛ Personnel and Pay Procedures Manual, PPCINST M1000.2 (series). He or she may remain until recovered to the point he or she meets the physical requirements for separation or reenlistment or a medical board ascertains the disease or injury is of a character that prevents recovery to such an extent. Tacit consent may be assumed if mental or physical incapacity prevents informed consent. A member in this category ordinarily will remain up to six months after the enlistment expiration date; however, the Commandant may authorize further retention on proper recommendation accompanied by the supporting facts. ☛ 14 U.S.C. 366 and Article 12.B.6.

   b. If the member desires separation, it shall be effected, provided the member signs this entry on an Administrative Remarks, CG-3307, in the PDR, witnessed by an officer, when examined for separation:

      I, ___[Member's name]___, desire to be separated from the Coast Guard on my normal expiration of active obligated service date. I understand I will not be eligible for further follow-up studies or treatment at a U.S. Uniformed Services medical facility or disability benefits under laws the Coast Guard administers, and any further treatment or benefits would be under the Veterans' Administration's jurisdiction.

   c. An untimely separation of a member subject to a physical evaluation board proceeding may prejudice the case because the law requires making necessary physical disability determinations while the member is entitled to receive basic pay except for members on duty 30 or fewer days. ☛ 10 U.S.C. 1204. Commanding officers should explain this to any member whose enlistment or term of active service is about to expire and requests discharge or release from active duty before the board so determines. If the member does not withdraw the request following such explanation, the statement below shall be entered in the member's PDR on an Administrative Remarks, CG-3307. The member signs this statement and an officer witnesses it.

I, [Member's name), desire to separate from the Coast Guard despite the fact separation may prejudice any rights or benefits to which I may be entitled as a result of physical evaluation board hearings under 10 U.S.C. 61. I have been duly advised of my rights in this matter and request the Coast Guard to discharge me as soon as possible without further hearing and without disability, retirement, or severance pay and without any compensation whatsoever. I understand I am not required and am under no obligation to give this statement and I hereby certify I give this statement voluntarily.

d. No member shall separate until the Commandant has taken final action on any pending Physical Disability Evaluation System (PDES) board, unless the member desires separation and meets the provisions of subparagraphs b. or c.

2. Disability Not in Line of Duty or Misconduct. A member undergoing hospitalization for injury, sickness, or disease not incurred in the line of duty or due to his or her own misconduct will not be detained under subparagraph 1. provisions. Unless the enlistment is extended by some other provisions of law or instructions, a medical board should be held on a member in this status sufficiently early to permit the Commandant to act on a recommendation for disposition before the enlistment expires. ☛ Article 12.B.6.

3. Disability Due to Misconduct. If a member is undergoing hospitalization for injury, sickness, or disease due to his or her own misconduct, his or her enlistment automatically is extended by such lost time; ☛ Article 12.B.11.b. A medical board should be held on members in this status sufficiently early to permit the Commandant to act before the normal enlistment expiration date if the member were not in a misconduct status.

12.B.11.g. Serving as Temporary Commissioned Officer

Enlistments are extended automatically for members whose normal enlistment expiration date occurs while they are serving as temporary commissioned officers.

12.B.11.h. Awaiting or Undergoing Court-Martial Trial and Punishment

1. Unless the Commandant directs otherwise, a member awaiting trial by court-martial will be held for trial beyond the normal enlistment expiration date. If convicted, the member will be held as provided below:

   a. Members whose summary or special court-martial sentence does not include a bad conduct discharge will be held until they serve any sentence to confinement or in any event until the supervisory authority completes final action and disposes of the case.

b. Members whose general court-martial sentence does not include a punitive discharge will be held until they have completed any sentence to confinement, and in any event until the convening authority has completed action.

c. Members whose special or general court-martial sentence does contain a punitive discharge will be held until the appellate review process is complete and the Commandant approves or disapproves the sentence, as provided in the Military Justice Manual, COMDTINST M5810.1 (series). Complete form CG-3312A in accordance with the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

2. Request instructions from the Commandant sufficiently in advance to permit receiving a reply by the normal eligible date for separation if:

   a. The supervisory authority has not completed final action, or

   b. A probationary term would extend beyond normal enlistment expiration, or

   c. The member has not served out an approved sentence involving forfeiture of pay, deprivation of liberty, or extra duties.

3. A member serving out an approved sentence of confinement will be held beyond the expiration of term of service to serve out the punishment imposed.

12.B.11.i. Retention When Essential to Public Interest

Commanding officers may detain a member in service beyond the enlistment term for up to 30 days when the member's service is essential to the public interest, in the circumstances below. Complete form CG-3312A in accordance with the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

1. The member is required as a witness in a proceeding pending when enlistment normally expires. Hold the member in an extended enlistment status until the proceeding has been completed.

2. The member's records and accounts have not been received when the enlistment normally would expire. Hold the member in an extended enlistment status pending receipt of such records.

3. If the pre-separation physical examination finds a disqualifying physical or mental defects.

4. The member is performing flood, hurricane, or any other emergency duty when enlistment expires.

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.

4. The minor's voluntary statement about the circumstances attending enlistment.

5. If the minor is 17 years of age or older, the commanding officer's statement of his or her opinion whether the minor is sufficiently mature for retention.

12.B.14.d. Discharge Location

A member discharged under this Article will be separated at his current duty station, unless ☛ Article 12.B.46. provisions apply.

12.B.14.e. Minimum Enlistment Age

The minimum enlistment age, 17 years, governs discharge for minority.

1. Discharge is mandatory when a minor is determined to be under the minimum enlistment age. The custodial parent's or legal guardian's application for discharge is not required.

2. If a minor enlisted without proper consent has attained the age of 17, Commander, (CGPC-epm-1) authorizes or directs discharge on receiving satisfactory evidence of true age, provided:

   a. The Coast Guard has received an application for discharge the custodial parent or legal guardian submitted within 90 days of the enlistment, and

   b. The minor has not attained age 18 when discharge is effected.

12.B.14.f. Policies

The Service will not discharge a minor while he or she needs medical treatment or undergoes hospitalization. A minor enlisted without proper consent or who misrepresented his or her age is subject to trial by court-martial for breaches of regulations to the same extent as other enlisted members. The Service may hold such minors for trial and punishment if they commit an offense before release, notwithstanding the custodial parent's or legal guardian's request for discharge.

12.b.14.g. Fraudulent Enlistment

The enlistment of a minor who enlisted with false representation of age or without proper consent will not in itself be considered a fraudulent enlistment.

12.B.14.h. Service Obligation

A member whose enlistment terminates for minority shall not, as a rule of such enlistment, be considered to have acquired a service obligation under 10 U.S.C. 651. Service under any enlistment so terminated is not creditable toward fulfilling any subsequently acquired service obligation.

12.B.14.i. Character of Discharge

A member discharged for minority shall be given an honorable or general discharge, as appropriate, under ☛ Article 12.B.2.f.

12.B.14.j. 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 counsel before initiating such action. Include 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 in the recommendation for discharge submitted to Commander, (CGPC-epm-1).

12.B.14.k. Reenlistment

When a commanding officer considers a member separated for minority otherwise sufficiently mature for service and in all respects qualified, obtain the reenlistment code entered on DD Form 214 CG from the Certificate of Release or Discharge From Active Duty, DD Form 214, COMDTINST M1900.4(series).

12.B.14.l. Notifying Next of Kin

The commanding officer notifies the next of kin of the date and place of discharge, but not the type of and reasons for it. (The Privacy Act of 1974, 5 U.S.C. 552a, prohibits disclosing this information.)

12.B.14.m. Surrender of Uniform

The member is required to surrender his or her uniform. ☛ Article 12.B.53.e.

12.B.15. Disability

12.b.15.a. Medical Board

A medical board shall be held in the case of an enlisted member when any condition listed in ☛ Article 17.B.4. exists or competent authority directs. Chapter 17.B. contains procedures for the medical board's report. If a member has remained in the Service with his or her written consent beyond the enlistment expiration under ☛ Article 12.B.11.f., the report shall clearly indicate the following:

1. Patient's status (held beyond normal enlistment expiration date or not).
2. Date of admission to sick list.
3. Whether the member concerned is physically qualified for discharge.

12.B.15.b. Discharge for Physical Disability

Commander, (CGPC-epm-1) may direct or authorize a discharge for physical disability not incurred in or aggravated by a period of active military service through final action on a physical evaluation board under the following conditions. ☛ Article 12.B.15.c.

1. A medical board has expressed the opinion that:

   a. The member does not meet the minimum standards for retention on active duty,

   b. The member is unfit for further Coast Guard service by reason of physical disability, and

   c. The physical disability was neither incurred in nor aggravated by a period of active military service.

2. The member's commanding officer and district commander concur in the board's opinion.

3. The member has been fully informed of his or her right to a full, fair hearing and the member states in writing he or she does not demand such a hearing.

4. The statement described in subparagraph 3. shall be executed using the following form:

CERTIFICATE OF FULL AND FAIR HEARING

[Date]

I hereby certify it has been fully explained to me a medical board has found I am suffering from a physical disability, namely [diagnosis], and this disability existed before my initial or current entry into the United States Coast Guard on [date of initial or current entry] and was neither incurred in nor aggravated by a period of military service.

I further certify it has been fully explained to me under 10 U.S.C. 1214 and the regulations in Chapter 17, Personnel Manual, COMDTINST M1000.6 (series), I am entitled, as a matter of right, to a full, fair hearing before a physical evaluation board before my separation from the United States Coast Guard if I demand such hearing.

I further certify it has been fully explained to me that if I sign this statement, I may be separated from the United States Coast Guard in the near future without further hearing and without disability, retirement, or severance pay, and any compensation whatsoever; however, all payments ordinarily accruing to personnel discharged under honorable conditions are due and payable.

With full knowledge of the findings of the medical board convened in my case and of my rights in this matter, I hereby certify I do not demand a hearing before a physical evaluation board and request I be separated from the United States Coast Guard as soon as possible.

_____
[Signature]

Witnessed by:

_____
[Signature]

_____
[Rank of Witness]

_____
(Date)

Subscribed and sworn to before me this ___ day of (Month), (Year), I having the authority to administer oaths.

_____
(Signature)

_____
(Rank)

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.

12.B.16.f. Notification

If the Commander (CGPC-epm-1) directs a discharge, the letter or message directing the discharge will state the type (honorable or general) to be issued.
☞ Article 12.B.16.k. for submitting message recommendations.

12.B.16.g. Site of Discharge

A member discharged under this article will be separated at his or her current duty station, unless ☞ Article 12.B.46. applies.

12.B.16.h. Physical Examination

A member under consideration for discharge for unsuitability must have a physical examination performed by a Public Health Service or Armed Forces medical officer **in order to identify and record any physical or mental impairments that the member may have**. If one is not available locally, a contract physician may perform the exam.

1. When psychiatric considerations are not involved, the medical officer will submit a narrative summary on **DD-2808 and DD-2807-1** describing the essential points of the member's mental and physical condition. **The examining physician shall describe the condition in terminology set forth in section 3.F of the ☞ Medical Manual, COMDTINST M6000.1 (series).**

2. If psychiatric considerations are involved **(i.e., cases involving conditions dealing with the mind, mental processes, feelings, desires, behavior, personality traits, thoughts, attitudes, etc) a psychiatrist shall describe the condition in terminology set forth in section 5.B of the ☞ Medical Manual, COMDTINST M6000.1 (series).** His or her report will also include a statement whether the individual was and is mentally capable both to distinguish right from wrong and adhere to the right and has the mental capacity to understand the action being contemplated in his or her case.

12.B.16.i. More than Eight Years' Service

A member with more than eight years' military service under consideration for discharge for unsuitability is entitled to an administrative discharge board. Include all inactive military service performed in calculating the member's total service for determining eligibility for administrative discharge proceedings. ☞ Article 12.B.31.

12.B.16.j. Documentation

In every case of discharge for unsuitability, the documents listed below are required. Include them with the recommendation submitted to Commander (CGPC-epm-1) for decision or send them to Commander (CGPC-adm-3) with documents required by ☞ Article 12.B.49. if the district commander or commanding officer executes the discharge under ☞ Article 12.B.16.e.

1. A copy of the letter notifying the member of the reason(s) for administrative processing and of his or her rights.

2. If applicable, the member's declaration or waiver of opportunity to consult with counsel.

3. The member's signed statement of awareness, statement on his or her own behalf, or refusal to make a statement.

4. Report of medical board or SF-502 as applicable.

5. 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.

6. Summary of military offenses.

7. Any other pertinent comments or recommendations over the commanding officer's signature.

12.B.16.k. Submitting by Message

Submit recommendations for a discharge for unsuitability by message in situations which serve both the member's and the Coast Guard's best interest. This procedure affects only the format and method of transmitting the commanding officer's recommendation. All fundamental requirements of this Article still apply. Obtain all complete documents required immediately above; the commanding officer must verify them before submitting the recommendation.

1. Message format is considered appropriate only for recommending discharges in cases involving all of the following factors:

   a. The commanding officer recommends discharge because he or she considers the member unsuitable for further service due to a duly diagnosed personality disorder under ☞ Article 12.B.16.b. and

      (1) A psychiatrist so diagnosed at an Uniformed Service medical facility.

(2) Medical statements attesting the absence of ratable disability and presence of mental competency required in ☛ Article 12.B.16.h. have been obtained.

b. The commanding officer contemplates honorable or general discharge, as determined by ☛ Article 12.B.2.f. If a general discharge is contemplated, ensure compliance with ☛ Article 12.B.16.d.3.

c. The member being processed has fewer than eight years total active or inactive military service, has been notified in writing of the specific action proposed with the reason(s) for it, and has indicated in a written statement he or she substantially agrees.

d. No disciplinary action is pending.

2. The message format is not appropriate in cases in which the member's record does not indicate poor performance or substandard conduct and the member's personality disorder has only recently become apparent.

3. A FOUO message recommendation shall contain the applicable information indicated below for the appropriate designating letter under the subject as indicated:

RECOMMENDATION FOR UNSUITABILITY DISCHARGE	
ALPHA	Name, social security number, and rate of member recommended for discharge.
BRAVO	Diagnosis code (ICD) as listed in Chapter 5, Medical Manual, COMDTINST M6000.1 (series).
CHARLIE	Name and address of psychiatrist on whose diagnosis recommendation for discharge is based and date of diagnosis.
DELTA	Statement no ratable disability exists and member is certified mentally competent.
ECHO	If general discharge is contemplated, statement the member was afforded right to legal counsel at the outset of discharge proceedings. (If member requested counsel, include name, grade, and unit counsel assigned or statement of member's waiver of right to counsel.)
FOXTROT	Member's statement on own behalf if he or she desires to make one or "I do not desire to make a statement." If member makes a statement, quote in entirety where feasible.
GOLF	Years and months of total active and inactive military service.
HOTEL	Average proficiency, leadership, and conduct marks through 30 June 1983, and the average marks for each factor for period after 30 June 1983. ☛ Article 12.B.48.b. for direction in determining the average marks of a member (non-rated, petty, or chief petty officer) who was evaluated using more than one form during his or her enlistment.
INDIA	Statement no disciplinary action is pending.

JULIET	Recommendation on surrendering uniform.
KILO	Grade, name, and title of officer verifying documentation and making the recommendation. Normally the regularly assigned commanding officer does this personally. Must be a commissioned officer.
LIMA	No separation pay authorized.

12.B.16.l. Surrender of Uniform

The member must surrender his or her uniform. ☛ Article 12.B.53.e.

12.B.17. Security

When a member's retention in the Coast Guard is not clearly consistent with the interest of national security, the Commandant will direct a discharge for security reasons with the discharge character and conditions as stipulated in current directives dealing directly with this matter.

12.B.18. Misconduct

12.B.18.a. Policy

Except as specifically provided here, only Commander, (CGPC) may direct a discharge for misconduct and the type of discharge (under other than honorable, general, or honorable) as warranted by the particular circumstances of a given case. ☛ Article 12.B.2. Disability evaluation processing will be terminated as described in ☛ Article 12.B.1.e. for members discharged for misconduct.

12.B.18.b. Reasons to Discharge for Misconduct

Commander, (CGPC) may direct discharging a member for misconduct in any of these cases:

1. Conviction by foreign or domestic civil authorities or action taken tantamount to a finding of guilty of an offense for which the maximum penalty under the Uniform Code of Military Justice is death or confinement longer than one year involving moral turpitude in which the offender is adjudged a juvenile delinquent, wayward minor, or youthful offender; places the offender on probation; or punishes him or her in any way for an offense involving moral turpitude. If the Manual for Courts-Martial Table of Maximum Punishment does not list the offense or it is not closely related to an offense listed there, the maximum punishment authorized by 18 U.S.C. or the District of Columbia Code, whichever is less, applies. A member subject to discharge because of conviction by civil court may be processed for discharge even though an appeal of that conviction has been filed or an intent to do so has been stated. However, the Service generally will delay executing the approved discharge pending outcome of the

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.

13. **An unreasonable refusal to submit to necessary and proper medical or dental treatment considered by competent medical or dental officers to be necessary to render member fit for duty (as determined by a medical board convened in accordance with the provisions of the ☛ Physical Disability Evaluation System, COMDTINST M1850.2 (series)).**

14. **A repeated refusal to receive an immunization ordered by competent authority.**

12.B.18.c. Probation

Commanding officers must afford a member a reasonable probationary period to overcome deficiencies before initiating administrative discharge action in cases of frequent discreditable involvement with civil or military authorities; abuse of a family member; shirking; failure to pay just debts, contribute adequate support to dependents, or comply with valid orders of civil courts to support dependents; or involvement in a prohibited romantic relationship as described in ☛ Article 8.H. For cases of family (spouse or child) abuse, a treatment period will also serve as a probationary period and commands shall comply with current Family Advocacy Commandant Instructions. If a command contemplates discharging a member for reasons contained in this paragraph, it shall counsel the member a formal probation or treatment period of at least six months has begun and make an appropriate Administrative Remarks, CG-3307, entry in the member's PDR stating the command will initiate administrative discharge processing unless the member shows significant improvement in overcoming the deficiency during the probationary period. The member must acknowledge the entry in writing. For Reservists who are shirking, a letter via Certified Mail, return receipt requested (Restricted Delivery to addressee only), stating the probationary period has begun may substitute for the CG-3307. However, commanding officers are authorized to recommend discharge at any time during the probation if the member is not making an effort to overcome the deficiency. Participation in the family (spouse or child) abuse treatment program is considered a failure when the physical abuse toward the victim or another person recurs, or the member is determined to be unresponsive and treatment is no longer appropriate. Failure to attend treatment is grounds for the command to consider separation. Submit copies of all CG-3307 entries as an enclosure to the discharge recommendation submitted to Commander, (CGPC-epm-1).

12.B.18.d. Discharging Members with More than Eight Years Service for Misconduct

Commanding officers shall process all cases in which they contemplate a discharge under other than honorable conditions for misconduct as ☛ Article 12.B.32. prescribes. In addition, they shall follow that Article's procedures if considering discharging any member with eight or more years of total active and inactive military service for misconduct, even if contemplating an honorable or general discharge.

12.B.18.e. Discharging Members with Fewer than 8 Years Service for Misconduct

Commanding officers shall process members with fewer than eight years of total active and inactive military service recommended for honorable or general discharge for misconduct as follows:

1. Inform the member in writing of the reason(s) for being considered for discharge (specifically state one or more of the reasons listed in ☛ **Article 12.B.18.b.** supported by known facts).

2. Afford the member an opportunity to make a written statement. If the member does not desire to do so, the commanding officer sets forth that fact in writing over the member's signature. If the member refuses to sign a statement his or her commanding officer will so state in writing.

3. Afford the member an opportunity to consult with a lawyer as defined by Article 27(b)(1), UCMJ, if contemplating a general discharge. If the member requests counsel and one is not available, the commanding officer must delay discharge proceedings until such time as counsel is available.

4. Send the case containing a recommendation and these documents to Commander, (CGPC-epm-1) for action:

   a. The reason(s) for processing (include reason such as repeated military offenses, drug abuse, indebtedness, etc.)

   b. If the reason(s) is (are) civil conviction(s), include:

      (1) The report ☛ Article 8.B.2. requires.

      (2) An official statement from the judge, prosecuting attorney, clerk or other court official reciting the civil statute(s) violated, charges on which tried and convicted, and sentence of the court.

      (3) Witnesses' statements, arrest reports, copies of court records and probation orders, if obtainable, and all other pertinent documents.

(4) The maximum punishment which could have been imposed for such conviction under the UCMJ, if determinable. Based on the information furnished, Commander (CGPC-epm-1) will determine the maximum punishment imposed under 18 U.S.C. or the District of Columbia Code.

c. Summary of Military Offenses. List in chronological order all disciplinary action during current enlistment, including:

(1) Dates of non-judicial punishment or court-martial by type.

(2) Description of offense(s).

(3) Non-judicial punishment or sentence as approved and approval date.

(4) All violations of regulations during current confinement with action taken.

(5) The commanding officer's comments, including information on the counseling requirement for cases processed for frequent discreditable involvement with civil or military authorities, dishonorable failure to pay debts, shirking, and dishonorable failure to support dependent(s).

(6) The commanding officer's recommendation.

d. These enclosures:

(1) The copy of the letter notifying the member of the reason(s) for the processing and information on the member's rights and privileges.

(2) The member's signed statement of awareness of rights and privileges and request to exercise or waiver of these rights.

(3) The member's signed statement, or member's written, signed statement declining to make a statement.

(4) 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.

(5) Other pertinent documents such as psychiatric or medical evaluations (especially in aberrant sexual behavior cases), statements of any witnesses (☞ Chapter 12.E. for homosexual conduct policy), police reports, etc.

(6) A copy of the chain of custody test results form and the appropriate page from unit's drug urinalysis sampling ledger (applicable in cases of recommendations for discharge resulting from a urinalysis indicating drug abuse).

12.B.18.f. Surrender of Uniform

The member is required to surrender his or her uniform. ☞ Article 12.B.53.e.

12.B.19. Discharge Adjudged by Court-Martial Sentence

12.B.19.a. Definition

"Discharge" and "discharges" here refer to punitive discharges adjudged by sentence of general or special courts-martial.

12.B.19.b. Commandant's Policy

Convening and reviewing authorities should approve adjudged court-martial sentences to punitive discharge in those cases in which the trial record clearly warrants that action and the enlisted member's records and conduct show he or she is not fit for rehabilitation, meaning retention clearly is not in the Government's interest.

12.B.19.c. Commandant's Approval

Punitive discharges adjudged as sentences of courts-martial will be executed only on the Commandant's specific approval after appellate review of the sentence is complete. ☞ Military Justice Manual, COMDTINST M5810.1 (series). In cases in which confinement and punitive discharge have been imposed and the member has not completed the sentence to confinement when the Commandant approves executing the discharge, the prisoner is discharged and transferred to a federal penal institution to serve the remainder of confinement unless the Commandant remits the balance of the sentence to any confinement remaining at the time of discharge as an act of clemency. ☞ Chapter 8.

12.B.19.d. Transfers

Enlisted members sentenced to discharge will be transferred under ☞ Article 12.B.45.

12.B.19.e. Vacating a Suspended Sentence

If executing a portion of a sentence which adjudges a discharge is suspended subject to a probationary period, the suspension may be vacated under the procedures set forth in the ☞ Military Justice Manual, COMDTINST M5810.1 (series). Commanding officers are directed to carefully consider reports of offenses committed by members serving in such status and undertake proceedings to vacate the suspension of the sentence only if the record clearly establishes such action is appropriate and in the Coast Guard's best interests. For a new offense the commanding officer may take any of the following actions:

1. Impose non-judicial punishment at captain's mast or refer the matter to a court-martial.

2. Initiate action to vacate suspension.

3. Both 1. and 2. In either instance, the commanding officer should first confer with the appropriate district or staff legal officer.

12.B.19.f. Character of Discharge

A member discharged as a result of a sentence of a general or special court-martial shall be issued a bad conduct discharge (DD Form 259 CG) or a dishonorable discharge (DD Form 260 CG), whichever appropriate authority directs.

12.B.19.g. Surrender of Uniform

The member is required to surrender his or her uniform. ☞ Article 12.B.53.e.

12.B.20. Uncharacterized Discharges

12.B.20.a. Definition

1. Uncharacterized discharges are authorized for all members separated at the entry level on or after 15 June 1983 who:

   a. Have fewer than 180 days of active service on discharge, **and**

   b. Demonstrate poor proficiency, conduct, aptitude or unsuitability for further service during the period from enlistment through recruit training, **or**

   c. **Exhibit minor pre-existing medical issues not of a disabling nature which do not meet the medical/physical procurement standards in place for entry into the Service.**

2. An uncharacterized discharge is used for most recruit separations, except for disability, prior service members entering recruit training, or in cases when another type of discharge may be appropriate as described in ☞ Article 12.B.**16**. for recruits with serious infractions.

12.B.20.b. Authority

Only Commander (CGPC-epm-1) and Commanding Officer, Training Center Cape May have final authority to discharge a member under this Article.

12.B.20.c. Discharge Certificate

No discharge certificate will be issued to a member awarded an uncharacterized discharge. Only a DD-214 will be issued.

12.b.20.d. Characterized vs. Uncharacterized Service

The availability of the uncharacterized discharge does not preclude awarding recruits with serious infractions a type of discharge used for characterized service, usually General or Under Other than Honorable Conditions. If other than an uncharacterized discharge is appropriate, send requests to Commander (CGPC-epm-1) for consideration.

12.B.20.e. Counseling

As with most other types of separations, Commanding Officer, Training Center Cape May should not initiate uncharacterized discharge processing until he or she has formally counseled the member about deficiencies and afforded him or her an opportunity to overcome them as reflected in appropriate counseling or personnel records.

12.B.20.f. Administrative Discharge Board

Administrative Discharge Board procedures as described in ☞ Article 12.B.31. shall be used for members discharged under ☞ Chapter 12.E. and who have 180 days' or more service on notification of discharge.

12.B.20.g. Separation Program Designator

1. **The following codes are authorized to be used with uncharacterized discharges:**

JCM, JDA, JDK, JDU, JFA, JFC, JFN, JFT, JFV, JFW, JFX, JGA, JHF, JND, JRB, KDS, KFN, LGA

2. **Reentry (RE) codes will be issued only in accordance with ☞ Article 12.B.2.g. and the ☞ Certificate of Release or Discharge from Active Duty, DD-214 Instruction, COMDTINST M1900.4 (series).**

12.B.21. Discharge for the Good of the Service

12.B.21.a. Request for Discharge

An enlisted member may request a discharge under other than honorable conditions for the good of the Service in two circumstances: in lieu of UCMJ action if punishment for alleged misconduct could result in a punitive discharge or at any time after court-martial charges have been preferred against him or her. This request does not preclude or suspend disciplinary proceedings in a case. The officer who exercises general court-martial jurisdiction over the member concerned determines whether such proceedings will be delayed pending final action on a request for discharge. Send requests for discharge under other than honorable conditions for the good of the Service through the officer exercising general court-martial jurisdiction for his or her personal review and comment.

12.B.21.b. Legal Counsel

A member who indicates a desire to submit a request for a discharge under other than honorable conditions for the good of the Service will be assigned a lawyer counsel. If the member elects to have civilian counsel at his or her own expense, the record shall indicate the civilian counsel's name, address, and qualifications.

12.B.21.c. Request Format

A member who persists in the desire to request a discharge under other than honorable conditions under this Article after consultation with counsel personally signs such request using the following letter format:

From: [Rate, name, social security number]
To: Commander, (CGPC-epm-1)
Via: [Chain of command]

Subj: REQUEST FOR DISCHARGE UNDER OTHER THAN HONORABLE CONDITIONS FOR THE GOOD OF THE SERVICE

Ref: (a) Article 12.B.21., Personnel Manual, COMDTINST M1000.6, (series).

1. Under the provisions of reference (a), I hereby request a discharge under other than honorable conditions for the good of the Service in lieu of trial by court-martial under circumstances which could lead to a bad conduct or dishonorable discharge.

2. I have consulted with [counsel's grade, name, or if civilian, name and title], a member of the Bar in the State of [fill in] who has fully advised me of the implications of such a request. The basis for my request for a discharge under other than honorable conditions for the good of the Service stems from my misconduct contained in the court-martial charges preferred against me in enclosure (1). I elect to be administratively discharged rather than tried by court-martial. I am completely satisfied with the counsel I have received.

3. I understand if this request is approved I will receive a discharge under other than honorable conditions, which may deprive me of virtually all veterans' benefits based on my current period of active service, 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 character of discharge received therefrom may have a bearing.

4. I understand once I submit this request, I may withdraw it only with the consent of Commander, (CGPC-epm-1).

5. I understand I may submit a sworn or unsworn statement on my behalf. [I do not desire to submit a statement.] [My sworn/unsworn statement is submitted herewith as enclosure (2).]

6. I make this request voluntarily, free from any duress or promises of any kind. I have asked my counsel, who has fully explained to me the implications of my request, to witness my signature.

7. I have retained a copy of this request for a discharge under other than honorable conditions for the good of the Service in lieu of trial by court-martial and all enclosures related thereto.

_____
Signature of Member

Witnessed by:

_____
Signature of Counsel

_____
Name, Grade

_____
State licensed

_____
Date

Encl: (1) Copy of court-martial charges
(2) Member's statement

12.B.21.d. Processing the Request

The member sends the request for discharge through the chain of command to Commander, (CGPC-epm-1). The member's commanding officer shall recommend approval or disapproval of the member's request with appropriate justification for his or her recommendation, certify accuracy of the court-martial charges, and enclose the following documents in the forwarding endorsement:

1. A report of medical examination and either a medical officer's opinion a psychiatric evaluation is not warranted as part of the evaluation processing or a copy of the psychiatric evaluation. The member shall be referred to a psychiatrist only after a medical officer's evaluation. Such referrals are generally limited to those cases in which evidence reveals the member may not have been able to distinguish right from wrong or adhere to the right at the time of the alleged offense or is not capable of understanding the nature of the proceedings against him or her due to mental incompetence.

2. A complete copy of all investigation reports.

3. Any other pertinent information, reports, statements, etc., the commanding officer considered in arriving at his or her recommendation.

12.B.21.e. Coast Guard Personnel Command's Review

The reason for discharge shall be for the good of the Service, and commanding officers shall not recommend the member for reenlistment. If Commander, (CGPC-epm-1) believes the member warrants a more favorable discharge type than under other than honorable conditions based on the facts of the case, Commander, (CGPC-epm-1) may direct issuing an honorable or general discharge.

12.B.21.f. Surrender of Uniform

The member is required to surrender his or her uniform. ☛ Article 12.B.53.e.

12.B.22. Canceling Void Enlistments

12.B.22.a. Policy

An enlistment determined to be void from its inception is canceled. A person whose enlistment is canceled by Commander, (CGPC-epm-1) as being void from its inception will not be issued a discharge certificate.

12.B.22.b. Definition

Void enlistments include those entered into while the member is:

1. Intoxicated.
2. Insane.
3. A deserter from the U.S. Armed Forces.
4. Enlisted after he or she has received orders for induction.
5. Judicially coerced into an enlistment under the circumstances existing in *U.S. v. CATLOW*, 48 CMR 758 (1974) and its progeny, and
6. Enlisted as a result of recruiter misconduct under the circumstances existing in *U.S. v. RUSSO*, 50 CMR 650 (1975) and its progeny.

12.B.22.c. Processing After Enlistment Irregularities

In cases brought to trial by court-martial in which the presiding officer rules during the course of the trial the court lacks personal jurisdiction over the accused due to enlistment processing irregularities, use the following procedures:

1. Submit to Commander, (CGPC-epm-1) a message report containing at a minimum a summary of the witnesses' testimony leading to presiding officer's decision. If the convening authority decides to request a reconsideration of the presiding officer's decision, the message report shall so state.

2. While a military court's determination it does not have jurisdiction over a person is conclusive for its purpose, an administrative determination must still be made whether the enlistment is void or valid and whether the Service will release or retain the individual.

3. Commander, (CGPC-epm-1) will administratively determine the nature of the enlistment and direct the action to take in each case: The individual either may be immediately processed for release, retained until the convening authority completes the post-trial review action, or retained in the Coast Guard, depending on the case.

4. If release is authorized, process members under ☛ Article 21.B.22.f.

12.B.22.d. Disposition Before Trial

In cases referred to trial by court-martial in which the defense expresses an intent to raise a motion based on lack of personal jurisdiction, the trial counsel conducts a thorough investigation. If thereafter the convening authority concludes the ends of justice will best be served by an administrative disposition before trial, take the following steps:

1. Request the individual to make a sworn statement witnessed by his or her defense counsel stating the basis on which he or she contends his or her enlistment is void.

2. Submits a message report to Commander, (CGPC-epm-1) containing the following information:

   a. The accused's full name, rate and social security number.

   b. Date and place trial is scheduled.

   c. Offenses charged.

   d. Recruiter's full name and rate.

   e. Recruiter's current duty station (if known).

   f. Anticipated testimony of accused.

   g. Anticipated testimony of other defense witnesses or a summary or other evidence the defense expects to offer.

h. The recruiter's anticipated testimony. Ensure the recruiter is properly advised of his or her rights before making any statement.

i. Anticipated testimony of other Government witnesses or summary of other evidence the Government will offer.

3. If Commander, (CGPC-epm-1) authorizes releasing the individual, file a copy of his or her statement, the charges, and the release authorization in the member's PDR and process the member for release under ☛ Article 12.B.22.f.

12.B.22.e. Other Void Enlistments

Other cases of apparently void enlistments not arising in connection with courts-martial proceedings shall be reported immediately to Commander, (CGPC-epm-1), who will confirm the facts, direct the action to take, and determine the disposition of the person concerned.

12.B.22.f. Separating Due to Void Enlistment

When the decision is made to separate an individual for void enlistment, immediately notify the PERSRU to terminate the member's pay. The PERSRU promptly confirms this notice in writing. When separation is directed, the member may retain pay and allowances previously received, but no further payments will be made, including those for unpaid pay and allowances for accrued leave. The member shall be released as expeditiously as possible consistent with proper administrative procedures, as follows:

1. Offer the member the opportunity to take a physical examination. If he or she declines, request him or her to so state in writing and include the written refusal in the member's PDR and Health Record. If the individual refuses to execute a written refusal, make an Administrative Remarks, CG-3307, entry in the PDR to that effect. Only medical conditions requiring emergency treatment discovered during the course of a physical examination will be treated, and then only after the member executes a suitable consent form. Disqualifying medical conditions will not be referred to medical boards in cases processed under this Article, but they will be noted on Report of Medical Examination, Standard Form 88.

2. Recover Armed Forces ID Card, DD Form 2, all dependent ID cards (DD Form 1173), all items of exterior uniform clothing, and all other military property the individual possesses.

3. Prepare DD Form 214. The following special requirements apply:

   a. Block 9A: Enter "Void Enlistment".

b. Block 9C: Enter "Article 12.B.22.b., Personnel Manual, COMDTINST M1000.6 (series)" as authority.

c. Block 9E: Enter "Note-Void Enlistment".

d. Block 9F: Enter "None".

e. Blocks 10, 12, 13, 15, 16, 17, 19, and 20: Enter "N/A".

f. Block 18A: Enter "00 00 00".

g. Block 27: Enter, "This enlistment is void in accordance with [enter the appropriate reason under ☛ Article 12.B.22.b.]. This release does not constitute a discharge and a discharge certificate has not been issued. Individual will not be enlisted at a later date unless Commander, (CGPC-CGRC) approves first." Ensure the individual fully understands this action.

12.b.22.g. Transportation

Members released because of a void enlistment are entitled to transportation to their home of record or the place where they entered military service, in accordance with the Joint Federal Travel Regulations, Vol. 1, U7375.

12.B.23. Through 12.B.30. VACANT

12.B.31. Administrative Discharge Board and Final Action of Discharge Authority

12.B.31.a. Definition

An administrative discharge board is a fact-finding body appointed to render findings based on the facts obtained and recommend either retention in the Service or discharge. If recommending a discharge, the board also recommends a reason for discharge and the type of discharge certificate to be issued.

12.B.31.b. Composition

Administrative discharge boards consist of at least three commissioned officers, at least one of whom is a lieutenant commander or higher, and normally a separate recorder. He or she need not be qualified counsel as defined in Article 27(b), UCMJ, but the Coast Guard legal officer or Staff Judge Advocate must deem him or her qualified for this duty. The following additional requirements apply:

1. If the respondent is a member of the Reserve, the board includes a majority of Reserve officers, if reasonably available; if not, the board must include at least one Reserve officer.

2. If the respondent is a woman, at her written request the board must include as a voting member a woman officer if one is reasonably available. If not, the record of the proceedings must state that determination and the facts supporting it.

3. If the respondent is a member of a minority group, at the respondent's written request the board must include as a voting member an officer who is also a minority group member, normally of the same minority group as the respondent, if one is reasonably available. If an officer of the same minority group is not reasonably available, the record of the proceedings must state that determination and the facts supporting it.

12.B.31.c. Double Jeopardy

The Service will not subject any member to administrative discharge action based on conduct a previous administrative discharge board considered if the evidence before the subsequent board would be substantially the same as that before the previous board. The prohibition does not apply if:

1. A new board is convened under ☛ Article 12.B.31.e.(7) or the record is returned to the existing board for further consideration under ☛ Article 12.B.31.d.; or

2. The previous board's findings favorable to the respondent are determined to have been obtained by fraud or collusion.

12.B.31.d. Discharge Authority

Except as appropriate articles in this manual otherwise specify, the Coast Guard Personnel Command is the discharge authority in all cases of administrative separations. Send the original and one copy of the administrative discharge board report to Commander, (CGPC-adm-2) through the chain of command for endorsement. When Commander, (CGPC-c) receives the record of administrative discharge proceedings, he or she will review the board record and approve or disapprove the board's findings of fact, opinions, and recommendations in whole or in part. Commander, (CGPC-c) may disapprove findings and opinions if they were made based on incomplete evidence, contrary to the evidence the board considered or to law or regulation, a misunderstanding or misapplication of written policy, or otherwise clearly in error. If Commander, (CGPC-c) disapproves the findings of fact, opinions, or recommendations; he or she may:

1. Amend, expand, or modify findings of fact and opinions or take final action other than that recommended without returning the record, if evidence of record supports that action and the final action states the specific reasons; or

2. Return the record to the board for further consideration with a statement of the specific reasons to disapprove the findings of fact, opinions, or recommendations.

12.B.31.e. Options of Discharge Authority

Commander, (CGPC-c) may then take one of these final actions:

1. Approve the board's findings of fact, opinions, and recommendations and direct their execution.

2. Approve the board's recommendation for discharge, but change its type either to one more favorable than recommended if the circumstances warrant it or to one less favorable than recommended based on a determination the type of discharge recommended does not fall within ☛ Article 12.B.2. guidelines.

3. Approve the board's recommendation for discharge but change the basis for discharge when the record indicates such action would be appropriate, except Commander, (CGPC-c) will not designate misconduct if the board has recommended discharge for unsuitability.

4. Approve a discharge, but suspend its execution for a specified probationary period. ☛ Article 12.B.34.

5. Disapprove the recommendation for discharge and retain the member in the Service.

6. Disapprove the recommendation for retention and direct discharge under honorable conditions with an honorable or general discharge certificate as warranted.

7. Disapprove the findings, opinions, and recommendations and refer the case to a new board based on a finding of legal prejudice to the substantial rights of the respondent. If the case is referred to a new board:

   a. No member of the new board shall have served on a previous board which considered the same matter; and

   b. The record of the earlier board's proceedings, minus the findings, opinions, recommendations, and unduly prejudicial matter may be furnished to the succeeding board.

12.B.31.f. Limits to Board Findings

Administrative discharge boards may not enter findings contrary to matters previously adjudicated in civil or court-martial convictions even if the appellate process is not complete. For the purposes of an administrative discharge proceeding instituted on the basis of the same facts, military and civil convictions conclusively show the facts underlying the conviction. Administrative discharge proceedings will not be used to collaterally attack a civil or military court conviction, although this does not preclude the respondent from presenting mitigating, extenuating, or explanatory matters. If executing the discharge without waiting for final action on the appeal of the conviction, if considered appropriate the member may be discharged with the appropriate type of discharge certificate Commander, (CGPC-c) directs.

12.B.32. Procedure for Discharge Under Other than Honorable Conditions

12.B.32.a. Right to Counsel

Both the Government and respondent are entitled to legal representation before administrative discharge boards convened and constituted under ☛ Article 12.B.31. The respondent is entitled to the appointment of military counsel qualified under Article 27 (b), UCMJ or may obtain civilian counsel at his or her own expense. The district commander will provide the commanding officer legal counsel.

1. The Service will not discharge any member under other than honorable conditions without first affording him or her the right to present the case to an administrative discharge board with the advice and assistance of counsel and unless approved board findings and an approved recommendation for discharge under other than honorable conditions support such discharge. However, if appropriate, the Service may issue such discharge without board action if the member is beyond military control for prolonged unauthorized absence, requests discharge for the good of the Service, or waives the right to board action in writing.

2. The discharge authority may direct issuing the type of discharge recommended by an administrative discharge board or a more favorable discharge but not a less favorable discharge than that recommended.

3. Even if an administrative discharge board recommends retention, the discharge authority may direct separation if the circumstance of a particular case warrant. In this event, the discharge must be effected under honorable conditions and the member thus separated will be awarded an honorable or general discharge certificate as specified in the authority for discharge.

4. The Service will not administratively discharge any member with a discharge under other than honorable conditions if the grounds for that discharge are based wholly or partly on acts or omissions for which a court-martial resulting in acquittal or having the same effect previously tried the member, except if such acquittal or equivalent disposition was based on a legal technicality not according to the merits.

12.B.32.b. Discharge Procedure

Use the following procedure in the case of a member considered for a discharge under other than honorable conditions for misconduct under ☛ Article 12.B.18.

1. At the outset of the separation process, a member being processed for involuntary separation with a discharge under other than honorable conditions shall be provided the opportunity to consult with a legal counsel.

2. A member under military control will be notified in writing of the basis for the proposed discharge action and require the member to acknowledge receiving the notice by signing a copy. The notice shall include the following information:

   a. The basis for the proposed discharge action.

   b. A discharge under other than honorable conditions may deprive him or her of virtually all veterans' benefits based on the current period of active service.

   c. The member may encounter substantial prejudice in civilian life in situations in which the type of service rendered in any Armed Forces branch or the character of discharge received from it may have a bearing.

   d. The member has the right to present the case and appear in person before an administrative discharge board.

   e. The member has the right to be represented by counsel.

   f. The member may waive these rights conditionally or unconditionally in writing; however, no member will be permitted to do so until legal counsel has fully advised him on her on this matter. After counseling if the member waives the right to a hearing before an administrative discharge board, he or she must submit a signed statement as indicated in ☛ Articles 12.B.32.g. or h. The member, the counsel furnishing advice, and a witness must sign this statement.

3. If a member waives these rights unconditionally, Commander, (CGPC-epm-1) may disapprove the waiver and refer the case to an administrative discharge board, direct retention on active duty, or direct discharge for misconduct or security. If directing discharge, Commander, (CGPC-epm-1) will specify the type of certificate.

4. If a member submits a conditional waiver, on approving it Commander, (CGPC-epm-1) shall direct separation, specifying either an honorable or under less than honorable conditions discharge. If disapproving a conditional waiver, Commander, (CGPC-epm-1) will return the case for further processing under this Article.

5. A member unable to appear in person before an administrative discharge board due to confinement by civil authorities will be advised (by registered mail) of the proposed discharge action, the type of discharge certificate that may be issued, and the fact that action has been suspended to give the member the opportunity to exercise the right to:

   a. Request appointment of a military counsel as a representative to present the case before an administrative discharge board in the member's absence.

   b. Submit statements on his or her own behalf.

   c. Waive these rights, either in writing or by declining to reply to the letter of notification within 15 days of the date he or she received the registered letter.

6. Except for Reservists, a member beyond military control for unauthorized absence of more than one year may be issued a discharge under other than honorable conditions in absentia. Notice of the imminent discharge action and its effective date will be sent by registered mail to the member's or next of kin's record address, as appropriate.

12.B.32.c. Commanding Officer's Brief

After following the procedures in ☛ Article 12.B.32.b. and if the member waives the right to refer the case to an administrative discharge board, the commanding officer will prepare a brief containing this information to send to Commander, (CGPC-epm-1) when forwarding the recommendation for discharge for the Commandant's action:

1. The commanding officer's detailed comments and recommendation.

2. Summary of Military Offenses. List in chronological order all disciplinary action during the current enlistment. Include PDR entry locations, date of non-judicial punishment or court-martial by type, description of offenses, non-judicial punishment or sentence as approved, and approval date.

3. Unclean Habits, if Any. Substantiate all unclean habits including repeated venereal disease infections during the current enlistment. When reporting venereal diseases, indicate the date of each admission and nature of the infection.

4. Civil Convictions, if any, on the basis of information contained in the PDR or otherwise readily available. List date and court in which convicted, offense, and sentence awarded.

5. If recommending an honorable or general discharge, the commanding officer shall recommend whether the individual should be required to surrender his or her uniform. ☛ Article 12.B.53.e.

6. Attach the following enclosures to the brief:

   a. The member's signed statement on own behalf, if submitted.

   b. 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.

   c. The member's signed waiver of rights outlined in ☛ Article 12.B.32.g.(1), if submitted.

   d. Other pertinent documents such as psychiatric or medical evaluations (especially in aberrant sexual behavior cases), statements of any witnesses, police reports, etc.

12.B.32.d. Convening an Administrative Discharge Board

If the member retains the right to have an administrative discharge board hear the case, the commanding officer convenes an administrative discharge board under ☛ Article 12.B.31. and the Administrative Investigations Manual, COMDTINST M5830.1 (series). Commanding officers are hereby authorized to convene administrative discharge boards on enlisted Reserve members on active duty; ☛ Article 12.B.31.a. The commanding officer furnishes the administrative discharge board president with the information listed in subparagraphs 2., 3., and 4. above plus other pertinent documents specified in subparagraph 6. In submitting the case to the board the commanding officer refrains from commenting on those facts or the respondent, presenting any argument to the board based on those facts, and recommending separation or type of discharge.

12.B.32.e. Board Action

If an administrative discharge board recommends discharge it will recommend a specific type of discharge to be issued; e.g., honorable, general, or under other than honorable conditions, based on the individual's overall military record.

12.B.32.f. Commandant's Final Action

Commander, Coast Guard Personnel Command's final action may differ from the command recommendation under ☛ Article 12.B.32.c. or the administrative discharge board's recommendation under ☛ Article 12.b.32.d. above.

12.B.32.g. Formats to Waive a Hearing Unconditionally

1. General. Use this format when preparing an unconditional waiver of rights to a hearing before an administrative discharge board involving misconduct or unsuitability.

From: Member [name, rate, social security number]
To: [proper Separation Authority, in most cases Commander, (CGPC-epm-1)
Via: Chain of command

Subj: UNCONDITIONAL WAIVER OF A HEARING BEFORE AN ADMINISTRATIVE DISCHARGE BOARD

1. My commanding officer has advised me he or she is recommending me for a discharge under other than honorable conditions for misconduct [or unsuitability, as applicable] and the reasons for this. He or she also advised me, since I am being recommended for such a discharge, I am entitled to these rights, unless I waive them in writing:

a. An administrative discharge board of at least three officers will hear my case.

b. I may appear in person before such administrative discharge board (unless in civil confinement or otherwise unavailable).

c. I may be represented by counsel.

2. I hereby waive my right to a hearing before an administrative discharge board. I [am/am not] submitting a statement on my own behalf. I understand if Commander, (CGPC-epm-1) approves the recommendation for an administrative discharge, he or she also will determine and specify the type of discharge (honorable, general or discharge under other than honorable conditions) to be issued to me.

3. I further understand if a discharge under other than honorable conditions is issued to me, this discharge may deprive me of many or all of 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.

4. I voluntarily sign this statement of my own free will after having been counseled by legally qualified counsel who has been provided to assist me. I have retained a copy of this statement.

_____
Member's Signature

Witnessed by:

_____
Signature of Counsel/Date

_____
Name, Grade

_____
State licensed

12.B.32.h. Format to Waive a Hearing Conditionally

Use this general format when preparing a conditional waiver of rights to a hearing before an administrative discharge board.

From: Member [Name, rate, social security number]
To: [proper Separation Authority, in most cases Commander, (CGPC-epm-1)
Via: Chain of command
Subj: CONDITIONAL WAIVER OF A HEARING BEFORE AN ADMINISTRATIVE DISCHARGE BOARD

1. My commanding officer has advised me he or she is recommending me for discharge for misconduct [or unsuitability, as applicable] and the reasons for this. He or she also advised me, since an enlisted person recommended for discharge for misconduct

may receive a discharge under other than honorable conditions, I have the rights listed below unless I waive them in writing:

a. An administrative discharge board of at least three officers will hear my case.

b. I may appear in person before such administrative discharge board (unless in civil confinement or otherwise unavailable).

c. I may be represented by counsel.

2. I hereby waive my right to a hearing before an administrative discharge board provided Commander, (CGPC-epm-1) authorizes a discharge under honorable conditions in my case. I [am/am not] submitting a statement on my own behalf. I understand if Commander, (CGPC-epm-1) approves this conditional waiver and recommendation for administrative discharge, he or she will determine and specify the type of discharge (honorable or general) issued to me. I understand also the Commandant may disapprove a conditional waiver and return my case for processing under Article 12.B.31., Personnel Manual, COMDTINST M1000.6 (series).

3. I further understand if a general discharge is issued to me, I may be deprived of many or all of my rights as a veteran under both federal and state legislation and may expect to encounter 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.

4. I voluntarily sign this statement of my own free will after having been counseled by legally qualified counsel who has been provided to assist me. I have retained a copy of this statement.

_____
Member's Signature

Witnessed by:

_____
Signature of Counsel/Date

_____
Name, Grade

_____
State licensed

12.B.33. VACANT

12.B.34. Suspending Execution of Approved Discharge on Probation

12.B.34.a. Policy

Before a member's enlistment or period of obligated service expires, Commander, (CGPC-c) may suspend executing an approved discharge for a specified period if the circumstances in a case indicate a reasonable prospect for rehabilitation. During this period of suspension, the member will be afforded an opportunity to demonstrate proper behavior and efficient performance of assigned duties for an extended period under varying conditions.

1. When the member satisfactorily completes the probationary period, the approved discharge will be canceled automatically.

2. The member's further misbehavior, substandard performance of duty, or demonstrated inability to conform to the demands of a military environment during the probationary period may establish the basis for one of these actions:

   a. Punitive or new administrative action may be initiated despite the suspension of executing the approved discharge.

   b. Suspension of the approved discharge vacated, and the approved discharge executed, including discharging a member in absentia if he or she has been beyond military control for 15 or more days.

12.B.34.b. Commander, Coast Guard Personnel Command's Actions

In all cases in which probation is authorized, Commander, (CGPC-c)'s action will include instructions about the terms of the probation and specify the type of discharge to be executed if the member does not fulfill the terms of the probation, except for those cases described in ☛ Article 12.B.34.c. below. A discharge other than the type specified will not be given the member unless the case is reprocessed under ☛ Articles 12.B.16. or 12.B.18. and Commander, (CGPC-c) directs another discharge.

12.B.34.c. Commandant's Authority

In cases in which the Commandant as Final Reviewing Authority has disapproved an administrative discharge board's recommendation for retention, but suspended executing the discharge on probation, the Commandant reserves the authority to execute the discharge if the member does not fulfill the terms of the probation. In these cases, the commanding officer will send a fully documented recommendation to Commander, (CGPC-c).

12.B.35. Through 12.B.40. VACANT

12.B.41. Procedures to Effect Transfer to Fulfill Service Obligation

12.B.41.a. Definition

Women who enlisted in the U.S. Armed Forces on or after 1 February 1978 acquired 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. A member fulfills his or her military obligation when he or she:

1. Is discharged for reasons other than to acquire another military status.

2. Has served as a member of the Armed Forces for six years (eight years if enlisted on or after 1 September 1984) excluding all periods of lost time (10 U.S.C. 972).

3. Transfers to the Coast Guard Reserve to fulfill a service obligation as indicated by the member's PDR or the Commandant directs such transfer.

   a. If not eligible or recommended for reenlistment in the Regular Coast Guard the member will be discharged from the Regular Coast Guard instead of being transferred to the Reserve.

   b. If eligible or recommended for reenlistment in the Regular Coast Guard, the member transfers to the Coast Guard Reserve. Except as otherwise provided in this subparagraph, aliens will not be transferred to the Coast Guard Reserve but will be discharged when they become eligible for discharge. ☞ Article 12.B.47. If otherwise eligible, naturalized citizens transfer to the Coast Guard Reserve.

12.B.41.b. Transfer Procedures

Transfer procedures for a physical examination, travel, pay, etc., are the same as for processing a discharge. In addition, the following instructions apply:

1. The member transfers in the rate in which he or she serves when released from active duty.

2. Use the Coast Guard Reserve Assignment Request and Orders, CG-5525, to transfer the member to the Reserves.

12.B.42. Releasing Reserve and Retired Enlisted Members from Active Duty During War or National Emergency

During war or national emergency, enlisted Reserve and retired members will be released from active duty only under instructions issued by the Commandant.

12.B.43. Effective Time of Separation

12.B.43.a. Effective Time of Discharge

Subject to any law providing otherwise, an active duty enlisted member's discharge takes effect when the discharge certificate is delivered. Commander, (CGPC) shall specify the effective date of discharge for all administrative discharge, normally 20 working days from approval date. Members on leave on the effective separation date are considered to be on active duty until 2400 hours of the effective separation date, regardless of when the separation documents arrive in the mail. The effective separation date is a leave day and is charged as annual leave. If a member is discharged while absent without authority or in civil confinement, the discharge certificate is delivered when proper authority signs it. If a discharge is effected so the member can immediately enter the same or any other Armed Forces component in the same or any other status, for administrative purposes the discharge is dated as of the date preceding such entry or re-entry. If a member is assigned an escort to the home of record, the discharge certificate will not be delivered until actual arrival at the home of record and the next of kin, other close relative, or court-appointed guardian assumes custody. ☛ Article 12.B.46.a.

12.B.43.b. Effective Time of Release

Subject to any law providing otherwise, the release to inactive duty of a Regular Coast Guard member transferred to the Coast Guard Reserve and concurrently released to inactive duty takes effect when the separation document is delivered. Members on leave on the effective separation date are considered on active duty until 2400 hours of the effective separation date regardless of when the separation documents arrive in the mail. The effective separation date is considered a day of leave.

12.B.43.c. Reservist's Effective Time of Release

Subject to any law providing otherwise, the release to inactive duty of a Reservist who was called to active duty takes effect either at the actual time he or she arrives home or the authorized travel time expires, whichever is earlier.

12.B.43.d. Injury While Traveling

If a discharged member is seriously injured while returning home and taken to a service hospital, he or she may be eligible for hospitalization and other benefits from the Veterans' Administration; the member should be advised to file an appropriate claim with that agency.

12.B.44. VACANT

12.B.45. Transfer for Discharge Under Other than Honorable Conditions

Members discharged under other than honorable conditions shall be transferred under these instructions, except for members under 18 years of age, who transfer under ☛ Article 12.B.46.a.

12.B.45.a. Members Serving Abroad

The Service will not discharge any member under other than honorable conditions in a foreign country except for citizens of the Republic of the Philippines.
☛ Article 12.B.47.

12.B.45.b. Informing District Commander

When transferring members for a discharge under other than honorable conditions, bad conduct, or dishonorable discharge, send a letter, with copy to Commander, (CGPC-epm) explaining the circumstances of the transfer to the district commander to which transferred for discharge. Transfer is to be effected without guard, unless the responsible officer deems it necessary. In no circumstances, however, may these members carry their own records. In all instances, the member should be advised of the fact that discharge authorization does not preclude further disciplinary action and any infraction of regulations while en route to a district office will result in commensurate action and delay of discharge.

12.B.45.c. Transportation

Under Chapter 5, Part G,l., Joint Federal Travel Regulations, any enlisted member separated with a discharge under other than honorable conditions, bad conduct, or a dishonorable discharge is entitled to transportation in kind and meal tickets from the place of discharge to his or her home of record unless the member is confined pursuant to sentence of a civil court on the discharge date. Instead of the home of record, the member may be furnished transportation in kind and meal tickets from the place of discharge to a place other than the home of record if:

1. The member so requests, and

2. In the district commander's or commanding officer's judgment, furnishing such transportation in kind and meal tickets would be in the best interest of the member concerned, and

3. The cost to the Government of such transportation and meals does not exceed that of transportation to the member's home of record.

12.B.46. Separation Under Honorable Conditions

12.B.46.a. Separation from Duty Station

A member who is separated under honorable conditions is separated from his or her duty station with these exceptions:

1. A member under 18 years of age deemed immature, irresponsible, and/or unable to perform travel without constituting a menace to himself or herself or the public shall be discharged from the current duty station and assigned an escort to accompany him or her to the custody of the next of kin, other close relative, or court-appointed guardian. In such cases, the effective discharge date is that on which the escort delivers the discharge certificate to the person assuming custody; ☛ Articles 12.B.14.l. and 12.B.43.

2. An alien separates under ☛ Article 12.B.47.

3. A member who at the time of separation serves in a foreign country transfers to the district nearest the point of debarkation within the continental United States for separation. If circumstances warrant, the district commander designates a major command to which the member may report for processing. ☛ Article 4.H.1.d. In lieu of transferring to CONUS, the member may be separated in the area where serving if the cognizant district commander approves based on the member fulfilling these criteria; send all requests of a questionable nature to Commander, (CGPC-epm-1). The member:

   a. Has no record of serious disciplinary infractions.

   b. Has no record of complaints of non-support or indebtedness.

   c. Is not attempting to evade judicial action.

   d. Does not exhibit a potential for discreditable conduct.

   e. Has obtained the necessary passport and visa, when required.

4. When a member serves outside CONUS and it is deemed more economical or in the Government's best interests, taking into account the cost of transportation, the unavailability of medical facilities and other processing facilities, and any compensatory absence to his or her credit and any leave in excess of 60 days on the separation date, authority may be requested from Commander, (CGPC-epm-1) to transfer the member to a district office or major command designated by the receiving district nearest the place where the member has elected to receive mileage allowance on separation; ☛ Article 4.H.1.d. The member will not be retained beyond the expiration of enlistment date or period of obligated service solely for the purpose of taking leave. Proceed time is not authorized on transfer for separation; ☛ Article 4.G.10.

12.b.46.b. Pre-Separation Activities

Before transferring members for separation, the unit from which transferred will accomplish the following actions:

1. Give physical examination. ☛ Article 12.B.6.

2. Commanding officers shall ensure two entries are made in the member's Administrative Remarks, CG-3307, in the PDR stating whether the commanding officer recommends reenlistment and the member's eligibility for reenlistment if he or she has fewer than six months' obligated service at time of transfer. If a member is not recommended for reenlistment though average marks for Proficiency, Leadership and Conduct through 30 June 1983 or the minimum factor scores for an honorable discharge shown on the chart in ☛ Article 12.B.2.f. for marks assigned after 30 June 1983 meet the requirements for honorable discharge, enter a full explanation. ☛ Article 12.B.4.d.

3. When a member recommended for reenlistment elects transfer for separation under ☛ Article 12.B.46.a. in lieu of reenlisting at his or her present station, make an entry in the member's PDR on an Administrative Remarks, CG-3307, as follows. ☛ Article 12.B.4.

I hereby elect to return to the nearest Coast Guard district within the United States continental limits for separation in lieu of reenlisting at my unit. I understand I then cannot reenlist unless Commander, (CGPC-epm-1) specifically authorizes me to do so and if so, Commander, (CGPC-epm-1) also will specify the rate authorized, which may be lower than my present rate, and the district to which I will be assigned (if applicable). I further understand I cannot expect to reenlist in a rate higher than pay grade E-4.

_____
Signature

_____
Signature of Witness

4. Note the place from which the member elects mileage allowance and enter it in the "Remarks" block of form CG-3312D in the PDR.

5. Check the PDR for correctness and completeness. ☛ Articles 4.B.1.i., 12.B.49.a. and c., and the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

6. Advise the member of all rights and benefits. ☛ Article 12.B.53.f.

7. Ensure the member understands when granted compensatory absence or leave en route, the unit will not retain him or her beyond the expiration of enlistment date or period of obligated service solely to take leave. ☛ Article 12.B.46.a.

12.B.46.c. Place of Separation

The place of separation is the actual location of the unit to where the member is attached on the separation date and the separation papers are delivered to the member, not necessarily the place where the separation papers are prepared. District commanders must arrange and ensure instructions are prepared describing the separation procedures for cutters or stations within their district without commanding officers or officers-in-charge whom the Commander, (CGPC-epm) or district commanders have authorized to effect separations. The district office or some intermediate unit having a commanding officer may complete a discharge certificate or release from active duty orders, PDR, and related papers and mail them to the member's unit for delivery. The Service will not transfer any member for separation solely because his or her cutter or station is under the command of an officer-in-charge. ☛ Article 12.B.10.

12.B.47. Separating Aliens

12.B.47.a. Notifications

If members who are not United States citizens are to separate within the United States or its possessions, notify the nearest district office of the Immigration and Naturalization Service, Department of Justice, of the pending separation and its prospective date. Submit the notice in sufficient time to permit the immigration authorities to take any action they deem appropriate before the date when the member separates. Request them to acknowledge the notice and do not separate the member concerned until such acknowledgment is received. Put a copy of the notice and acknowledgment in the member's PDR.

12.B.47.b. Philippine Citizens

When enlisted members who are citizens of the Republic of the Philippines are about to become eligible to separate, they shall be transferred to Integrated Support Command (ISC) Alameda, for separation regardless of the character of their discharge except for those citizens of the Republic of the Philippines who:

1. Will reenlist immediately after separation or voluntarily extend enlistment. Enter an Administrative Remarks, CG-3307, in the PDR; the member must sign it to acknowledge having been properly advised and counseled about losing entitlement to file for U.S. citizenship unless such reenlistment or extension actually occurs in the United States or its stated possessions (American Samoa, Swans Island, Guam, Puerto Rico and the Virgin Islands). If reenlisting or extending in the U.S. or its stated possessions this entry is not required.

2. For valid reasons, such as a lawful admission to the United States for permanent residence, may remain in the United States. If the member is separated at the current unit instead of being transferred to the ISC Alameda, the basis for such action will be fully documented in the member's PDR on an Administrative Remarks, CG-3307, and supported by the original(s) or certified copies of all correspondence about to the case.

12.B.47.c. Member's Acknowledgment

Before transfer to ISC Alameda for separation, a member with dependents signs a statement on an Administrative Remarks, CG-3307, to be filed in his or her PDR, certifying the provisions of ☛ Article 12.B.4.c. have been explained and the member understands them.

12.B.48. Determining Final Average Marks

Upon separation from the Coast Guard (discharge, retirement, transfer to the Reserve, or release of a Reservist to inactive duty), the member's evaluation will be determined on Form CG-3306 according to the following instructions.

12.B.48.a. Member Evaluated on Only One Form During Enlistment

1. Consider all evaluations assigned in each factor in computing an average for that factor.
2. Add marks in each column on the CG-3306 and divide the sum by the number of marks to arrive at the average mark for each factor. Compute to one decimal place (do not round off) as illustrated in the example below.
3. Enter all final average marks on the CG-3306.

EXAMPLE							
MARKS (FROM CG-3306)							
DATE	**RATE**	**MIL**	**TEAM**	**WORK**	**LDRSHP**	**REP CG**	**HUMAN**
7/82	SA	Completed Recruit Training					
10/82	SA	18	18	27		20	31
1/83	SA	21	17	29		20	33
4/83	SN	20	18	28		21	32
10/83	SN	22	18	30		22	33
2/84	SN	16	11	25		12	24
9/84	SN	20	17	28		21	31
3/85	SN	22	17	29		20	28
9/85	SN	21	17	28		22	29
3/86	SN	24	18	30		22	29
Total Factor Scores		184	151	254		180	270
Number of Marks		9	9	9		9	9
Final Factor Avg. for Enlistment		20.4	16.7	28.2		20.0	30.0

12.B.48.b. Member Evaluated on More than One Form During Enlistment

Obtain a final characteristic average for members evaluated on more than one form (non-rated, petty officer, or chief petty officer) during his or her enlistment. Exercise caution in determining the correct number of characteristics to use in dividing each factor as each separate form contains a different number of characteristics.

1. Consider all evaluations assigned in each factor in computing its average.

2. Add marks in each column on the CG-3306.

3. Divide the sum by the cumulative number of characteristics for each factor to arrive at the average characteristic mark for each factor. Compute to one decimal place (do not round off) as illustrated in the example below showing the number of characteristics within each factor for each separate evaluation form.

4. Enter all final average marks on the CG-3306.

	MIL	TEAM	WORK	LDRSHP	REP CG	HUMAN	TOTAL
Non-Rated	5	4	7		5	8	29
Petty Officer	4	4	11	7	5	7	38
CPO	4	3	11	7	5	7	37

5. The following example shows how to determine the correct number of characteristics to obtain a member's average characteristic marks over his or her enlistment. Here, the individual completed a four-year enlistment and was promoted from non-rated to PO3 during the enlistment. The numbers in parenthesis show the number of characteristics used in the individual's evaluation for the period and are taken from the chart above. The numbers are printed for example purposes only: *DO NOT ENTER THEM ON THE ACTUAL CG-3306***.**

EXAMPLE **MARKS (FROM CG-3306)**							
DATE	**RATE**	**MIL**	**TEAM**	**WORK**	**LDRSHP**	**REP CG**	**HUMAN**
7/82	SA	Completed Recruit Training					
10/82	SA	18(5)	18(4)	27(7)		20(5)	31(8)
1/83	SA	21(5)	17(4)	29(7)		20(5)	33(8)
4/83	SN	20(5)	18(4)	28(7)		21(5)	32(8)
10/83	SN	22(5)	18(4)	30(7)		22(5)	33(8)
2/84	SN	21(5)	SUT	SUT		SUT	SUT
9/84	PO3	17(4)	15(4)	45(11)	26(7)	22(5)	28(7)
3/85	PO3	19(4)	16(4)	47(11)	28(7)	21(5)	28(7)
9/85	PO3	18(4)	17(4)	46(11)	30(7)	22(5)	30(7)
3/86	PO3	18(4)	18(4)	46(11)	29(7)	22(5)	30(7)

Total Factor Scores	174	137	398	113	170	245
Number of Char.'s	41	32	72	28	40	60
Final Char. Avg. for Enlistment. (Divide total factor score(s) by total no. of char.'s for each factor.)	4.2	4.2	4.1	4.0	4.2	4.0

12.B.48.c. Supplemental Conduct Mark

To determine the final average supplemental conduct mark awarded eligible members under ☛ Article 10.B.2.c., add the supplemental conduct marks awarded and divide the sum by the number of marks to arrive at the average mark. Compute to two decimal places (do not round off). Enter the final average mark on the CG-3306.

12.B.49. Personnel Data Record Entries at Departure

12.B.49.a. Correcting Entries

Before discharging, retiring, transferring to the Reserve, or releasing an enlisted member from active duty, check the member's Personnel Data Record (PDR) for correctness and completeness. The Personnel and Pay Procedures Manual, PPCINST M1000.2 (series) contains general instructions about PDR entries. The following guidelines govern correcting incomplete or incorrect PDR entries.

1. Correct incorrect or incomplete entries on the basis of whatever authentic information is available. Consider correspondence, official reports, or forms as authentic information.
2. If information necessary to correct a PDR is not available, do not withhold the discharge, retirement, transfer to the Reserve, or release from active duty, but effect it on the basis of the PDR entries after making substantiated corrections.
3. Whenever an entry or correction is made in a PDR under authority of this paragraph, the commanding officer or other officer authorized to sign PDR entries signs the entry or correction.
4. PDR entries or corrections, if arbitrary, unsubstantiated by authentic information, or unauthorized as such, may result in issuing a type of discharge to which the individual is not entitled.

12.B.49.b. Administrative Remarks

Makes the following entries in the PDR's on an Administrative Remarks, CG-3307.

1. Compliance with Continued Health Care Benefit Program, COMDTINST 1760.7 (series), where applicable.

2. Show the applicable Article and the specific authorization for the member's discharge, retirement, transfer to the Reserve, or release from active duty.

3. Honorable discharge button delivered, final average of Proficiency, Leadership, and Conduct marks before 1 July 1983, final average scores after 30 June 1983, whether recommended for reenlistment, reenlistment code, effective time of discharge, if for other than expiration of enlistment. ☛ Article 12.B.43.

4. Signed copy completed in accordance with ☛ Article 12.B.4.d. when applicable, together with this information:

   a. Completed (no.) years, (no.) months, and (no.) days of active military service. Deductible time: (no.) years, (no.) months, and (no.) days or (No deductible time).

   b. Transferred to the Coast Guard Reserve or (released to inactive duty and retained in the Coast Guard Reserve) to complete a total of (no.) years of service from (date of enlistment) and (no.) days deductible time. (If none, so indicate.) If deductible time is involved, show the dates of such absence.

12.B.49.c. Personnel Data Record Disposal

On separation, dispose of the PDR as the Personnel, Pay, and Procedures Manual, PPCINST M1000.2 (series) prescribes.

12.B.49.d. Discharge and Reenlistment

On discharge and reenlistment, ☛ Article 1.G.12. on maintaining the working PDR when the member is discharged and reenlists within 24 hours.

12.B.49.e. Additional Documents

Send these documents to Commander, (CGPC-adm-3) in addition to those listed in the Personnel, Pay, and Procedures Manual, PPCINST M1000.2 (series) when applicable:

1. Signed copy of member's statement if discharged for unsuitability or misconduct. ☛ Articles 12.B.16. and 12.B.18.

2. Signed copy of waiver of Physical Evaluation Board. ☛ Article 12.B.15.

3. Copy of letter to next of kin when discharging minors. ☛ Article 12.B.14.

4. Signed copy of request for diagnosis or underlying cause of discharge, if made, and copy of reply thereto. ☛ Article 12.B.15.

12.B.49.f. Health Record Disposal

Promptly send the completed health record to Commander, (CGPC-adm-3).

12.B.50. Certificate of Release or Discharge from Active Duty, DD-214

☛ Certificate of Release or Discharge from Active Duty, DD Form 214, COMDTINST M1900.4 (series), for instructions on preparing and distributing Form DD-214.

12.B.51. Discharge Certificates

12.B.51.a. Qualified Recipients

A discharge certificate must be issued to each member on discharge, unless he or she is continuing on active duty. Members released from active duty who transfer to the Reserve will be issued a discharge certificate when they fulfill their military obligation.

12.b.51.b. Certificate's Reverse Side

The reverse side of all discharge certificates shall be left blank.

12.B.51.c. Replacing Certificates

On satisfactory proof a discharge certificate was lost or destroyed without the fault of the individual to whom it was issued, Commander, (CGPC-adm-3) will issue a certificate in lieu of discharge. Apply for a certificate in lieu of discharge to replace a lost or destroyed discharge certificate to Commander, (CGPC-adm-3). Only Commander, (CGPC-c) can issue a duplicate or copy of a discharge certificate.

12.B.51.d. Delegating Responsibility

The commanding officer may delegate a commissioned officer, chief warrant officer, chief petty officer, or first class petty officer as custodian responsible for discharge certificates. Those designated will ensure safekeeping, accountability, and proper issue of all discharge certificates.

12.B.52. Honorable Discharge Button

12.B.52.a. Qualified Wearers

The Honorable Discharge Button shall be issued to a member who has served more than 30 days of active duty or active duty for training and is discharged from an original Coast Guard or Coast Guard Reserve enlistment. At the member's request, a subsequent discharge button will be issued to replace a lost one. Only those individuals entitled to it may wear the discharge button on civilian clothing.

12.B.52.b. Administrative Remarks

On issuing the Honorable Discharge Button, make an appropriate entry in the member's PDR on an Administrative Remarks, CG-3307. For subsequent discharge, make an appropriate entry indicating that the button was issued previously. Make an entry when issuing a button to replace a lost one.

12.B.52.c. Delegating Responsibility

The commanding officer may delegate a commissioned officer, chief warrant or chief petty officer as custodian to ensure safe-keeping of discharge buttons.

12.B.52.d. Obtaining Supplies

District commanders and commanding officers of Headquarters units procure discharge buttons from the Baltimore Supply Center. Other commanding officers obtain their supplies from their respective district commander.

12.B.53. General Information on Separation Without Immediate Re-enlistment

12.B.53.a. Policy

Under 10 U.S.C. 1168(a), an Armed Force may not discharge or release any member from active duty until the certificate of discharge or release from active duty orders and final pay (or a substantial portion of it) are ready for delivery to the member or his or her next of kin or legal representative.

12.B.53.b. Monitoring

The unit personnel officer shall monitor pending separations to ensure no delays occur in effecting the separation on the normal enlistment expiration and issuing DD-214. ☛ Personnel, Pay and Procedures Manual, PPCINST M1000.2 (series).

12.B.53.c. Leave in Connection with Separation

At his or her discretion, a commanding officer may grant delay chargeable to annual leave in connection with any type of separation. If the member is separated early under ☛ Article 12.B.8., it is not in the Coast Guard's best interest to authorize a "constructive" separation date more than three months before the normal enlistment expiration date by combining leave with early release authority for the member's convenience. Therefore, a "constructive" release longer than three months is not authorized. Complete all documents to the fullest extent possible before the member departs from the last permanent duty station or the processing point, as applicable. On the effective separation date, make the final entries and distributes copies of documents under current instructions. Endorses release from active duty orders on CG-3312D to show the amount of leave granted. If no release from active duty orders are involved, prepares leave papers. Members on leave on the effective separation date are considered as being on active duty until 2400 hours of that date. The effective separation date will be charged as a day of leave.

12.B.53.d. Reenlistment Information

1. Since authorization to enlist in the Coast Guard (Active and Reserve) is not guaranteed after a break in service, the Service encourages members recommended for reenlistment to reenlist on active duty or enlist in the Coast Guard Reserve immediately. Commanding officers should inform members separating from active duty who do not have a remaining obligation under 10 U.S.C. 651 that they will have to apply to the nearest recruiting office if they decide in the future to enlist in the Coast Guard (Active or Reserve). The recruiting office will refer individual cases to Commander, (CGPC-CGRC), if necessary.

2. Give every member discharged and not recommended for reenlistment the following information:

   a. Fingerprints undoubtedly will detect fraudulent enlistment in any Armed Forces branch; and

   b. If a former member enlists by concealing any previous service and discharge, that individual will be subject to disciplinary action.

12.B.53.e. Uniforms and Civilian Clothing

1. Members entitled to retain their uniforms after discharge may wear them from where discharged to their home within three months after discharge, a period encompassing the time between the discharge date and the date he or she arrives at home. A former member may not wear the uniform after arriving home, even though the three-month period has not expired.

2. A member shall be required to surrender all outer garments and distinctive parts of the uniform on separating from active duty as stated in the individual articles of this chapter or under any of the following conditions:

   a. The member is issued a dishonorable, bad conduct or other than honorable discharge.

   b. The member's commanding officer has reason to believe the individual will bring discredit on the uniform.

   c. The member's commanding officer believes his or her service record or the circumstances surrounding the discharge warrant surrendering the uniform.

3. Surrendered garments shall be disposed of through Lucky Bag sales.

4. If a member surrenders his or her uniform and owns no personal civilian clothing, an outfit of civilian clothing shall be furnished. The cost of such clothing shall not exceed the amount prescribed in the Comptroller Manual, Volume III, COMDTINST M4400.13 (series), Part V. Members transferred to effect their discharge take their uniform with them where ordered.

12.B.53.f. Veterans Rights and Benefits

1. Inform separating members of their rights and benefits as a veteran before they depart from their last duty station.

2. The more important benefits accruing to veterans under Federal legislation administered by Government agencies other than the Coast Guard are: education and training; loan guarantees; vocational rehabilitation; re-employment rights; veteran's preference in civil service; compensation and pensions; hospitalization and domiciliary care; National Service Life Insurance; Servicemen's Group Life Insurance; Veterans Group Life Insurance Unemployment Compensation; and Social Security benefits for deceased members' dependents.

3. Advise all separating members of the contents and purpose of the pamphlet "Once a Veteran," CG-143, and be sure to give a copy to each separating member.

4. Inform all separating members about the "Ex-Serviceman's Unemployment Compensation Act of 1958" (P.L. 85-848) which authorizes unemployment insurance protection to ex-service members who began their active service in the Armed Forces after 31 January 1955. The Department of Labor has prepared an informative pamphlet, available through the normal source of supply, about this Act's provisions.

12.B.53.g. Medical Benefits

1. When processing a member for separation, including retirement, ensure compliance with paragraph 3-4, Uniformed Services Health Benefits Publication, COMDTINST 6320.2 (series).

2. Ensure compliance with MAJORCARE 90, COMDTINST 1760.3 (series).

12.B.53.h. Discharge Review Board and Board to Correct Military Records

During the separation processing of any member being discharged, commanding officers will explain the purpose and scope of the Discharge Review Board and the Board for Correction of Military Records, established pursuant to 10 U.S.C. 1552 and 1553. Regulations for the Board for Correction of Military Records are found in 33 CFR 52.01 to 52.45 and the Board of Review of Discharges and Dismissals, contained in 33 CFR 51.01 to 51.10, provide:

1. The Board of Review of Discharges and Dismissals reviews a former Coast Guard member's type and nature of discharge certificate or other documentary evidence of discharge, except discharge as the sentence of a Coast Guard court-martial. The Board conducts this review at the former member's request or on his or her behalf, if deceased, by his or her surviving spouse, next of kin or legal representative concerned, or if incompetent, by his or her guardian.

2. The review determines whether under reasonable standards of the Coast Guard and naval law and discipline, the type and nature of the discharge should be changed, corrected, or modified, and if so, decides what change, correction or modification should be made.

3. The Board has no authority to revoke any discharge, reinstate any person in the Coast Guard after discharge, or recall any person to active duty.

4. Requests for review of a discharge must be submitted within 15 years of discharge on Application for Review of Discharge, DD-293. Request forms and information from the President, Boards of Review of Discharges and Dismissals, Commandant (G-WPM), 2100 2nd Street, S.W., Washington, DC 20593-0001.

5. Petitions to the Board for Correction of Military Records may pertain to any matter in the member's official record the member believes is incorrect or unfair and desires to have changed. Normally, such requests must be submitted within three years of separation.

6. Using the format below, make the following entry in the member's PDR on Administrative Remarks, CG-3307, and have the member sign it.

   I have read and been counseled on the contents of Article 12.B.53., Personnel Manual, COMDTINST M1000.6 (series) about my rights on separation from the Coast Guard. I understand my rights as described there and have had all my questions answered.

12.B.53.i. Selective Service Registration

On 2 July 1980, Proclamation 4771 was signed into law requiring all males born during 1960 or later to register with the Selective Service System. Registration for those persons born during 1960 began 21 July 1980. For those born in 1961 registration began 28 July 1980 and for those born in 1962 registration began 5 January 1981. Males, including aliens and non-citizens, born on or after 1 January 1963 must register on the day they attain the 18th anniversary of their birth or on any day within 30 days before or after that date. The proclamation affects Coast Guard personnel as follows:

1. Coast Guard members on active duty when their age group is required to register are exempt from registration so long as they remain on active duty. Once separated from active duty or transferred to the Coast Guard Reserve for any reason, they must register within 30 days of separation.

2. Men in CONUS may register at any U.S. Postal Service Office. Members assigned duty in a foreign country can register at any U. S. Department of State Embassy or Consulate Office.

3. Commanding officers shall advise all separating males in the affected age groups of their obligation to register with the Selective Service System and then put this statement in Block 18 of DD-214: "ADVISED OF REQUIREMENTS FOR SELECTIVE SERVICE REGISTRATION."

12.B.53.j. Transporting Household Goods

Incident to separation or release from active duty, members (not including retirees) are allowed Government-funded transportation of household goods within six months of separation. Consult Paragraph U5360, Joint Federal Travel Regulations for more information.

12.B.54 Discharge Entitlements Summary

Directive	Mileage (1)	Transport in Kind (2)	Civilian Clothing Issue (3)	Discharge Gratuity (3)	Retain Uniform, Wear Home (3)	Recoup Reenlist-ment Bonus (3)
JFTR, U5125	X					
JFTR, Chap. 7, Part P		X				
PERSMAN, Art. 12.B.53.			X		X	
CG Pay Manual, Para. 10.D.				X		
COMDTINST 7220.33 (series)						X

1. Applies to honorable and general discharges.
2. Applies to under other than honorable conditions, bad conduct, and dishonorable discharges.
3. Applies to all types.

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12.C. Retirement

12.C.1. General Information

12.C.1.a. Introduction

This Article governs retirements from active duty for reasons other than physical disability. ☞ Chapter 17 contains policies governing disability retirements.

12.C.1.b. Effective Retirement Date

Commander (CGPC-epm) or (CGPC-opm) issues orders containing the effective retirement date, the laws governing the retirement, and travel authorization. Under 5 U.S.C. 8301, all non-disability retirements occur on the first day of a calendar month with the member usually detaching on the last day of the preceding month. If the member detaches earlier, the time between detachment and the effective retirement date is charged as annual leave.

12.C.1.c. Effective Date for Travel and Transportation Entitlements

The effective date to determine entitlement for Travel and Transportation Allowances (authorized weight of household goods, eligibility for dependents' travel, etc.) is the last day of active duty. Refer to ☞ Exhibit 4.G.1. and the Joint Federal Travel Regulations, Appendix A, for further clarification.

12.C.1.d. Leave in Connection with Retirement

1. At their discretion leave-granting authorities may grant earned or advance leave accompanying retirement orders under ☞ Chapter 7; however, the member's effective retirement date will not be delayed for the specific purpose of allowing him or her to use earned leave. Relief for the retired member normally coincides with the scheduled retirement date, not the date the member departs on leave.

2. If authorities grant leave in connection with retirement, complete the member's records before he or she departs on leave, except for the final date entries, and endorse retirement orders to show the amount of leave granted. The retirement processing station subsequently completes all documents in the Service member's official record on the effective retirement date and transmits the member's copies of these documents to him or her.

12.C.1.e. Retirement Processing Point

1. Voluntary Retirements in Other than a Foreign Country. If a member is stationed in CONUS or at a non-restricted duty station in a state, commonwealth or United States possession outside CONUS when he or she is scheduled to retire, he or she normally is not transferred to a new permanent duty station before retirement, unless such transfer is in the Coast Guard's best interest. Since the processing station normally is the member's last permanent duty station, the Government incurs no additional expense in processing the retirement. For personal

convenience under provisions of the Joint Federal Travel Regulations, Vol. 1, U5130, a member may request Commander (CGPC-epm) or (CGPC-opm) to authorize (rather than direct) retirement processing at a shore unit convenient to his or her designated home of selection, provided:

a. The member travels to the retirement processing station in leave status. (Proceed time is not authorized. ☞ Article 4.G.10.)

b. The retirement orders designate the home of selection before departure.

c. The member understands he or she will incur no additional expense on the Government's behalf and he or she acknowledges the following statement on retirement orders:

> This authorization is issued with the understanding you will not receive reimbursement for expenses in connection with it. If you do not desire to bear this expense, consider this authorization canceled.

d. If approved, the member detaches in time to report to the processing station between 12 and 15 working days before the effective retirement date and the member's orders shall be so endorsed.

e. Commanding officers and PERSRUs shall ensure all retirement related documentation processing required in accordance with the ☞ Personnel Pay and Procedures Manual, HRSICINST M1000.2(series), is completed and signed prior to members departing their retirement processing point.

2. Voluntary Retirement of a Member Stationed in a Foreign Country. A member who elects to retire, would be stationed in a foreign country at effective retirement date, does not intend to designate the overseas area as home of selection, and does not desire to retire at the overseas duty station shall return to CONUS for retirement processing. The member will be ordered to report for temporary duty and processing to the area or district office, as appropriate, nearest to the debarkation port as determined by Joint Federal Travel Regulations; and then proceed to his or her home of selection. The permanent change of station is from the overseas duty station to the home of selection. The Joint Federal Travel Regulations prescribe the member's, dependents', and household effects' transportation allowances from the overseas duty station to the processing point and ultimately the member's home of selection.

3. Involuntary Retirement of a Member Stationed Outside CONUS. If a member normally would be stationed outside CONUS at involuntary retirement from active duty, does not intend to designate the overseas area as his or her home of selection, and does not desire to retire at the overseas duty station, he or she will be ordered on a permanent change of station to a CONUS area or district office, as appropriate, within either the Atlantic or Pacific Area, depending on where the member serves. He or she advises Commander (CGPC-epm) or (CGPC-opm) of the desired district for retirement processing approximately six months before the involuntary retirement date. Retirement allowances cover his or her retirement processing station to home of selection.

12.C.1.f. Administrative Absence in Connection with Retirement

1. Under the provisions of ☞ Article 7.A.10., retiring members are eligible for an administrative absence not to exceed 20 days (if separated INCONUS), or 30 days (if separated OCONUS), to facilitate relocation. This administrative absence in conjunction with retirement is not an entitlement; however, it may be granted at the discretion of the member's command provided it does not adversely affect mission performance. This duty is intended for activities related to transition or relocation, e.g., job interviews, not to extend leave periods.

2. The following conditions and restrictions apply to permissive temporary duty in conjunction with retirement.

   a. It may be authorized for consecutive days, including weekends and holidays.

   b. It may be taken in increments, not to exceed the totals dictated in ☞ Article 12.C.1.f.1.

   c. Liberty or a period of combined leave and liberty is not authorized between consecutive periods of administrative absence in conjunction with retirement.

   d. It may be used in conjunction with leave enroute to home, with no intent to return to the last permanent duty station, including leave enroute to a retirement processing point as defined in ☞ Article 12.C.1.d.

12.C.2. Service Credit to Qualify for Retirement

The service below is creditable for retirement. Service creditable for retirement is not necessarily all service creditable for computing basic or retirement pay.

1. Commissioned, Chief Warrant, and Warrant Officers. Active service in the Coast Guard, Navy, Army, Air Force, or Marine Corps, or in their Reserve components, including active duty for training.

2. Enlisted Members. Active service in the Coast Guard, Army, Navy, Air Force, Marine Corps, and all active service in their various Reserve components, including active duty for training and active Federal service in the National Guard and Air National Guard.

3. Other Creditable Service for Retirement. Under certain conditions, active civilian Government service is creditable for retirement for officers appointed constructors and personnel of the former Life Saving Service, Lighthouse Service, Bureau of Marine Inspection and Navigation, and Bureau of Customs who were commissioned, appointed, or enlisted in the Regular Coast Guard.

4. Service time while attending the U.S. Coast Guard Academy is creditable only for enlisted members. Service time while attending the U.S. Coast Guard Academy may not be counted in computing, for any purpose, the length of service of an officer.

12.C.3. Pre-Retirement Physical Examination

12.C.3.a. General

A physical examination is required before a non-disability retirement. An active duty Uniformed Services medical and dental officer should perform both officers' and enlisted members' retirement physical, but contract physicians and dentists may do so. Members shall ensure they schedule physical examinations at least six months before their retirement date so defects found may be corrected before retirement. Physical examinations for retirement purposes are valid for 12 months. If the examination uncovers a physical or mental impairment that is identified in the ☞ Medical Manual, COMDTINST M6000.1 (series), as unfitting, the member may be eligible for a physical disability retirement, subject to the policies set forth in the ☞ Physical Disability Evaluation System, COMDTINST M1850.2 (series), paragraph 2.C. Not all physical or mental impairments qualify a member a member for a disability retirement. Nor do all members benefit from a disability retirement. For members who joined the Uniformed Services after 25 September 1975, the tax exemption of disability retired pay is limited. See ☞ Article 12.C.16.b.4.

12.C.3.b. Procedure if Physical Examination Finds Member Is Unfit for Duty

1. If a physical examination pursuant to retirement discovers an impairment which is identified as unfitting in the Medical Manual, COMDTINST M6000.1 (series), an initial medical board will be convened only if the provisions of the Physical Disability Evaluation System, COMDTINST M1850.2 (series), paragraph 2.C, are satisfied. If a medical board is initiated, the member's commanding officer shall immediately notify Commander (CGPC-epm) or (CGPC-opm), as appropriate, and (CGPC-adm) who may hold the member's retirement orders in abeyance, if appropriate, pending resolution of the physical disability evaluation process.

2. A member's physical disability or unfitness for continued service does not preclude him or her from normal service retirement in lieu of physical disability processing, if so desired. As soon as possible after the examination, the member shall elect in writing whether he or she desires processing for physical disability retirement or compliance with normal service retirement orders. The member's command immediately notifies Commander (CGPC-epm) or (CGPC-opm), as appropriate, and Commander (CGPC-adm) by message to ensure they can delay the original retirement request or orders if necessary. Previously issued retirement orders normally will not be canceled to process a member through the disability evaluation system; instead, they will be held in abeyance. If the member elects to comply with normal service retirement orders, he or she shall submit a signed statement to that effect in letter form to Commander (CGPC-epm) or (CGPC-opm).

3. If the final action of the physical disability evaluation board is:

   a. Retirement for physical disability, Commander (CGPC-epm) or (CGPC-opm) issues orders for such retirement.

b. No physical disability **retirement**, the member's original retirement orders remain in force or are amended to effect the service retirement normally within 60 days after the end of the month in which the board determined the member's final physical qualification.

4. Members who meet all qualifications for a physical disability retirement but also qualify for retirement for other reasons may request in writing that Commander (CGPC-epm) or (CGPC-opm) take no action on the physical disability evaluation board's record of proceedings and allow them to retire for reasons other than physical disability.

12.C.4. Retirement Counseling and Ceremony

12.C.4.a. Pre-Retirement Seminars

Retirement benefits have become more complicated in the past few years. Merely presenting prospective retirees with a packet of helpful pamphlets and manuals shortly before retirement will not answer their many questions about this transition. Well-planned pre-retirement seminars can help bridge this gap. At least annually, district commanders, commanders of maintenance and logistics commands, and commanding officers of major Headquarters units must plan and host a one or two-day pre-retirement seminar. Headquarters units collocated with area or district offices should hold joint seminars to reduce expense and duplication of effort. Commanding officers should encourage active duty members with 18 or more years of service creditable towards retirement and their spouses, career counselors, and other interested members, including Reservists and retirees, to attend these seminars. Commanding officers should encourage using other Services' pre-retirement programs if space allows Coast Guard personnel to attend. **Figure 12.C.4.1.** contains additional guidance on pre-retirement seminars.

12.C.4.b. Retirement Ceremony

1. A ceremony designed to express the Coast Guard's appreciation for the many years of faithful, honorable service normally shall precede a member's transfer to the retirement rolls. A ceremony should include a suitable assembly from the command. The commanding officer or in his or her absence the executive officer should cite awards, commendations, and other career highlights and make such remarks in bidding farewell as appropriate in the circumstances. If possible, commands should schedule these ceremonies to coincide with required personnel inspections. Rescheduling these inspections within limitations is considered appropriate.

2. Commands may consider the following elements appropriate:

   a. Holding a suitable ceremony as described above at which the commanding officer should present:

      (1) Retirement Certificate.

      (2) Retirement Button.

(3) United States Flag

(4) Good Conduct Award, if applicable.

(5) Certificate of Appreciation for spouse, if applicable.

(6) Retirement Orders.

(7) Awards, in the form of plaques presented in recognition of the member's professional achievements. Appropriated funds may be used for this purpose.

(8) An appropriate token of appreciation from the command in the form of a retirement plaque. Area, district, maintenance and logistics commanders, and Headquarters unit commanding officers are authorized to procure suitable plaques for personnel assigned to their staffs and subordinate commands using non-appropriated funds. Using appropriated funds for this purpose is forbidden. Presenting this command tribute to the retiree is optional at the discretion of the command and the retiree.

b. Inviting the family, special guests, and shipmates, as the retiring member desires.

c. Taking pictures of the ceremony to present to the member and distributing press releases to the appropriate media.

d. Holding a brief social gathering after the ceremony with simple refreshments for the honored member(s) and guests.

e. Providing transportation for guests within the confines of the military installation if required.

3. The retirement ceremony should occur at the last permanent duty station. The command should ascertain each member's preference in the matter before the scheduled retirement date and consider his or her desired timing and particulars of the ceremony but should not forego the ceremony except in extraordinary circumstances.

Figure 12.C.4.1. Suggested Retirement Planning Guidance

PRE-RETIREMENT SEMINAR SAMPLE SEMINAR ANNOUNCEMENT

Commander, [insert name], [Number] Coast Guard District is hosting a one-day pre-retirement seminar on [insert date] from 0830 to 1530 at [insert location, address]. Prospective retirees, retirees, and their spouses should find this seminar helpful in planning their future. Unit career counselors are welcome and encouraged to attend. The morning session will include a comprehensive overview of [insert two or three topics from the agenda; special features, e.g., financial planning exercises, etc., and confirmed speakers with special expertise, e.g., bankers, accountants, etc.]. All attendees will receive portfolios of vital retirement planning information. Those who plan to attend can make reservations by calling [insert telephone number], writing [insert address], or contacting by E-mail at [insert E-mail address]. Agenda attached.

NOTE: Plan to use a direct-mailed invitation as a primary means of inviting prospective attendees to the seminar.

Figure 12.C.4.1. Suggested Retirement Planning Guidance

SEMINAR COORDINATOR GUIDANCE SHEET

As Seminar coordinator, District (p) or maintenance and logistics commands should follow these steps in planning their event. Obtain primary assistance from a Career Information Specialist, Command **Master Chief** (**CMC**), or other career counselor.

1. Request seminar participants from the major benefit programs listed as follows:
   a. Veterans Administration.
   b. Social Security Administration.
   c. CHAMPUS/Medicare
   d. Civil Service Commission.
   e. Coast Guard Retired Affairs Programs, Survivor Benefit Plan, Identification Cards (RAPIDS) (DEERS), Decedent Affairs, Retired Newsletter, **Thrift Savings Plan**.
   f. Transportation Officer.
   g. DoD and PHS Medical Facilities.
   h. Legal Assistance (ensure restrictions on civilian employment after retirement are a part of this presentation).
   i. Space Available Travel.
   j. Resume Preparation.
   k. State Employment Officials.
   l. Retired Pay.
   m. Retiree Organizations.
2. Prepare an agenda, arrange meeting and parking facilities, collect reservations, coordinate Coast Guard speakers, and provide retirement packages.
3. At least 30 days before the Seminar, distribute agenda or program seminar throughout the District/Headquarters unit area; a sample of a Seminar announcement follows.
4. Coordinate issuing orders to prospective retirees wishing to attend who are stationed outside reasonable commuting distance of the Seminar location.

PUBLICATION LIST FOR RETIREMENT COUNSELORS

Coast Guard Personnel Manual, COMDTINST Ml000.6 (series)

Coast Guard Retiree Newsletter, HRSIC (RAS)

"Federal Benefits for Veterans and Dependents," Government Printing Office. Telephone: (202) 512-1800

Physical Disability Evaluation System, COMDTINST M1850.2 (series)

Pre-Separation Guide, NAVPERS 15616

"Retired Military Almanac" (office copies only), P.O. Box 4144, Falls Church, VA 22044; Telephone: (703) 532-1631

"SBP Made Easy," 0503-LP-219-9400, Naval Publications/Forms Center (or call The Retired Officers Association (TROA), 201 North Washington Street, Alexandria, VA 22314. Telephone: (703) 549-2311)

Thrift Savings Plan (www.TSP.gov)

Your Guide in Retirement, HRSICINST M1800.4

"Your Social Security" (FREE to military in quantity from the Social Security Administration)

12.C.5. Statutory Authority to Retire Commissioned Officers (Except Commissioned Warrant Officers)

12.C.5.a. Voluntary Retirements

1. 20-Year Retirement. Any Regular commissioned officer (except a commissioned warrant officer) who has completed 20 years' active service, at least 10 of which in commissioned service, may apply and, at the Secretary's discretion, retire from active service (14 U.S.C. 291).

2. 30-Year Retirement. Any Regular commissioned officer (except a commissioned warrant officer) who has completed 30 years' service may apply and, at the Commandant's discretion, retire from active service (14 U.S.C. 292).

12.C.5.b. Compulsory Retirement at Age 62

Any Regular commissioned officer, except a commissioned warrant officer, who reaches the age of 62 shall retire from active service (14 U.S.C. 293).

12.C.5.c. Involuntary Retirement of Flag Officers

1. Unless he or she retires under some other legal provision or remains on active duty under subparagraph 2 below, a rear admiral retires on 30 June of the promotion year in which he or she completes a total of 36 years of active commissioned service, including service creditable for retirement purposes under 14 U.S.C. 432 (14 U.S.C. 290).

2. With the Secretary's approval, the Commandant may annually retain on active duty from promotion year to promotion year any rear admiral who otherwise would retire under subparagraph 1 above. Unless he or she retires under some other provision of law, a rear admiral so retained retires on 30 June of the promotion year in which no action takes place to further retain him or her under this provision (14 U.S.C. 290).

3. 14 U.S.C. 47 contains authority for the Commandant to retire.

4. 14 U.S.C. 51 contains authority for officers serving in the grade of vice admiral to retire.

12.C.5.d. Retirement of Regular Captains

1. If he or she does not retire earlier, each regular Coast Guard captain who is not carried on an approved list of officers selected for promotion to rear admiral (lower half) retires on 30 June of the promotion year in which he or she or any captain junior to him or her on the Active Duty Promotion List (ADPL) who has not lost numbers or precedence completes 30 years of active commissioned Coast Guard service (14 U.S.C. 288(a)). An officer who advanced in precedence on the ADPL because he or she was promoted from below the zone is not subject to earlier involuntary retirement under this Article than if he or she had not been selected from below the zone.

2. An officer retired under this paragraph must receive as retired pay at least 50 percent of the basic pay on which his or her retired pay was computed (14 U.S.C. 288(b)).

12.C.5.e. Retirement of Commanders and Lieutenant Commanders for Failure of Selection for Promotion

Each Regular Coast Guard officer serving as commander or lieutenant commander who fails of selection for promotion to captain or commander, respectively, for the second time shall:

1. If eligible for retirement under any law on 30 June of the promotion year in which the second failure of selection occurs, retire on that date; or

2. If ineligible for retirement on 30 June of the promotion year in which the second failure of selection occurs, remain on active ~~duty and retire on the last day of the month in which he or she completes 20 years of active service, unless earlier removed under another provision of law (14 U.S.C. 285).~~

12.C.6. Statutory Authority for Commissioned Warrant Officers' Retirement

12.C.6.a. 20-Year Retirement

The Commandant may retire a commissioned warrant officer who has at least 20 years of active service at his or her request.

12.C.6.b. Involuntary Retirement After 30 Years' Active Service

1. A permanent regular commissioned warrant officer who has at least 30 years of active service retires 60 days after he or she completes that service (10 U.S.C. 1305).

2. The Commandant may defer the retirement of any commissioned warrant officer for up to four months under subparagraph 1 above if, due to unavoidable circumstances, evaluation of his or her physical condition and determination of his or her entitlement to retirement or separation for physical disability require hospitalization or medical observation that cannot be completed before the date when he or she would be required to retire (10 U.S.C. 1305).

3. To satisfy a specific Service need, the Commandant also may defer retirement under subparagraph 1 above of a commissioned warrant officer with his or her consent and if a board of officers so recommends for up to 60 days after the officer turns 62 years old (10 U.S.C. 1305). Chief warrant officers who want to continue on active duty beyond 30 years may apply to Commander (CGPC-opm-1) between nine and 12 months before the mandatory retirement date. Extensions may be granted for any period up to a maximum of four years for a single request. Subsequent extensions may be granted based on additional requests. Chief warrant officers so extended and selected for promotion are required to serve two years in the new grade. A chief warrant officer serving on an extension may apply for voluntary retirement when he or she meets all eligibility requirements listed in ☞ Article 12.C.9. Extension requests will be kept on file pending the identification of specific Service needs. Whenever a need arises, a board of officers screens

eligible applicants and selects the best-qualified candidate. If an extension is not approved by six months before the mandatory retirement date, the request will be removed from the file and the member retires on the mandatory retirement date. A member may withdraw a request from consideration at any time. Submit extension requests in a letter format with the following information:

a. The reason to request the extension.

b. The officer's statement indicating he or she is willing to serve in any assignment or geographic area.

c. Desired length of extension.

d. A concise recommendation by the member's chain of command.

12.C.6.c. Compulsory Retirement at Age 62

1. Any permanent regular commissioned warrant officer who has at least 20 years of active service and is at least 62 years of age must retire on the first day of the month that occurs 60 days after his or her 62nd birthday (10 U.S.C. 1251 and 1263).

2. The Commandant may defer any commissioned warrant officer's retirement for up to four months under subparagraph 1 above if, due to unavoidable circumstances, evaluation of his or her physical condition and determination of his or her entitlement to retirement or separation for physical disability require hospitalization or medical observation that cannot be completed before his or her mandatory retirement date (10 U.S.C. 1263).

12.C.7. Retirement or Release to Inactive Duty of Reserve Program Administrators

12.C.7.a. Retention on Active Duty

1. A Reserve Program Administrator (RPA) who does not accept an active duty promotion shall be released to inactive duty on the last day of the month in which the promotion would have been effective unless he or she is eligible for and requests retirement on the first day of the following month.

2. While RPAs remain eligible for consideration and promotion under 14 U.S.C. 21, no RPA may accept a promotion to a higher grade than that to which he or she is selected by a board convened in accordance with 14 U.S.C. 276 and continue on extended active duty. If an RPA accepts a promotion resulting from a selection board convened under 14 U.S.C. 21, despite the provisions of 10 U.S.C. 1006(e), he or she shall be released to inactive duty on the first day of the month after the date he or she accepts the higher grade. If he or she declines a promotion resulting from a board convened under 14 U.S.C. 21 continue on active duty, he or she will not prejudice later acceptance. An appointment to the higher grade will be tendered after release to inactive duty if he or she is otherwise qualified.

12.C.7.b. Failure of Selection for Promotion or Continuation

1. Captains. RPA captains eligible for active duty retirement and not recommended for continuation on active duty by a board convened for that purpose shall be released to inactive duty on 30 June of the promotion year in which the board convened unless they otherwise request retirement. RPA captains ineligible for active duty retirement under any provision of law and not recommended for continuation by a board convened for that purpose remain on active duty for release to inactive duty or retirement, if they request, on the last day of the month in which they complete 20 years of active service, unless removed earlier under another provision of law.

2. Commanders and Lieutenant Commanders. RPAs serving as commanders or lieutenant commanders who fail of selection to the next higher grade for the second time and:

   a. Have completed 20 years or more active service creditable for retirement shall be retired not later than 30 June of the promotion year in which the second failure occurs, or

   b. Ineligible for retirement on 30 June of the promotion year in which the second failure shall be released to inactive duty or retired, if they request, on the last day of the month in which they complete 20 years of active service, unless earlier removed under another provision of the law.

3. Lieutenants. RPAs serving as lieutenant who fail of selection for promotion to lieutenant commander for the second time are:

   a. Honorably discharged or released to inactive duty not later than 30 June of the promotion year in which the second selection failure occurs, or

   b. Honorably discharged or released to inactive duty at an earlier date at their request without loss of benefits than if they had been discharged on the date specified under a. above, or

   c. If eligible for retirement under any law on the date specified for release or discharge in this section, retired on that date, or

   d. If completing at least 18 years of service for retirement on the date specified for discharge or release in subparagraph 3.a. above, they shall be released to inactive duty, if they request, or be retained on active duty and retired on the last day of the month in which they complete 20 years of service.

4. Lieutenant (Junior Grade). RPAs serving as lieutenants (junior grade) who fail of selection for promotion to lieutenant for the second time are:

   a. Honorably discharged or released to inactive duty not later than 30 June of the promotion year in which the second failure of selection occurs, or

b. At their request, honorably discharged or released to inactive duty at an earlier date without loss of benefits than if they had been discharged on the date specified under a. above, or

c. If eligible to retire under any law on the date specified for release or discharge in this section, they retire on that date at their request.

12.C.7.c. Time of Separation

If under this Article the separation (discharge, retirement or release to inactive duty) of any officer would be required less than six months after approval of the report of the board which considered but did not select him or her:

1. For promotion for the second time or continuation, the officer's separation shall be deferred until the last day of the sixth calendar month after such approval; or,

2. For promotion for the third (or more) time, the officer's retirement shall be effected on the last day of the month in which the officer completes 20 years of active service, unless earlier removed under another provision of law.

12.C.7.d. Separation Pay Entitlement

An RPA lieutenant or lieutenant (junior grade) released from active duty under these provisions is entitled to separation pay under 10 U.S.C. 1174, provided he or she has served six or more **continuous** years of active service immediately before the release date. **Periods of active duty that have breaks of 30 days or less are considered continuous service when determining eligibility for Separation Pay.**

12.C.7.e. Completing 30 Years' Commissioned Service

RPAs serving as captain or below shall be released to inactive duty on the last day of the month in which they complete 30 years of commissioned service unless they request retirement effective on the first day of the following month. Unless earlier released under other provisions of law or regulations, RPAs ineligible to retire under 10 U.S.C. 6323 continue on extended active duty until the last day of the month in which they become eligible to retire. They shall then be released to inactive duty unless they request retirement on the first day of the next month.

12.C.7.f. Grade on Retirement

1. Unless entitled to a higher grade, an RPA who retires under 10 U.S.C. 6323 retires in the highest permanent or temporary grade in which he or she satisfactorily served on extended active duty, at the Secretary's determination. If the Secretary determines the officer did not serve satisfactorily in his or her highest temporary grade, he or she retires in the next lower grade in which he or she served, but not lower than his or her permanent grade.

2. An RPA who is on an approved list of officers selected for promotion to the next higher grade who retires for physical disability under 10 U.S.C. 61 before being promoted, retires in the grade to which he or she was selected for promotion.

12.C.7.g. Mandatory Retirement of Running Mates

RPA captains shall be released to inactive duty unless they are eligible for and request retirement on or before the date (30 June) their running mates retire on completing 30 years' commissioned service under 14 U.S.C. 288 provisions. Unless earlier released under other provisions of law or regulations, an RPA ineligible to retire under 10 U.S.C. 6323 continues on extended active duty until the last day of the month in which he or she becomes eligible to retire. The officer shall then be released to inactive duty or retired at his or her request.

12.C.7.h. Separation for Cause

An RPA may be separated for cause in the same manner as a regular Coast Guard officer under ☞ Article 12.A.15. Reserve membership on boards convened for this purpose shall comply with 33 CFR 8.1110.

12.C.8. Permanent Commissioned Teaching Staff Members' Retirement

12.C.8.a. Voluntary Retirement

1. 20-Year Retirement. Any professor, associate professor, assistant professor, or instructor in the Coast Guard who has completed 20 years' active service, at least 10 years of which in active commissioned service, may apply and, at the Secretary's discretion, retire from active service with the retired pay of the grade he or she holds on retirement (14 U.S.C. 190 and 14 U.S.C. 291).

2. 30-Year Retirement. Any Coast Guard professor, associate professor, assistant professor, or instructor who has completed 30 years' service may apply and, at the Commandant's discretion, retire from active service with the retired pay of the grade he or she holds on retirement (14 U.S.C. 190 and 14 U.S.C. 292).

12.C.8.b. Involuntary Retirement

Unless they retire earlier, Permanent Commissioned Teaching Staff (PCTS) members shall retire on 30 June of the promotion year in which they complete 30 years' active commissioned service.

1. If the member requests and the Superintendent favorably recommends the member's retention as in the Academy's best interests, CGPC-opm may approve a member's continued service on active duty for additional one- or two-year periods up to a total of 35 years of commissioned service. A member so retained, unless retired under some other provision, retires when that extension expires unless action is taken to further retain the member under this paragraph. The Superintendent should make his or her recommendation under this paragraph at least one year before the member's scheduled retirement date.

2. If not earlier retired, PCTS members retire on 30 June of the promotion year in which they complete 35 years' active commissioned service. If the Superintendent favorably recommends a member's retention as necessary to fulfill a compelling

Service need, Commander (CGPC-opm) may delay a member's involuntary retirement under this paragraph for up to two years. Unless they retire under some other provision, these members retire when such extension expires unless action is taken to further retain them under this paragraph. The Superintendent should make his or her recommendation under this paragraph at least one year before the member's scheduled retirement date.

12.C.8.c. Compulsory Retirement at Age 64

Any professor, associate professor, assistant professor, or instructor in the Coast Guard who reaches the age of 64 shall retire from active service with the retired pay of the grade he or she held on retirement (14 U.S.C. 190).

12.C.8.d. Retaining Captains

The provisions of 14 USC 288 on captains' mandatory retirement and 14 USC 289 on captain continuation boards do not apply to PCTS members.

12.C.9. Procedures for Officers' Retirement

12.C.9.a. Request for Voluntary Retirement

Commander, (CGPC-opm) has final approval or disapproval authority of voluntary retirement requests. In approving a request for voluntary retirement, Commander, (CGPC-opm) may specify an effective date other than that requested if a change is necessary in the Service's best interests to provide time for orderly relief or, in some cases, complete the current or an ordered tour of duty. Commander (CGPC-opm) will consider requests based on the Service's overall needs and the merits of an individual case **using** the following guidelines:

1. An officer should meet the following criteria when requesting voluntary retirement:

   a. Must complete two years time in grade by the date of retirement. **(A scheduled promotion will not be effected if an officer has an approved voluntary retirement on file at the time their name would otherwise appear on the respective Officer Promotion Authorization Listing (OPAL) unless the officer requests to have the letter pulled.)**.

   b. Will complete at least one year at his or her duty station INCONUS, or if assigned outside the contiguous 48 states at his or her own request will complete a two-year tour of duty (**if the member has been assigned to more than one unit in the same OUTCONUS area, he or she must have at least 2 years in that area and one year at their current unit**).

   c. Submit a request between one year and six months before the desired retirement date **using the format in paragraph 9 below. Officers desiring a retirement date sooner than 6 months out, may so request; however, the request must be accompanied by a command endorsement stating that the command can, and is willing to, support a vacant billet. Such requests will be approved based upon Service needs.**

2. An officer in receipt of PCS orders who will complete at least two years in grade by the specified retirement date in this paragraph who wishes to retire in lieu of executing those orders must request retirement within 15 days of either the order issue date or the date time group of the general message announcing assignment panel results, whichever applies. Commander (CGPC-opm) normally approves these requests effective the first day of the month after the detachment date of the PCS orders or by 1 August after an assignment panel results general message. An officer requesting retirement must comply with ☞ Article 12.C.3. as soon as practical to ensure completing the physical examination before retirement.

3. All other requests for voluntary retirement should fully describe the circumstances which justify special consideration. Commander (CGPC-opm) will consider these requests on their merits **and weigh them against the needs of the Service**.

4. **If the officer wants an acknowledged of receipt, he or she must indicate so in the letter and provide a valid e-mail address if they do not have one in the Coast Guard global address list.**

5. Officers approaching statutory age are not required to apply for retirement.

6. The request must include the zip code of the intended home of selection for cost estimating purposes only; it is not binding and does not affect the member's entitlement to choose a home of selection up to one year after retirement.

7. **Requests for voluntary retirement from captains shall be submitted to CGPC-opm-1 via their commanding officer (actual commanding officer or the appropriate officer with jurisdiction (e.g. Area Chief of Operations for 378 CO's, MLC Commander for ISC CO's, etc.) and cognizant flag officer. For captains assigned to Coast Guard Headquarters, assistant commandants or directors should endorse requests for separation as appropriate. (NOTE: For captains assigned to Coast Guard Headquarters, requests need not be routed through Headquarters Support Command.)**

8. **Requests for voluntary retirement from commanders and below shall be submitted to Commander (CGPC-opm-1) via their commanding officer (actual commanding officer or the appropriate officer with jurisdiction. For officers assigned to Coast Guard Headquarters, assistant commandants, directors, or division chiefs should endorse requests for separation as appropriate. (NOTE: For commanders and below, assigned to Coast Guard Headquarters, requests need not be routed through Headquarters Support Command.)**

9. **Use the following example in a standard Coast Guard letter when requesting voluntary retirement:**

From: [Member]
To: Commander, Coast Guard Personnel Command (opm-1)
Via: [Commanding Officer (and cognizant flag officer for Captains)]

Subj: REQUEST FOR VOLUNTARY RETIREMENT

Ref: (a) CG Personnel Manual, COMDTINST M1000.6A, Article 12.C.9.a.

1. I request retirement on the first day of [month/year], or as soon thereafter as possible.

2. I understand if this request is approved, I will be ineligible for promotion if already selected for the next higher grade. I further understand that a copy of my voluntary retirement orders will be included in my permanent record and will be visible to any future selection board.

3. For cost estimating purposes only, I elect [zip code] as my Home of Selection (HOS) for retirement. I understand I am not bound to this election and I am entitled to elect a retirement HOS within one year from my first day of retirement per U5310, JFTR.

4. I understand if I request to cancel this retirement, Commander (CGPC-opm) will consider cancellation solely on the needs of the Service.

<signature>

10. The immediate commanding officer should include in the endorsement:

a. A statement recommending approval or disapproval. If disapproval or conditional approval, the full reasons thereof.

b. A statement, as needed, concerning a replacement or the impact of gapping the job position.

c. Any other useful information to assist the Officer Personnel Management staff in making a final decision.

NOTE: (1) Where an unconditional endorsement of "forwarded, recommending approval" is determined, the CO may merely endorse the via line with their signature and date; (2) Additional "via" addressees may be included if considered appropriate by the CO; (3) Facsimile copies of signed requests with signed endorsement should be transmitted only if requested by Commander (CGPC-opm).

11. Officers faced with mandatory retirement, for any reason, need not request retirement. However, an officer may request voluntary retirement to occur on the scheduled mandatory retirement date if they desire their retirement be classified as "voluntary" vice "involuntary."

12. Requests from flag officers shall be submitted to Commander (CGPC-opm-1) via their Coast Guard superior (i.e. Area Commander or Assistant Commandant, etc.) and via the Vice Commandant.

12.C.9.b. Scheduling Retirement Orders

1. Commander (CGPC-opm) issues retirement orders under the procedures listed in ☞ Article 12.C.1. **and mails them via the member's command shortly after approval of a request, but no later than 120 days prior to retirement. If orders processing must be delayed (i.e. awaiting funding authority for requests approved into the next Fiscal Year) notification of Commander (CGPC-opm) approval will be provided prior to issuing orders**.

2. Commander, (CGPC-opm) will approve retirement dates as close to the requested date as possible to meet Service needs. **(See ☞ Article 12.C.9.a.)**

3. When sufficient appropriated funds are not available to permit approving all requests received, Commander, (CGPC-opm) will give priority to officers who have the most active service.

4. Commander (CGPC-opm-1) will issue retirement orders to officers approaching statutory retirement age approximately six months before the first of the month after their 62nd birthday. If the officer has not received such notice 120 days before the statutory date, he or she should inform Commander (CGPC-opm-1) immediately.

5. Commander (CGPC-opm-1) will issue retirement orders to officers retiring for failure of selection for promotion approximately six months before the scheduled retirement date. If the officer has not received **orders** 120 days before that date, he or she should inform Commander (CGPC-opm-1) immediately.

6. **Commander (CGPC-opm-1) will issue retirement orders for Commissioned Warrant Officers approaching 30 years active service approximately 6 months prior to mandatory retirement. For those CWO's selected for active service beyond 30 years per ☞ Article 12.C.6.b.3, Commander (CGPC-opm-1) will defer issuing retirement orders until approximately 6 months prior to their authorized termination date. If the officer has not received orders 120 days before their retirement date, he or she should inform Commander (CGPC-opm-1) immediately.**

12.C.9.c. Canceling or Delaying Retirement Orders

1. **The decision to submit a retirement letter is a serious one because the projected separation triggers transfer and promotion actions that, if reversed, could cause hardship to other officers. Therefore,** Commander (CGPC-opm) may approve a request to cancel or delay a scheduled retirement based on Service needs or a member's hardship situation similar or equal to those listed in ☞ Article 12.D.3. The Service does not consider a change in civilian employment plans a hardship.

2. In canceling a scheduled retirement, the officer must agree to remain on active duty for two years after the date the request is approved. The cancellation request should indicate this agreement.

3. Whenever possible, submit a request to cancel or delay a scheduled retirement at least three months before the retirement date through the chain of command; the request should contain the reasons for it.

4. If during the retirement processing period, a member is diagnosed with serious disease or suffers from serious injuries neither ratable by the Physical Disability Evaluation System nor disqualifying for separation, he or she may request to delay a non-mandatory retirement for a reasonable amount of time to address the problem. **Comply with ☞ Physical Disability Evaluation System, COMDTINST M1850.2 (series), Paragraph 2.C.2.b.** Submit the request to Commander (CGPC-**opm**) and support it by **attaching** all relevant medical documents. The command should endorse the request. A member **should** schedule a physical examination at least six months before the retirement date to allow enough time to treat such remediable medical problems. If a member adheres to this schedule, physicians can properly treat most non-disqualifying remediable medical problems and it will not be necessary to delay the scheduled retirement date. Commander (CGPC-opm) will not consider delaying retirement for a member who obviously neglected to obtain timely medical treatment.

12.C.10. Statutory Authority to Retire Enlisted Members

12.C.10.a. Voluntary Retirement

1. 20-Year Retirement. On application and at the Commandant's discretion, any enlisted member who has completed 20 years of service may retire from active service (14 U.S.C. 355).

2. 30-Year Retirement. On application and at the Commandant's discretion, any enlisted member who has completed 30 years of service may retire from active service (14 U.S.C. 354).

12.C.10.b. Compulsory Retirement

Any enlisted member who reaches the age of 62 shall retire from active service (14 U.S.C. 353).

12.C.10.c. Involuntary Retirement

1. Authority. 14 U.S.C. 357 allows the Commandant to review the records of enlisted members who have 20 or more years of active military service to consider retiring these members involuntarily.

2. Convening the Board. A Coast Guard Enlisted Personnel Board shall convene when and where the Commander (CGPC-epm) directs to recommend for retirement enlisted members who have 20 or more years of active service and whom the Board determines, at its discretion, should retire. A Board convened under this section shall consist of at least three commissioned officers, at least one of whom is a commander or higher, **and two enlisted members, of equal or higher pay grade as that of the member being considered.** No ensuing annual Board may include as a member any **person** who was a member of the preceding annual Board.

3. Submitting Recommendations. Commanding officers shall recommend to Commander (CGPC-epm-1) any enlisted member under their command who has completed 20 years of active service and should be considered for involuntary retirement. District units' commanding officers shall send the recommendations through the district commanders. Commanding officers should recommend a member if his or her:

   a. Conduct is marginal.

   b. Financial irresponsibility will discredit the Coast Guard and its personnel through voluminous correspondence with creditors.

   c. Leadership, performance of duty, physical stamina, etc., are now below the standards expected or required for their rate. Specific reasons and supporting documents, including a copy of closed-out Form CG-3306 showing average marks, must be included for each individual.

4. Procedure. Each member under the Board's review shall be:

   a. Notified in writing of the reasons he or she is being considered for involuntary retirement.

   b. Provided counsel certified under 10 U.S.C. 827(b) to help prepare a rebuttal and represent him or her before the Board.

   c. Allowed 60 days from the date on which counsel is provided to submit any items in rebuttal.

   d. Allowed full access to and furnished with copies of records under consideration for involuntary retirement before submitting the rebuttal.

   e. Allowed to appear before the Board and present witnesses or documents pertinent to the review.

5. Acting on Board Recommendations. After the Board completes its determination, each enlisted member being considered for involuntary retirement shall be:

   a. Notified by certified mail of the reasons he or she was considered for involuntary retirement.

   b. Provided counsel certified under 10 U.S.C. 827(b) to help prepare a rebuttal.

   c. Allowed 60 days from the date counsel is provided to submit any matters in rebuttal.

   d. Allowed full access to and furnished with copies of records relevant to consideration for involuntary retirement before the member submits the rebuttal.

6. Commandant Approval. If the Commandant approves the Board's recommendation, the member shall be notified of the Commandant's decision and retired within 90 days of the notification.

12.C.10.d. Reduction in Force Separations

When the Secretary orders a reduction in force, Commander (CGPC-epm) may separate enlisted members involuntarily from service without convening the Board described in ☞ Article 12.C.10.c.

12.C.11. Procedures to Retire Enlisted Members

12.C.11.a. Requests for Voluntary Retirements

1. An enlisted member's non-disability retirement occurs at the discretion of Commander (CGPC-epm). Therefore, an enlisted member**'s request** will be considered on the basis of overall Service needs and the merits of each individual case. As a general rule, the provisions listed here govern; however, an enlisted member does not automatically accrue a vested right to retire when he or she chooses independently of Service needs merely by completing 20 years of active service.

2. An enlisted member may submit a request for voluntary 20-year retirement to Commander (CGPC-epm-1) if the member:

   a. Has completed 18 years of active service, and

   b. Requests an effective date of retirement which provides:

      (1) Completing at least one year of duty at current duty station if assigned INCONUS.

      (2) Completing at least two years at current duty station if assigned OUTCONUS on a with-dependents tour. (**if the member has been assigned to more than one unit in the same OUTCONUS area, he or she must have at least 2 years in that area and one year at their current unit**).

      (3) Completing the prescribed tour length or at least two years, whichever is less, if assigned OUTCONUS on a without-dependents tour.

      (4) Completing the two-year obligated service (OBLISERV) requirement incurred for advancement to pay grade E-7, E-8, or E-9. ☞ Articles 1.G.**15**.a.2., 4.C.3., 5.C.25.e. and 12.B.12.b.2.

3. **Retire in Lieu of Executing Orders (RILO)**

   a. If a member **receives** PCS orders **during an assignment year**, is otherwise eligible to retire by his/her departure date, and wishes to retire in lieu of executing orders (RILO), he/she must so advise Commander (CGPC-epm) by message within **15** days of receiving the PCS orders **in the CGHRMS Airport Terminal, and simultaneously** submit a request to retire with an effective date of retirement **on or before 1 August of that assignment year.** Commander (CGPC-epm) will consider such **requests and assign an effective date of retirement** based on overall Service needs; however, in certain instances, the member may be required to comply with orders.

b. **Commanding officers may request that a member's effective date of retirement be delayed based on needs of the Service (i.e., on-site relief needed for a critical billet). Commander (CGPC-epm) will consider such requests based on the overall needs of the Service.**

c. Commander (CGPC-epm) will not cancel a retirement so scheduled except to allow disability processing.

4. If it appears a request for retirement or cancellation of transfer orders is warranted even though it does not meet ☞ Article 12.C.11.a.2. requirements, the member should send the request and full supporting information pertaining to it to Commander (CGPC-epm) for consideration. Such a request will be approved only in those rare instances when in the judgment of Commander (CGPC-epm), departing from subparagraph 2.'s normal rules is justified. If the request is disapproved, Commander (CGPC-epm) will indicate when the member may resubmit a retirement request. Commander (CGPC-epm) will cancel a request approved under this paragraph only for the reasons listed in ☞ Article 12.C.11.c.

5. Submit retirement requests to Commander (CGPC-epm-1) not more than two years or less than six months before the desired retirement date. **Members desiring a retirement date sooner than 6 months out, may so request; however, the request must be accompanied by a command endorsement stating that the command can, and is willing to, support a vacant billet. Such requests will be approved based upon Service needs.** 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-1)
Via: Commanding Officer, [Unit]

Subj: RETIREMENT REQUEST

Ref: Personnel Manual, COMDTINST M1000.6 (series), Article 12.C.11.

1. I request retirement on the first day of [month, year], or as soon thereafter as possible.

2. I understand if this request is approved, I will no longer be eligible for advancement and Servicewide competition, or my name will be removed from present eligibility lists, as appropriate.

3. I further understand if I request to cancel this retirement, Commander, (CGPC-epm) will consider this request based solely on Service needs. If such cancellation is approved, it will not entitle me to reinstatement in the current Servicewide competition or on the existing eligibility list. Further advancement would require recompetition.

_____
Member's Signature

6. The request must include the zip code of the intended home of selection for cost estimating purposes only; it is not binding, nor does it affect the member's right to choose a home of selection up to one year after the retirement date.

7. Area, district, maintenance and logistics, and unit commanding officers will include the following comments in endorsements to all retirement 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.C.11.a.2.

8. Enlisted members who have completed 29.5 or more years of active duty should submit requests for 30-year retirement to Commander (CGPC-epm-1).

9. Enlisted members approaching statutory age are not required to apply for retirement.

12.C.11.b. Scheduling Retirement Orders

1. Final approval of a retirement rests with Commander (CGPC-epm-1) who may specify an effective date later than that requested if, in the best interest of the Service, a delay is necessary to provide orderly relief or, in some cases, completion of the current or ordered tour of duty.

2. If sufficient appropriated funds are not available to permit approving all requests received, Commander (CGPC-epm) will select retirees in order of highest total service computed to the retirement date for which selections are being made.

3. Commander (CGPC-epm-1) will issue retirement orders for enlisted members approaching statutory age approximately six months before the effective retirement date.

12.C.11.c. Canceling or Delaying Retirement Orders

1. The decision to submit a retirement letter is a serious one because the projected separation triggers transfer and advancement actions that, if reversed, cause hardship to other members. Therefore, Commander (CGPC-epm-1) normally will not honor a request to cancel or delay an already approved retirement date unless a specific Service need exists and only under these conditions:

   a. A Service need exists.

   b. A member has a hardship situation similar or equivalent to those listed in ☞ Article 12.D.3. The Service does not consider a change in civilian employment plans a hardship.

c. The retirement physical examination finds the member "not fit for duty" and he or she requests in writing to cancel his or her Service retirement orders and processing for a physical disability retirement; or

d. **If** during the retirement processing period, the member is diagnosed with serious diseases or suffering from serious injuries not ratable by the Physical Disability Evaluation System nor disqualifying for separation**, he or she** may request to delay a non-mandatory retirement for a reasonable amount of time to address the problem. Comply with ☞ Physical Disability Evaluation System, COMDTINST M1850.2 (series), Paragraph 2.C.2.b. Submit the request to Commander, (CGPC-epm); support it by **attaching** all relevant medical documents. The member's command, MLC (k), and Commandant (G-WKH) must endorse the request. A member should schedule a physical examination at least six months before retirement to allow enough time to treat remediable medical problems. If the member does so, physicians can properly treat most non-disqualifying remediable medical problems and it will not be necessary to delay the scheduled retirement date. Commander (CGPC-epm) will not consider delaying retirement for a member who obviously neglected to obtain prompt medical treatment.

2. In canceling a scheduled retirement, the member must agree to remain on active duty for two years from the date the request is approved and indicate this agreement in the basic cancellation request. If a member's enlistment expires within two years of the request date, he or she must extend his or her enlistment for obligated service within 30 days after Commander (CGPC-epm-1) approves the cancellation.

3. Submit a request to cancel or delay a scheduled retirement at least three months before the retirement date if at all possible. State the reasons for the request and submit it through the chain of command.

12.C.12. through 12.C.14. VACANT

12.C.15. Grade or Rate in Which Retired

12.C.15.a. General Authority

Every commissioned officer, chief warrant officer, or enlisted member who retires under any provision of 14 U.S.C. retires with the permanent grade or rate he or she held at the time of retirement unless entitled to retire with a higher grade or rate under any provision of this title or any other law (14 U.S.C. 421).

12.C.15.b. Commissioned Officers Other than Commissioned Warrant Officers

1. Any commissioned officer, except a chief warrant officer, who retires under any provision of 14 U.S.C. retires from active service with the highest grade he or she held (**if different from their permanent grade**) for at least six months (**this does not alter the two-year time in grade requirement of ☞ Article 12.C.9.a.1 for requesting**

voluntary retirement) while on active duty in which, as the Commandant determines, the member performed duty satisfactorily, with retired pay of the grade at which retired (14 U.S.C. 334 (a)).

2. If any commissioned officer, except a commissioned warrant officer, is on an approved list of officers selected for promotion to the next higher grade and retires for physical disability under ☞ Chapter 17 provisions before being promoted, he or she retires in the grade to which selected for promotion (14 U.S.C. 294).

12.C.15.c. Chief Warrant Officers

1. Any chief warrant officer retiring under any provision **of** 10 U.S.C. 580, 1263, 1293, or 1305 retires from active service with the highest commissioned grade above chief warrant officer, W-4, he or she held for at least six months (**this does not alter the two-year time in grade requirement of ☞ Article 12.C.9.a.1 for requesting voluntary retirement**) on active duty in which, as the Commandant determines, he or she performed duty satisfactorily, with retired pay of the grade at which retired. However, if the highest grade's rate of pay is less than that of the warrant grade with which the officer would otherwise retire under ☞ Article 12.C.15.g.2. below, the retired pay is based on the higher rate of pay (14 U.S.C. 334(b)).

2. Unless entitled to a higher retired grade under some other legal provision, a chief warrant officer retires, as the Commandant determines, in the permanent chief warrant grade, if any, he or she held the day before the day he or she retired or in any higher warrant officer grade in which he or she served on active duty satisfactorily, as determined by the Commandant, for more than 30 days (10 U.S.C. 1371).

12.C.15.d. Retired Officer Promoted After Recall to Active Duty

If a Regular officer on the retired list recalled to active duty is promoted during that duty to a higher grade under an appointment (☞ Article 5.A.8.) and satisfactorily performs duty under that appointment, on relief from active duty he or she shall be promoted on the retired list to the highest grade held while on such active duty (14 U.S.C. 333).

12.C.15.e. Enlisted Members

1. Any enlisted member who retires under any provision of 14 U.S.C. retires from active service with the highest grade or rate he or she held while on active duty in which, as Commander (CGPC-epm-1) or the Commandant, as appropriate, determines he or she performed duty satisfactorily, but not lower than his or her permanent grade or rate with retired pay of the grade or rate at which retired (14 U.S.C. 362).

2. In cases where a member has been reduced in grade by a court-martial, the highest grade satisfactorily held shall be no higher than the grade to which the member has been reduced by the court-martial, unless the member subsequently advances or is again reduced. Where a member subsequently advances or is again reduced following a reduction by a court-martial, the highest grade satisfactorily held shall be no higher than the pay grade to which the member advanced or was reduced to following the court-martial.

12.C.15.f. Grade on Retiring for Physical Disability

Unless entitled to a higher grade under some other provision of law, any Coast Guard member who retires for physical disability or is placed on the temporary disability retired list (TDRL) under 10 U.S.C. 61 is entitled to the grade or rate equal to the highest of:

1. The grade or rate in which the member served on the date his or her name was placed on the TDRL or, if his or her name was not carried on that list, on the date when the member retires.

2. The highest grade or rate in which the member served satisfactorily, as the Commandant determines.

3. The permanent regular or Reserve grade or rate to which the member would have been promoted had it not been for the physical disability for which he or she retired and which was found to exist as a result of the member's physical examination for promotion.

4. The temporary grade to which the member would have been promoted had it not been for the physical disability for which he or she retired, if eligibility for that promotion was based on cumulative years of service or years of service in grade and the disability was discovered as a result of his or her physical examination for promotion (10 U.S.C. 1372).

12.C.15.g. Procedure to Certify Highest Grade or Rate on Retirement

1. Commander (CGPC-epm) or (CGPC-opm) will administratively review the record of each individual scheduled to retire to determine the highest grade or rate in which his or her Coast Guard service is satisfactory.

2. Service will be considered satisfactory and the member will be certified to the highest grade if he or she served on active duty for at least six months in a commissioned officer grade or 31 days in a chief warrant officer or enlisted grade and his or her official records indicate overall satisfactory performance for the entire period served in the higher grade.

3. When an officer reverts from a higher grade due to approval of a board which recommended such reversion, his or her service in the higher grade will not be considered satisfactory unless he or she was later promoted again to the higher grade and meets the requirements of ☞ Article 12.C.15.g.2. above.

4. If the administrative review described in ☞ Article 12.C.15.g.1. does not result in a determination of satisfactory service, the determination will be referred to a special board of officers who will review the member's official records and make its recommendation to the Commandant. The board acts in an advisory capacity and its recommendation shall be considered as such. The Commandant makes the final determination of satisfactory service.

12.C.16. Computing Retired Pay

Commanding officers should encourage members applying for retirement to become familiar with the following helpful information.

12.C.16.a. Electing Retirement for Service

1. For Members Who First Became a Member of a Uniformed Service on or Before 7 September 1980: If a member retires for service, determine his or her pay by multiplying two and one-half percent (2.5%) times the number of years and full months of active service to get a "multiplier"; multiply that by the member's basic pay on the retirement date (for chief warrant officers, on the day before retirement) to derive gross monthly retired pay. ☞ Figure 12.C.16.1. Members who had previous drilling Reserve service are entitled to an additional day of active duty for each Reserve point earned. An enlisted member may be eligible for 10 percent additional pay for extraordinary heroism or good conduct. ☞ Article 12.C.16.d. After retirement, the individual may obtain a disability rating from the Department of Veterans Affairs (VA) and receive disability compensation from that agency. If so, the member must waive an amount of the Coast Guard retired pay equal to the disability compensation.

2. **For Members Who First Became a Member of a Uniformed Service on or After 8 September 1980 and before 1 August 1986 and Members Who First Became a Member of a Uniformed Service After 1 August 1986 Who Elected NOT to Receive the Career Status Bonus :** If a member elects to retire for service, determine his or her pay by multiplying two and one-half percent (2.5%) times the number of years and full months of active service to get a "multiplier"; multiply that by his or her high 36-months' average of basic pay, whether or not consecutive, to derive gross monthly retired pay. ☞ Figure 12.C.16.1. Members who had previous drilling Reserve service are entitled to an additional day of active duty for each Reserve point earned. After retirement, the individual may obtain a disability rating from the VA and receive disability compensation from that agency. If so, the member must waive an amount of the Coast Guard retired pay equal to the disability compensation.

3. **For Members Who First Became a Member of a Uniformed Service on or After 1 August 1986 and Who Did Elect to Receive the Career Status Bonus:** If a member elects to retire for service, determine pay by multiplying two percent (2%) times the number of years of active service (up to 20 years) and three and one-half percent (3.5%) for each year and full month of active service after 20 years; multiply that times the high 36-months' average of basic pay, whether or not consecutive, to derive gross monthly retired pay. ☞ Figure 12.C.16.2. Members who had previous drilling Reserve service are entitled to an additional day of active duty for each Reserve point earned. After retirement, the individual may obtain a disability rating from the VA and receive disability compensation from that agency. If so, the member must waive an amount of the Coast Guard retired pay equal to the disability compensation.

4. Members who retire for service who have served satisfactorily in a higher permanent or temporary grade or rate, as Commander, (CGPC-opm-1), (CGPC-epm-1), or the Commandant, as appropriate, determines, compute their retired pay on that grade's or rate's basic pay. ☞ Article 12.C.15.

5. Determining which retired pay formula described in 1., 2., and 3. above applies depends on **the member's "Date of Initial Entry into Military Service" (DIEMS). A member's DIEMS is the earliest date they joined a Uniformed Service either through the Delayed Entry Program, a service academy, their enlistment, induction or appointme nt. Service** Academy cadets and persons in the Delayed Entry Program are considered "members of the Uniformed Service" while they serve in such status. **Neither Delayed Entry nor Service Academy time are creditable for computing any member's retired pay multiplier, except that** Service Academy time is creditable for enlisted personnel. Service time while attending a Service Academy may not be counted in computing, for any purpose, the length of service of an officer.

12.C.16.b. Physical Disability Retirement

A member with at least eight years' service who **receives a** physical disability retirement may receive retired pay based on monthly basic pay (entered service on or before 7 September 1980) or high 36-month average (entered service on or after 8 September 1980) at retirement based on the following formulas:

1. Multiply by the Percentage of Disability. The retired pay of a member placed on the temporary disability retired list is at least 50 percent of the pay on which compensation is made, or

2. Multiply Number of Years by two and one-half percent (2.5%) and full months of service by one-twelfth of 2.5 percent to obtain the "multiplier"; multiply that by the monthly basic pay or high 36-months' average to derive gross monthly retired pay. An enlisted member may qualify for 10 percent additional pay for extraordinary heroism. An enlisted member with 20 years' or more service may qualify for 10 percent additional pay for good conduct. ☞ Article 12.C.16.d.

3. For a Member Who First Joined a Uniformed Service on or Before 24 September 1975: That part of the retired pay of a member retired for physical disability based on the percentage of disability is not considered as income for Federal Income Tax.

4. For a Member Who First Joined a Uniformed Service on or After 25 September 1975: That part of the retired pay of a member retired for physical disability based on the percentage of disability is considered as income for Federal Income Tax unless caused by a combat-related injury, defined as personal injury or sickness incurred in any of the following circumstances:

   a. As a direct result of armed conflict.

   b. While engaged in extra hazardous service.

   c. Under conditions simulating war.

   d. Caused by an instrument of war.

12.C.16.c. Submitting Election

If a physical disability retirement is directed, Commanding Officer, Human Resources Information and Service Center (HRSIC) sends the necessary forms to use in electing the method on which to compute retired pay.

12.C.16.d. Extra Retired Pay for Enlisted Personnel

1. Heroism. Any Regular enlisted member voluntarily or involuntarily retired for 20 years' service who was cited for extraordinary heroism in the line of duty, determined by the Secretary's final, conclusive determination, is entitled to have his or her retired pay increased by an amount equal to 10 percent of the active duty pay and permanent additions thereto of the grade or rate at which retired (14 U.S.C. 357).

2. Good Conduct. Any Regular enlisted member serving in the Coast Guard on or before 6 September 1963 who retires for 20 years' service and whose average Service marks in conduct are at least 97.5 percent of maximum (i.e., 3.9) is entitled to have retired pay increased by an amount equal to 10 percent of the active duty pay and permanent additions thereto of the grade or rate at which retired. After 30 June 1983, the commanding officer will assign an eligible member a supplemental conduct mark on the 4.0 scale under ☞ Article 10.B.2.c. in addition to the conduct mark assigned using the enlisted marking system implemented 1 July 1983. An enlisted member retired for physical disability on or after 10 August 1956 who has completed 20 years' active service and elects to use the length-of-service formula to compute retired pay if otherwise qualified is also entitled to this 10 percent additional pay for good conduct (14 U.S.C. 357).

12.C.16.e. Maximum Retired Pay

The maximum retired pay of any member is 75 percent of the basic pay of the grade or rate in which placed on the retired list.

Multipliers for Members Who First Became a Member of a Uniformed Service on or Before 31 July 1986 *or for Members Who First Became a Member of a Uniformed Service after 31 July 1986, but did not elect the 15 Year Career Status Bonus (REDUX) Plan.*

(Effective Table Date: 1 October 1983)

Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%
20	0	50	23	0	57.50	26	0	65	29	0	72.50
	1	50.20		1	57.70		1	65.20		1	72.70
	2	50.43		2	57.93		2	65.43		2	72.93
	3	50.63		3	58.13		3	65.63		3	73.13
	4	50.83		4	58.33		4	65.83		4	73.33
	5	51.05		5	58.55		5	66.05		5	73.55
	6	51.25		6	58.75		6	66.25		6	73.75
	7	51.45		7	58.95		7	66.45		7	73.95
	8	51.68		8	59.18		8	66.68		8	74.18
	9	51.88		9	59.38		9	66.88		9	74.38
	10	52.08		10	59.58		10	67.08		10	74.58
	11	52.30		11	59.80		11	67.30		11	74.80

Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos	%
21	0	52.50	24	0	60	27	0	67.50	30	75
	1	52.70		1	60.20		1	67.70		
	2	52.93		2	60.43		2	67.93		
	3	53.13		3	60.63		3	68.13		
	4	53.33		4	60.83		4	68.33		
	5	53.55		5	61.05		5	68.55		
	6	53.75		6	61.25		6	68.75		
	7	53.95		7	61.45		7	68.95		
	8	54.18		8	61.68		8	69.18		
	9	54.38		9	61.88		9	69.38		
	10	54.58		10	62.08		10	69.58		
	11	54.80		11	62.30		11	69.80		

Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%
22	0	55	25	0	62.50	28	0	70
	1	55.20		1	62.70		1	70.20
	2	55.43		2	62.93		2	70.43
	3	55.63		3	63.13		3	70.63
	4	55.83		4	63.33		4	70.83
	5	56.05		5	63.55		5	71.05
	6	56.25		6	63.75		6	71.25
	7	56.45		7	63.95		7	71.45
	8	56.68		8	64.18		8	71.68
	9	56.88		9	64.38		9	71.88
	10	57.08		10	64.58		10	72.08
	11	57.30		11	64.80		11	72.30

FIGURE 12.C.16.1.

Multipliers for Members Who First Became a Member of a Uniformed Service on or After 1 August 1986 ***and did elected to receive the 15 Year Career Status Bonus (REDUX) Plan.***

(Effective Table Date: 1 August 1986)

Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%
20	0	40	23	0	50.50	26	0	61	29	0	71.50
	1	40.29		1	50.79		1	61.29		1	71.79
	2	40.58		2	51.08		2	61.58		2	72.08
	3	40.88		3	51.38		3	61.88		3	72.38
	4	41.17		4	51.67		4	62.17		4	72.67
	5	41.46		5	51.96		5	62.46		5	72.96
	6	41.75		6	52.25		6	62.75		6	73.25
	7	42.04		7	52.54		7	63.04		7	73.54
	8	42.34		8	52.84		8	63.34		8	73.84
	9	42.63		9	53.13		9	63.63		9	74.13
	10	42.92		10	53.42		10	63.92		10	74.42
	11	43.21		11	53.71		11	64.21		11	74.71

Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos	%
21	0	43.50	24	0	54	27	0	64.50	30	75
	1	43.79		1	54.29		1	64.79		
	2	44.08		2	54.58		2	65.08		
	3	44.38		3	54.88		3	65.38		
	4	44.67		4	55.17		4	65.67		
	5	44.96		5	55.46		5	65.96		
	6	45.25		6	55.75		6	66.25		
	7	45.54		7	56.04		7	66.54		
	8	45.84		8	56.34		8	66.84		
	9	46.13		9	56.63		9	67.13		
	10	46.42		10	56.92		10	67.42		
	11	46.71		11	57.21		11	67.71		

Yrs/Mos		%	Yrs/Mos		%	Yrs/Mos		%
22	0	47	25	0	57.50	28	0	68
	1	47.29		1	57.79		1	68.29
	2	47.58		2	58.08		2	68.58
	3	47.88		3	58.38		3	68.88
	4	48.17		4	58.67		4	69.17
	5	48.46		5	58.96		5	69.46
	6	48.75		6	59.25		6	69.75
	7	49.04		7	59.54		7	70.04
	8	49.34		8	59.84		8	70.34
	9	49.63		9	60.13		9	70.63
	10	49.92		10	60.42		10	70.92
	11	50.21		11	60.71		11	71.21

FIGURE 12.C.16.2.

12.C.17. Retired Members' Privileges

Retired members not on active duty are entitled to wear the prescribed uniform of the grade or rate held on the retired list when wearing the uniform is appropriate. They may enjoy the privileges of the commissary stores, ship's service stores, small stores, officer clubs as appropriate to their grade, and armed services exchanges subject to the availability of facilities. Subject to the availability of space and facilities and staff capabilities, retired members and their dependents may receive medical care in Uniformed Services medical facilities (e.g., the Public Health Service, Army, Air Force, and Navy) and the benefits of the Uniformed Service Health Benefits Program as applicable. Retired members and dependents may receive one round trip per year on a space-available basis on an MSC vessel if they pay the applicable MSC charges for space-available travel. Retired members and their accompanying dependents are eligible to travel on scheduled **AMC** flights on a stand-by basis only. Retired members may use their military titles in connection with commercial enterprises.

12.C.18. Retired Members' Obligations

12.C.18.a. Regulatory Requirements

Retired members are subject to Coast Guard and Uniform Code of Military Justice regulations. They may be ordered to active duty in time of war or national emergency at the Secretary's discretion, but may be so ordered in time of peace only with their consent.

12.C.18.b. Wearing the Uniform

Retired members are forbidden to wear the uniform while engaged in non-military, personal, civilian, or business enterprises. Retired members not on active duty residing or visiting in a foreign country shall not wear the uniform except when attending ceremonies or social functions by formal invitation at which the terms of the invitation or the regulation or customs of the country require wearing it.

12.C.18.c. Notification of Address

All retired members must inform the Commanding Officer, Human Resources Service and Information Center, HRSIC (RAS) of their address.

12.C.18.d. Clearing Published Materials

Retired members are not required to submit for review materials they have prepared for publication. However, if the topic touches upon a national security issue, it is advisable for the author to submit it for clearance. Consult the ☞ Public Affairs Manual, COMDTINST M5728.2(series), or contact Commandant (G-IPA) for guidance.

12.C.18.e. Foreign Visits

Retired members desiring to visit foreign countries and places outside the United States continental limits shall comply with instructions listed in ☞ Chapter 16.

12.C.18.f. Foreign Employment

Retired members contemplating employment by a foreign government or a company owned by a foreign government **must** submit a written request to Commandant (G-WPM), for retired regular members, or Commandant (G-WTR) for retired Reservists, **before accepting such employment**. **The request process and information required are described in ☞ Chapter 16.L.**

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12.D. DEPENDENCY OR HARDSHIP DISCHARGES

12.D.1. DISCUSSION

Commander, (CGPC-epm-1) or (CGPC-opm-1) may authorize or direct enlisted members' and officers' discharge for dependency or hardship. Commanding officers will inform members who desire to request a discharge for dependency or hardship reasons of this information, which explains policies and procedures. Commanding officers should clearly explain to each member submitting a request is not assurance the Commandant will approve the discharge. Each request of this nature is carefully and sympathetically considered and decided on its individual merits.

12.D.2. POLICIES GOVERNING DISCHARGE

1. In general, the following circumstances or reasons do not qualify for discharge:

   a. Purely financial or business reasons.

   b. Personal convenience.

   c. The member is under charges or in confinement.

   d. The member requires in-patient medical treatment.

   e. A member's wife's pregnancy is not in itself a circumstance for which the Commandant will authorize discharge.

2. Commander, (CGPC-epm-1) or (CGPC-opm-1) will not disapprove a discharge under this article solely because:

   a. The member's services are needed in assigned duties, unless certain circumstances prevail, such as war, in which Service needs would override a bona fide hardship.

   b. The member is indebted to the Government, a non-appropriated fund activity, or an individual.

3. Commander, (CGPC-epm-1) or (CGPC-opm-1) may direct discharge when an undue or genuine dependency or hardship exists, the dependency or hardship is not of a temporary nature, and the conditions have arisen or been aggravated excessively since the member entered the Service. The member must have made every reasonable effort to alleviate the hardship by applying for basic allowance for quarters and voluntary contributions which have proved inadequate. Examples of meritorious cases are those in which the evidence shows either:

a. Due to the death or disability of a member of an individual's family, the Service member must support or care for a family member(s); or

b. The member's family is undergoing hardship more severe than the normal hardships dependents or families of Coast Guard members encounter.

c. The hardship is long-term or permanent and discharge will eliminate or materially alleviate the condition.

d. No means of alleviation other than discharge are readily available.

4. Undue hardship does not necessarily exist solely because of altered present or expected income or because the member is separated from his or her family and must suffer the inconveniences normally incident to a sea-going military service.

12.D.3. APPLYING FOR DISCHARGE

After reviewing this Article's contents (commanding officers must assist enlisted personnel by explaining the Commandant's policy), a member may apply in writing for discharge for dependency or hardship to Commander, (CGPC-epm) or (CGPC-opm) through the commanding officer. Commanding officers should give sympathetic consideration and assistance in preparing this request. At least two affidavits substantiating the dependency or hardship claim and establishing the dependency or hardship occurred after entry into the Service must accompany such requests. When practical the dependent concerned should provide one such affidavit. The request should contain the following additional information:

1. Reason in full for request.

2. Dependent's complete home address and occupation.

3. Names and addresses of persons familiar with the situation.

4. Statement of marital status and date of marriage.

5. Detailed amounts of financial and any other means of contribution to dependent(s).

6. Names, ages, occupations, and monthly income of the individual's family members, if any; the reasons why they cannot care for or support the individual's family; and a statement no family members have been omitted.

7. If dependency results from the death of an individual's family member that occurred after the Service member entered the Coast Guard, the member must

furnish a death certificate or other valid proof of death. If dependency or hardship results from the disability of an individual's family member occurring after entry into the Service, the member shall furnish a physician's certificate showing specifically when such disability occurred and its nature.

12.D.4. COMMANDING OFFICER'S ACTIONS

The commanding officer shall interview the member to elicit any further information and ensure he or she has furnished the information this Article requires. The commanding officer's endorsement shall include a definite recommendation for approval or disapproval. Enlisted members' endorsement shall also state the status of any disciplinary action pending and list Service schools attended.

12.D.5. SAFEGUARDING PRIVACY

Commands shall safeguard any information about the private affairs of Coast Guard members or their families and not disclose it or its source to persons except in the course of their official duties.

12.D.6. SOCIAL SERVICE AGENCIES' REPORTS

Commanding officers shall not request information and reports from the American Red Cross or other social service or welfare agencies about a member's "home conditions" when a member submits or desires to submit a request for discharge for dependency or hardship. If the commanding officer receives a Red Cross or other agency report relevant to the case, he or she should send it to Commander, (CGPC-epm-1) or (CGPC-opm-1) for consideration. Commander, (CGPC-epm) or (CGPC-opm) will request information in individual cases from the Red Cross or other agencies if such action is advisable.

12.D.7. TYPE OF DISCHARGE

Commander, (CGPC-epm) or (CGPC-opm) shall grant a member separated for dependency or hardship an honorable or general discharge, as appropriate under ☛ Articles 12.A.2. or 12.B.2.f.

12.D.8. INVOLUNTARY DISCHARGE

If a commanding officer recommends an involuntary discharge under this Article for an enlisted member whose service record indicates issuance of a general discharge, he or she shall afford the member an opportunity to consult with legal counsel before

initiating such action. Commander, (CGPC-epm-1) may be require the member to surrender his or her uniform under ☛ Article 12.B.53.e.

12.D.9. RELEASE TO RESERVE

Members separated for hardship or dependency will not be released to the Reserve.

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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].

#

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.

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12.F. Temporary Separation

12.F.1. General

1. The Temporary Separation policy allows Coast Guard members to temporarily separate and pursue growth or other opportunities outside the service, while providing a mechanism for their return to active duty. The long-term intent of this program is to retain the valuable experience and training our members possess that might otherwise be lost. Under this policy, career oriented officers and enlisted members are allowed a one-time separation from Active Duty for up to two years to either:

   a. Discharge parental responsibilities to care for newborn children (CNC), or

   b. Allow members to pursue personal interests that are restricted by continuing on active duty, i.e., education.

2. Personnel who already have an approved separation date may request, prior to that date, to be separated under this policy.

3. Personnel who have previously separated from the Service under this policy are not eligible for a second separation under this policy. This prohibition also applies to personnel who previously separated under the Care for Newborn Children (CNC) policy

4. Members who are approved for separation under this policy are eligible to affiliate with the Reserve during the separation. (☛ Reserve Policy Manual, COMDTINST M1001.28 (series) for detail on Reserve affiliation.)

12.F.2. Discussion

1. This policy allows:

   a. A member to separate with a guarantee of reenlistment or a new officer appointment upon return to Active Duty on meeting physical and other qualifying standards.

   b. A member to affiliate with the Reserves while in a temporary separation status.

2. A member separated under this policy will not receive any pay, allowances or Active Duty retirement points nor any peripheral Service benefits such as retirement, medical coverage, or Servicemembers' Group Life Insurance (SGLI) during the separation, except for benefits provided while serving in the USCGR.

3. In respect to advancement or appointment, the following applies:

   a. An officer separated under this policy will lose precedence on the Active Duty Promotion List (ADPL) and the following will apply:

      (1) Upon return to active duty, an officer not previously considered for promotion to the next higher grade on the ADPL will go before the next selection board for which the officer is eligible for consideration based on the officer's adjusted date of rank.

      (2) Upon return to active duty, an officer previously selected on the ADPL, but not promoted prior to separation under this policy, will:

         (a) be placed back on the ADPL list at the same relative position held prior to separation, if that list is still in effect and the officer's name has not been reached. Or;

         (b) be offered an appointment in the higher grade, if the officer's name was reached or passed by on a previous list.

      (3) Upon return to active duty, an officer who affiliated with the Reserve and was promoted to the next higher grade on the IDPL:

         (a) Will not be reappointed in the higher regular grade. The officer will be reappointed in the grade that was held prior to separation and will receive an adjusted date of rank as outlined in ☛ Article 12.F.3.c.

         (b) May request to return to active duty on an extended active duty (EAD) contract at the higher grade. Officers are not guaranteed an EAD contract under this program. Needs of the Service determine the number of EAD contracts that may be offered to Reserve personnel. If an officer receives an EAD contract, that officer will have to complete the integration process in order to remain on active duty beyond the EAD contract.

      (4) Upon return to active duty, an officer who affiliated with the Reserve and was considered for promotion to the next higher grade on the IDPL, but not selected for promotion:

         (a) Will be reappointed in regular grade held prior to temporary separation.

         (b) Will be considered by the ADPL selection board, when eligible as an in-zone candidate. The IDPL nonselection is not carried forward on the ADPL.

b. Upon return to active duty, an enlisted member who's name was above the initial cut on the enlisted advancement list prior to separation:

(1) Will be placed back on the enlisted advancement list at the same relative position held prior to separation, if that list is still in effect and the member's name has not been reached or bypassed.

(2) Will be reenlisted in the higher grade, if the member's name has been reached or bypassed on the current or a previous list.

c. Upon return to active duty, an enlisted member who affiliated with the Reserves and was advanced to the next higher grade off of the Reserve enlisted advancement list:

(1) Will not be reenlisted in the higher regular grade. The member will be reenlisted in the grade that was held prior to separation.

(2) May request to return to active duty on an extended active duty (EAD) contract at the higher grade. Enlisted members are not guaranteed an EAD contract under this program. Needs of the Service determine the number of EAD contracts that may be offered to Reserve personnel. If an enlisted member receives an EAD contract, then that member will have to complete the integration process in order to remain on active duty beyond the EAD contract.

d. If not appointed or advanced to a higher grade, as described above, on return to Active Duty or affiliation with the Reserve, a member receives credit for time served in grade before the temporary separation. **This credit will also apply for any necessary continuous active duty requirements for advancement (See Article 5.C.5.).**

4. If member affiliates with the Reserve during the up to 2 years separation under temporary separation, the member may receive pay for drills, ADT, ADSW, and SELRES affiliation bonus. Members will accumulate time in service while affiliated with the Reserve. Members will also receive qualifying service time creditable for Reserve retirement provided they meet the minimum points outlined in the ☞ Reserve Policy Manual, COMDTINST M1001.28 (series).

5. Temporary separation options See ☞ Figure 12.F.2.1.:

a. Officer and Enlisted: No Reserve Affiliation. For career members who do not desire to affiliate with Reserve during the temporary separation and desire guaranteed return to Active Duty within two years of discharge.

b. Officer: From Active Status to Reserve Status.

(1) An officer may join the Reserve during the up to 2 years separation under temporary separation with a guarantee to return to Active Duty as a permanent Regular officer with a modified DOR.

(2) Officers who choose to join the Reserve are subject to Reserve mobilization call-ups.

(3) While serving in the Reserves, the officer may request extended Active Duty with no loss of numbers based on the needs of the Service; however, this action will terminate the temporary separation agreement.

(4) An officer's date of rank would not change for officers who immediately affiliate with the Reserve upon separation from active duty. Thus, the date of rank would transfer from the Inactive Duty promotion list (IDPL) to the Active Duty promotion list (ADPL) for officers recalled to Active Duty via an extended Active Duty contract.

6. This policy is another significant element in the continuum of options available to our members in caring for newborn children, including adopted newborns.

a. Maternity Leave: Any female member may be granted up to 30 days cumulative prenatal sick leave without Headquarters approval. In addition, postnatal sick leave may be granted for up to 42 cumulative days. All sick leave must be certified as necessary by a physician. These periods of sick leave are for the member's care and convalescence.

b. Maternity Leave Plus Regular Leave: Any female member may be granted 42 days postnatal sick leave plus 60 or more days (at the command's discretion) regular leave. This provides potential opportunity for over three months authorized absence from duty.

c. Officer Resignation from Regular Status to Reserve Status: Now available to officers, but with no guarantee of a Selected Reserve Billet, or recall to active duty. The member could be called to extended active duty as a Reserve officer with no loss of numbers.

d. Separation from Enlisted Status Due to Hardship: Now available to enlisted members based on providing evidence they are experiencing a bona fide hardship. A guarantee of reenlistment is not provided.

e. Separation for Care of Newborn: For career members who desire guaranteed return to active duty after discharge.

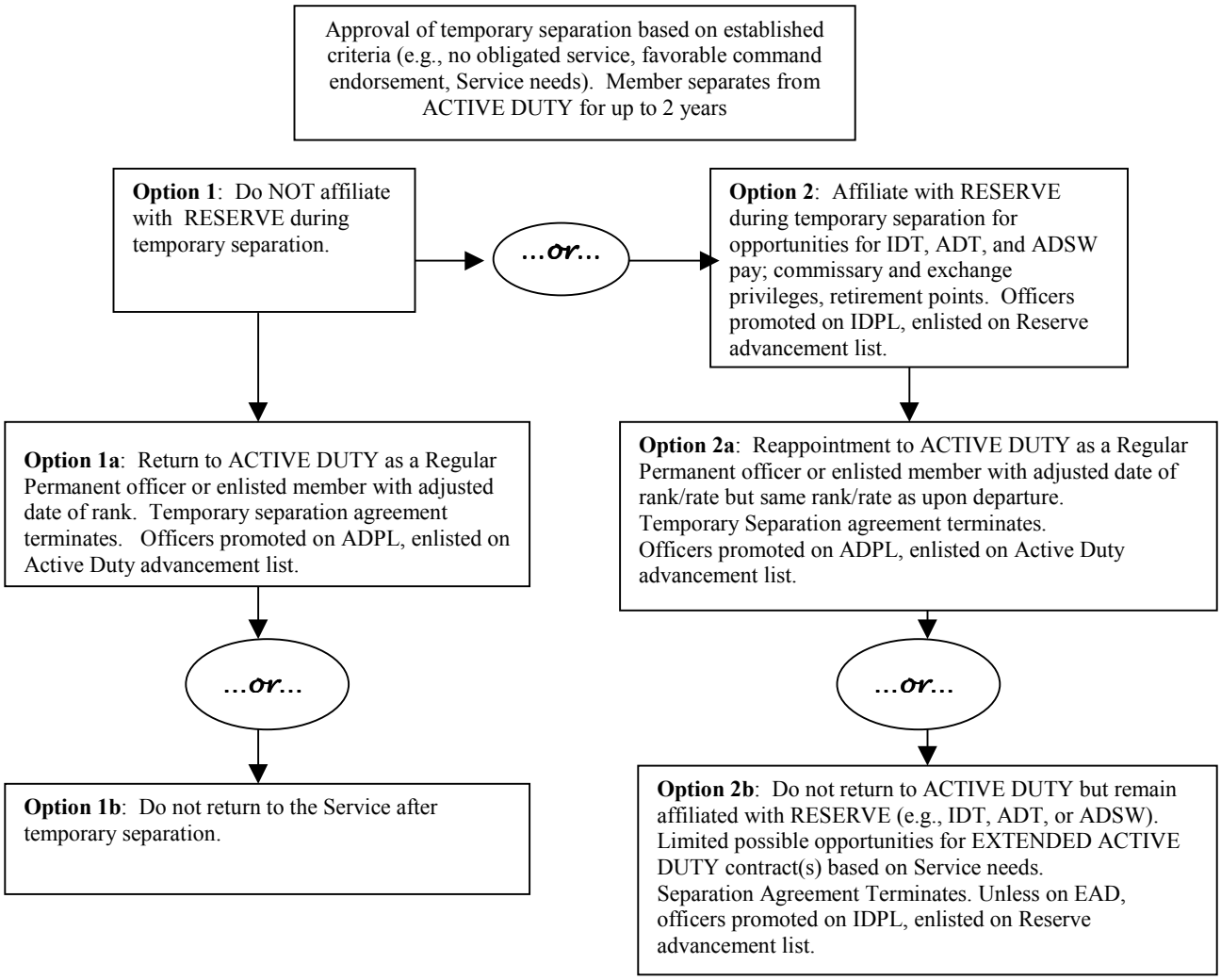
command's discretion) regular leave. This provides potential opportunity for over three months authorized absence from duty.

c. Officer Resignation from Regular Status to Reserve Status: Now available to officers, but with no guarantee of a Selected Reserve Billet, or recall to active duty. The member could be called to extended active duty as a Reserve officer with no loss of numbers.

d. Separation from Enlisted Status Due to Hardship: Now available to enlisted members based on providing evidence they are experiencing a bona fide hardship. A guarantee of reenlistment is not provided.

e. Separation for Care of Newborn: For career members who desire guaranteed return to active duty after discharge.

OPTIONS: Temporary Separation
Figure 12.F.2.1.



12.F.3. General Provisions

This section contains information applicable to both officer and enlisted personnel. ☛ See Article 12.F.5. for officer specific provisions and ☛ Article 12.F.6 for enlisted specific provisions.

12.F.3.a. Separation

1. Commander, (CGPC-epm- 1) or (CGPC-opm- 1) may approve one request for up to 24 months of temporary separation in a member's career.

2. All requests are considered based on a member's record and Service needs at the time of separation.

3. An applicant with Active Duty obligated service and Reserve members on EAD are not eligible for temporary separation. Obligated service means a commitment of time due to some benefit a member received, such as training, tuition assistance, permanent change of station orders, advancement, or promotion, etc. Applicants, with the exception of those requesting separation for the Care of Newborn Children, should normally be tour complete at the time of separation.

4. INCONUS, members applying for temporary separation for CNC must have completed at least one year at their current duty station before their request will be considered. For OUTCONUS units, this requirement is at least two years. (Note: If a member has transferred to a new unit within the same geographic OUTCONUS region, all time served within that region will be applied toward the 2-year requirement, but they must complete at least one year at their current unit.)

5. Unless a unique circumstance exists, applications from members in receipt of permanent change of station (PCS) orders will not normally be considered for separation under this policy.

6. Members pending investigation, performance probation, NJP, courts-martial, or civilian criminal charges or proceedings, are not eligible to apply for separation under this policy. Members may have no record of disciplinary action (civil arrest, NJP or courts-martial) for two years prior to requesting separation. (Note: Use the date of request minus two years to establish the "no record of disciplinary action" window. A member who has a record of disciplinary action within this window is not eligible for separation under this policy.)

7. Members should <u>normally</u> submit their request at least six months before their requested separation date, and identify their desire to affiliate, or not, with the Reserve during the up to 2 years separation under temporary separation. In cases involving the adoption of newborn children, submit

the request as early as possible; base the separation and return dates on the best information available. A member may submit a request when he or she is on an approved list for adoption with an adoption agency.

8. For CNC separations the effective separation starting date under the policy should be within 12 months after the child's birth or within 12 months after the date of adoption. Using sick leave or annual leave before or after birth does not preclude eligibility for separation under the CNC policy.

9. If not included in the original request for temporary separation, the applicant should submit a Notice of Intent in the format provided in ☛ Figure 12.F.3.l. at least three months prior to departing under the temporary separation policy if he or she desires to affiliate with the Reserve. Members who do not immediately affiliate with the Reserves upon temporary separation, may request to affiliate anytime during the temporary separation period.

10. The following members are not eligible for separation under this policy:

    a. Retirement-eligible members.

    b. Members within two (2) years of their Professional Growth Point or on the High Year Tenure (HYT) list published by CGPC-epm.

    c. Officers in a failed selection promotion status.

    d. Members who were previously separated under this policy or the old CNC policy.

    e. Officers of the Permanent Commissioned Teaching Staff (PCTS) at the Coast Guard Academy.

11. For officers, a prerequisite for temporary separation is completing all Officer Evaluation System (OES) responsibilities as prescribed by ☛ Article 10.A.

12. The decision to submit a temporary separation request is a serious one because the projected separation triggers transfer and advancement actions that, if reversed, cause hardship to other members. Members desiring to have their names removed from the list of approved personnel for separation under this policy must submit a letter, via their chain of command, to Commander, (CGPC-opm-1) for officers or (CGPC-epm-1) for enlisted personnel requesting such action be taken. The letter must contain 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 temporary separation request. The commanding officer's endorsement shall contain a definite recommendation for approval

or disapproval of member's request. Cancellation of an approved separation will be based on Service needs. Commander, (CGPC-opm-l) or (CGPC-epm-l) will notify the commanding officer and member of their final action on the member's request for removal from the list.

12.F.3.b. Return to Active Duty

An approved request guarantees reinstatement to the same grade or rate on either Active Duty at the end of the temporary separation, or upon assignment in the Reserve during the temporary separation, subject to physical condition and other qualifications. The member must complete a physical examination at a U.S. Military Entrance Processing Station (MEPS) and meet retention physical standards for enlistment or appointment.

1. The applicant must submit a Notice of Intent in the format provided in ☛ Figure 12.F.3.2. at least six months, but not earlier than one year before the intended date of return to Active Duty. To ensure the greatest job opportunity, applicants should consider submitting their notice of intent by 1 October to compete for assignments in the following summer.

2. If not affiliated with Reserve, the applicant shall contact their local Coast Guard recruiter and Commander, (CGPC-CGRC). They shall assist each applicant as necessary in completing the processing file to return to Active Duty. Officers returning to Active Duty shall be processed under the procedures outlined in ☛ Article 12.F.3.c.

3. If affiliated with Reserve, the applicant shall contact the Commander, (CGPC-opm (for officers) or CGPC-epm (for enlisted)). They shall assist each applicant as necessary in completing the processing file to return to Active Duty upon termination of the temporary separation.

4. An officer must initiate a National Agency Check before effecting the new appointment. As part of the Notice of Intent, the applicant signs the statement in ☛ Figure 12.F.3.2.

5. In addition to the security check, any CWO (COMMS) who has separated from the Coast Guard for more than 12 months must have a favorable background investigation or update completed within one year of returning to Active Duty. As part of the Notice of Intent, the applicant signs a statement in ☛ Figure 12.F.3.2.

6. Enlisted members in ratings requiring security clearances must initiate a National Agency Check before re-enlisting. Also, if a rating requires, members must have a favorable background investigation or update completed within one year of return to Active Duty. Failure to qualify for the proper clearance will require the member to pursue a change in rating or he or she may be subject to separation from the Coast Guard. As part of the Notice of Intent, the applicant will sign a statement in ☛ Figure 12.F.3.2.

Figure 12.F.3.1.
NOTICE OF INTENT TO AFFILIATE WITH THE RESERVE DURING TEMPORARY SEPARATION

From: (Applicant)
To: Commander, (CGPC-rpm)

Subj: NOTICE OF INTENT TO AFFILIATE WITH THE RESERVE DURING TEMPORARY SEPARATION

1. I hereby notify you I intend to affiliate with the Reserve commencing [insert date under the provisions of the temporary separation policy]. I understand that upon affiliation, I will enlist in or be appointed to the same grade or rate last held while serving on Active Duty.

2. I understand I must have a current physical examination on file.

3. I understand that by joining the Reserve I will be subject to Reserve mobilization call-ups.

4. I understand I will not be assigned to a highly deployable unit (e.g., PSU or HDCU) for up to the 2 years while under temporary separation unless requested by me.

5. I understand that if I am promoted or advanced in the Reserve, that I am not guaranteed the higher rate/rank if I re-enter Active Duty within or at the end of the temporary separation. I understand I may keep the higher rate/rank if it is in the best interest of the Service.

6. I declare I am not drawing and do not have a claim pending for a pension, disability allowance, disability compensation, or retired pay from the United States Government.

7. (OFFICERS AND ENLISTED) I understand my National Agency Check must be current. If not, I will submit the appropriate paperwork prior to affiliation with the Reserve. Or

7 (CWO COMMS ONLY) I understand my Background Investigation must be current. If not, I will submit the appropriate paperwork prior to affiliation with the Reserve.

8. (OFFICERS) I understand I must complete all Officer Evaluation System requirements.

9. My current home address is: Street Address
City, State, Zip
Telephone Number

Member's signature

Subscribed and Sworn to before me this [no.] day of [monthi [Yr.].

Notary Public/Coast Guard Officer

Copy: Commander, (CGPC-opm or CGPC epm)

Figure 12.F.3.2.
NOTICE OF INTENT TO RETURN TO ACTIVE DUTY AFTER TEMPORARY SEPARATION

From: (Applicant)
To: Commander, (CGPC-CGRC) or if a reservist to (CGPC-opm or CGPC-epm)

Subj: NOTICE OF INTENT TO RETURN TO ACTIVE DUTY AFTER TEMPORARY SEPARATION

1. I hereby notify you I intend to return to Active Duty on [insert date] under the provisions of the temporary separation policy. I understand on return to Active Duty, I will enlist in or be appointed to the same grade or rate last held while serving on Active Duty.

2. I understand I must have a current physical examination. I will perform necessary travel to fulfill this requirement at my own expense with no cost to the Government.

3. I declare I am not drawing and do not have a claim pending for a pension, disability allowance, disability compensation, or retired pay from the United States Government.

4. (OFFICERS ONLY select one) I understand that upon my return to active duty a National Agency Check will be conducted to determine whether I am qualified to hold a commission as a United States Coast Guard officer. If the check reveals I am not eligible for a security clearance, I may be subject to separation. OR I have been affiliated with the Reserve and my NAC is current.

OR
4. (CWO COMMS ONLY select one) I understand a Background Investigation will be conducted to determine whether I am qualified for the COMMS Warrant Officer specialty in the United States Coast Guard. If the check reveals I am not eligible for a favorable background investigation, I may be subject to separation. OR I have been affiliated with the Reserve and my NAC is current.

OR
4. (ENLISTED ONLY select one) I understand a National Agency Check or Background Investigation [as applicable] will be conducted to determine my qualifications for service in a United States Coast Guard rating. If it reveals I am not eligible for a security clearance, Commander, (CGPC-epm-1) may require me to pursue a change in rating or separate from the Service. OR I have been affiliated with the Reserve and my NAC is current.

5. (OFFICERS) I understand I must complete all Officer Evaluation System requirements.

6. My current home address is:

Street Address
City, State, Zip
Telephone Number

Member's signature

Subscribed and Sworn to before me this [no.] day of [month], [Yr.].

Notary Public/Coast Guard Officer

Copy: Commander, (CGPC-rpm)

12.F.3.c. Subsequent Appointment Process for Former Officers Returning to Active Duty After Temporary Separation (For members with no Reserve affiliation)

1. The applicant must submit a Notice of Intent no less than six months and no more than one year before the intended date of return to Active Duty. Notice must be submitted to Director, Coast Guard Recruiting Center (CGRC). ☛ Article 12.F.3.b.

2. Within 30 days after receiving the Notice of Intent, CGRC will advise the applicant which recruiting office to contact to complete the appointment process.

3. Local recruiting offices shall arrange for persons CGRC authorizes to undergo the physical examination at a U.S. Military Entrance Processing Station (MEPS) within 90 days before the date the applicant will be appointed to the former grade. The applicable recruiting office will also assist the applicant in completing the pre-appointment file.

4. The applicant will pay all travel expenses in determining eligibility for return to Active Duty, including appearance for the physical examination.

5. Except for the physical examination, the applicant must initiate the pre-appointment file within 30 days of receiving CGRC's directions to contact a specific recruiting office for processing.

6. The recruiting office shall send the completed pre-appointment file (except the physical exam) to CGRC within 45 days after receiving Notice of Intent to return to Active Duty.

7. The recruiting office will send the approved physical examination to CGRC at least 45 days before the appointment date. Disapproved physical examinations must include all additional medical information for waiver consideration. CGRC will send disapproved physical examinations and additional medical information to Commandant (G-WKH) for medical waiver recommendation. All persons must comply with the body weight and composition limits outlined in the ☛ Allowable Weight Standards for Coast Guard Military Personnel, COMDTINST 1020.8 (series) before being tendered an appointment, and signing the Acceptance and Oath of Office.

8. CGRC will review the complete file and advise Commander, (CGPC-opm) of the status of the National Agency Check and physical examination at least 30 days before the date the applicant is to return to Active Duty.

9. The following documents constitute a complete pre-appointment file:

a. Assignment Data Form, **CG HRSIC-2002**.

b. Four recent photographs: two full figure (front and side view) and two facials (full face and profile).

c. Report of Medical Examination SF-88, and Report of Medical History SF-93, each with signatures of medical and dental officers.

d. National Agency Questionnaire, DD Form 398-2, (for NAC only).

e. Police Record Check, DD-369, for the period since discharge.

f. Copy of separation orders and-DD-214.

g. Personal Security Questionnaire, DD Form 398 (only if BI required).

h. Fingerprint Cards, FD-258.

i. Security Clearance/Determination Request and Authorization

10. On receiving the Notice of Intent copy from the applicant and an acknowledgment from CGRC that: a National Agency Check has been initiated, CGRC will obtain the authorization for appointment to the former grade.

11. The person will be appointed to the same grade last held on Active Duty as follows:

a. Such person shall be credited at the time of the subsequent appointment with any Active Duty commissioned service in grade he or she performed in the Coast Guard before subsequent appointment to the same grade.

b. Such person who is receiving a subsequent appointment shall receive a new date of rank based on constructive credit for Active Duty commissioned service previously served in that grade in the Coast Guard.

c. In determining a member's service time for computing time in grade under this section, each year, month and day is counted. Computations are based on the methods prescribed in the ☛ Personnel and Pay Procedures Manual, HRSICINST M1000.2 (series).

d. The constructive service credited an officer under this Article shall be used only to determine the officer's new date of commission.

e. Once the new date of rank is established, seniority within that date of rank will be administratively determined by Commander (CGPC-opm). In instances where the adjusted date of rank is not unique for officers in that grade, the returning officer will be given the higher precedence.

12. The effective date of pay and allowances will be the date the applicant executes the Acceptance and Oath of Office.

13. On receiving the applicant's Notice of Intent (copy) and CGPC-CGRC's acknowledgment that a National Agency Check has been initiated, CGPC-opm-2 will determine the applicant's duty assignment and issue his or her orders as far in advance as possible (90 days is optimal) before the appointment date. The officer will be ordered to Active Duty in the Coast Guard on accepting the appointment.

14. Commander, (CGPC-opm) will transmit orders to the applicant with specific directions on when to execute the Acceptance and Oath of Office.

15. On appointment, the officer is subject to the same rules of conduct and performance of duty as are all other Coast Guard officers.

16. Sample Adjusted Dates of Rank for Commissioned Officer:

Example 1	Example 2
Promotion History 86 MAY 21 ENS 90 N0V 21 LT 91 NOV 21 LT (YG-86) SNO was approved for separation on 91 OCT 31. TIG as LT at time of separation 11 months, 11 days. SNO was approved for return on 92 DEC 91. 91 10 31 (departure date) 90 11 21 (date of rank) 00 11 10 + 1 DEPARTURE TIG AS LT 00 11 11 Return LT DOR 92 12 01 (return date) (adjusted) 00 11 11 (departure TIG) 00 20(converts to 12/20/91) New DOR is 12/20/91 (YG-87)	Promotion History 76 JUN 03 ENS 78 MAR 03 LTJG 81 MAY 01 LT 88 JUL 01 LCDR (YG-76) SNO was approved for separation on 92 JUL 01. TIG as LCDR at time of departure is 4 years, 1 day. SNO was approved for return on 93 NOV 01. 92 07 01 (departure date) 88 07 01 (date of rank) 04 00 00 + 1 DEPARTURE TIG AS LCDR 04 00 01. Return LCDR 93 11 01 (return date) (adjusted) 04 00 01 (departure TIG) 89 11 00 (converts to 10/31/89) New DOR is 10/31/89 (YG-78).

17. Sample Date of Rank for Chief Warrant Officer:

Example 1	Example 2
Promotion History: 90 JUN 01 W-2 93 JUN 01 W-3 SNO was approved for separation on 95 SEP 01. TIG as W-3 at time of departure: 02 years, 3 months, 1 day. TIG as W-2 at time of departure: 05 year, 3 months, 1 day. SNO was approved for return on 96 JUN 01. Departure W-3 TIG 95 09 01 (departure date) 93 06 01 (date of rank) 00 03 00 +1 02 03 01 Departure W-2 TIG 95 09 01 (departure date) 90 06 01 05 03 00 +1 05 03 01 New W-3 DOR (adjusted) 96 06 01 (return date) 02 03 01 (departure TIG) 94 03 00 (converts to 03/01/94) New W-2 DOR (adjusted 96 06 01 (return date) 05 03 00 (departure TIG) 91 03 01	Promotion History: 91 JUN 01 W-2 SNO approved for separation on 93 SEP 01. TIG as W-2 at time of departure: 02 years, 3 months, 1 day. SNO was approved for return on 93 SEP 01. Departure W-2 TIG 93 09 01 (departure date) 91 06 01 (date of rank) 02 03 00 +1 02 03 01 New W-2 DOR (adjusted) 94 09 01 (return date) 02 03 01 (departure TIG) 92 06 00 (converts to 06/01/92)

12.F.3.d. Service Credit for Subsequent Officer Appointment (with no Reserve affiliation) on Return to Active Duty after Temporary Separation

1. This provision determines a member's precedence within grade when he or she returns to Active Duty and receives a subsequent appointment as a commissioned, warrant, or temporary officer in a commissioned grade in the Regular Coast Guard. This provision applies to members returning to active Coast Guard duty under the temporary separation policy and those returning and receiving a later appointment to the Academy Permanent

Commissioned Teaching Staff or designation as a Reserve Program Administrator. When subsequently appointed, the member receives credit for any Active Duty commissioned Coast Guard service in the grade he or she performed before reappointment to the same grade.

2. The Commandant assigns a person receiving a later appointment in a commissioned grade on return to Active Duty a new date of rank based on credit for Active Duty commissioned service previously served in that grade. This procedure affords an officer credit for time previously served in grade.

3. In determining a member's service time to compute time in grade under this section, count each year, month, and day and base computations on the methods prescribed in ☛ Appendix C, Personnel and Pay Procedures Manual, HRSICINST M1000.2 (series).

4. The previous active service credited an officer under this regulation determines his or her date of commission rank, seniority, and position on the Active Duty Promotion List. ☛ Article 12.F.5. Officers and enlisted personnel who were previously selected from promotion/advancement to the next higher grade, but were not promoted/advanced prior to temporary separation may be appointed/reenlisted in the higher grade. ☛ Article 12.F.2.3.

5. Once the new date of rank is established, Commander (CGPC-opm) administratively determines seniority within that date of rank. In cases in which the adjusted date of rank is not unique for officers in that grade, the returning officer will be given the higher precedence.

12.F.3.e. Service Credit for Subsequent Officer Appointment (with Reserve affiliation) on Return to Active Duty after Temporary Separation

See the ☛ Reserve Policy Manual, COMDTINST M100l.28 (series), Chapter 8.C for computation of retirement points.

12.F.3.f. Service Credit on Reenlistment (with no Reserve affiliation) After Temporary Separation

Members who return to active duty from the temporary separation program receive full credit for any TIR formerly creditable prior to their separation under the temporary separation program for computation of their SWE final multiple.

12.F.3.g. Service Credit on Reenlistment (with Reserve affiliation) on Return to Active Duty after Temporary Separation

See the ☛ Reserve Policy Manual, COMIDTINST M100l.28 (series), Chapter 8.C for computation of retirement points.

12.F.4. Special Terms

1. Members will separate with the understanding they will retain eligibility to return to Active Duty or affiliate with the Reserve under the specific terms previously outlined. The member must submit a signed acknowledgment of the specific conditions governing separation and return to Active Duty or affiliate with the Reserve with the request for separation under this policy.

2. Members discharged from the Service are entitled to transportation of household effects from the last duty station to home of record or the place from which ordered to Active Duty.

3. On enlistment or reenlistment or a new appointment under this policy, Commander, (CGPC-epm-2), (CGPC-opm-2) or (CGPC-rpm) generally will consider members for reassignment consistent with the needs of the Service.

12.F.5. Officer Provisions

Under this policy, officer eligibility is limited to career officers who have served on active Coast Guard duty for five years without a break in service immediately preceding the effective separation date. Commander, (CGPC-opm) generally recognizes these members as having long-term goals and aspirations in the Service because they completed an extended period of Active Duty or attained permanent status. They have demonstrated they possess the potential and skills for long-term Active Duty.

1. For the purpose of this policy, career officers are defined as:

   a. Permanent commissioned officers in the grade of lieutenant or above, or

   b. Permanent commissioned warrant officers who have completed their three-year probationary period, or

   c. Temporary regular officers who have completed at least *5* years of active duty and three years of active duty commissioned service, or

d. Reserve Program Administrators (non-provisional) in the grade of lieutenant or above, or

2. Officers submit their request to separate under this policy as an unqualified resignation in the form prescribed in ☛ Article 12.A.6. with a signed Statement of Understanding of Conditions for Temporary Separation (See ☛ Figure 12.F.7.1.) as an attachment to the request. The commanding officer's endorsement shall comment on the officer's future potential and a definite recommendation for approval or disapproval.

3. Commander, (CGPC-opm-1) will discharge officers with the understanding they will return with the same grade they last held on Active Duty. If officers desire to affiliate with the Reserve during the temporary separation, and if not included in the original request for temporary separation, then it is preferred that they apply for a Reserve commission at least three months in advance of the desired date of separation from Active Duty. This application process must be coordinated with the Coast Guard Personnel Command (CGPC-rpm). However, the highest grade to which temporary officers will be appointed is lieutenant.

4. Officers will receive a subsequent appointment under the procedures outlined in ☛ Figure 12.F.3.2.

12.F.6. Enlisted Provisions

1. To qualify for temporary separation for other than Care for Newborn Children (CNC), a member must be career-oriented, serving as an E-4 or above with more than six years of Active Duty service in the U.S. Coast Guard. To qualify for temporary separation for Care for Newborn Children, a member must be career-oriented, serving as an E-4 or above with more than four years of Active Duty service in the U.S. Coast Guard

2. Enlisted members shall submit their written request for discharge under the temporary separation policy to Commander, (CGPC-epm-l) (with a copy to Commander, (CGPC-rpm) if the member desires to affiliate with the Reserve program) via their Commanding Officer with the signed acknowledgment of conditions as an attachment to the request. If members desire to affiliate with the Reserve program during the temporary separation, and if not included in the original request for temporary separation, they must apply for a Reserve enlistment at least three months in advance of the desired date of separation from Active Duty. This application process must be coordinated with the Coast Guard Personnel Command (CGPC-rpm).

3. In the forwarding endorsement, commanding officers shall include a statement about the status of any disciplinary action pending, Service schools attended, and a definite recommendation for approval or disapproval. Enclose a copy of the Marks Sheet, CG-3306, for at least four years of marks. For the 12 months before the submission of the request, the member must have an average of four in all evaluation factors and no unsatisfactory mark in Conduct. For members who have no evaluations during the 12 months preceding the request, use marks for the preceding 24 months before submitting the request.

4. Members are separated from the Coast Guard at the Convenience of the Government and receive a RE-1 reenlistment code.

5. Any unearned Selective Reenlistment Bonus (SRB) payments that have been paid to the member will be recouped before the member separates. There is no legal authority for reinstating bonus payments to a member who decides to return to active duty under this policy. ☛ See **Reenlistment Bonus Programs Administration**, COMDTINST M7220.33(series).

6. The member has up to 2 years from the separation date to re-enlist through a recruiting office (if not affiliated with the Reserve) or Commander, (CGPC-epm) (if affiliated with the Reserve) and retain the previously held pay grade. Applicants are guaranteed the pay grade held upon return to Active Duty after the temporary separation if they re-enlist within 2 years. If the member is affiliated with the Reserve during temporary separation, reenlistment back to Active Duty after 2 years is not guaranteed. Any applicant who desires to re-enlist outside the specified time frame will be subject to the limitations of the Open Rate List.

7. For advancement purposes, enlisted members' pay grade begins on their reenlistment date. Members who return to Active Duty after the temporary separation will receive full credit for any TIR formerly creditable prior to their separation under this policy for computation of their SWE final multiple.

12.F.7. Statement of Understanding

A Statement of Understanding must accompany each request for separation under the temporary separation policy. ☛ Figure 12.F.7.l.

FIGURE 12.F.7.1.

STATEMENT OF UNDERSTANDING OF CONDITIONS FOR TEMPORARY SEPARATION

I, [member's name], acknowledge I am fully aware of the conditions for separation and re-entry in the Coast Guard under the temporary separation policy. I understand my discharge from the Coast Guard and return to Active Duty will be effected only under specific provisions stated in the CG Personnel Manual, COMDTINST M1000.6 (series). Additional temporary separation policy specific conditions include:

1. The member must be discharged or RELAD from the U.S. Coast Guard; officers returning to Active Duty receive a subsequent appointment to their former grade and an adjusted date of rank; enlisted members must reenlist through a recruiting office to return to Active Duty with the same grade last held on Active Duty. For advancement purposes, enlisted members' pay grade begins on their reenlistment date. Members who return to Active Duty after the temporary separation will receive full credit for any TIR formerly creditable prior to their separation under this policy for computation of their SWE final multiple.

2. Officers who affiliate with the Reserve, must apply for a Reserve commission and will be appointed the same rank as held on Active Duty; enlisted members may enlist in the Reserve after being separated from Active Duty.

3. Officers must ensure Officer Evaluation System (OES) responsibilities for all Active Duty service are met prior to separation. Those officers who affiliate with the Reserve must ensure all OES responsibilities for Reserve service are met prior to return to Active Duty.

4. The member must complete a physical examination at a U.S. Military Entrance Processing Station (MEPS) and meet retention physical standards.

5. After discharge, the applicant must submit a Notice of Intent to Commander, (CGPC-CGRC) with copy to Commander, (CGPC-epm) or (CGPC-opm) no less than six months and no more than one year before the intended date of return to Active Duty.

6. If the member joins the Reserve, the member must submit a Notice of Intent to Commander, (CGPC-opm) or (CGPC-epm) with a copy to Commander (CGPC- rpm) no less than six months and no more than one year before the intended date of return to Active Duty or desire to remain in the Reserve.

7. If an applicant elects to join the Coast Guard Reserve, he or she understands that they pursue one of following options (Figure 12.F.2.1)

    a. Return to Active Duty after the up to 2-year temporary separation at the original rank/rate.

    b. Remain in the Reserve after the up to 2 year temporary separation with limited possibility for opportunities for Extended Active Duty (EAD) contract(s) after termination of the temporary separation agreement and possible integration (officers) or reenlistment (enlisted) into Active Duty based on Service needs.

c. Apply for extended Active Duty (EAD) while in the Reserve with possible integration (officers) or reenlistment (enlisted) to Active Duty. (This option will terminate the temporary agreement).

8. The member understands on discharge under this policy, he or she loses eligibility for certain benefits, among them include:

   a. Pay and allowances;

   b. Continued accrual of service for retirement;

   c. Eligibility for commissary, exchange, theater, and

   d. The member's and dependent's related privileges and medical care.

9. The member understands that upon affiliation with the Reserve, he or she may receive certain benefits, among them include:

   a. IDT pay, ADT pay and allowances, ADSW opportunities, SGLI, commissary, exchange, theater, and Reserve Dental Insurance (SELRES only); and

   b. Continued accrual of service for retirement.

10. The member has up to 2 years from the date of discharge, unless otherwise specified, to return to Active Duty under the temporary separation policy and retain the last held pay grade.

11. Members discharged from the Service are allowed transportation of household effects from the last duty station to home of record or the place from which they were ordered to Active Duty.

12. For officers, CWO (COMMS) and enlisted members in ratings requiring security clearances, this statement:

I understand in conjunction with my return to Active Duty, a Background Investigation or National Agency Check, as applicable, will be conducted to determine my qualifications to serve as an officer or in a specialty or rating in the USCG. If it is determined I am not eligible for a security clearance; I may lose all guarantees under the temporary separation policy and be separated from the Coast Guard.

Member's Signature Date

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12.G.5. REENLISTMENTS AND EXTENSIONS

1. Members can re-enlist or extend only for periods that will expire before one month after their PGP date. Unless Commander, (CGPC-epm-1) grants a HYT waiver, the HYT policy supersedes other reenlistment policies or extension opportunities.

2. Reenlistments must comply with ☛ Chapter 1.G. requirements. To ensure maximum time in service in a respective PGP, the member may have to employ a combination of reenlistments and extensions to bring his or her enlistment expiration date as close as possible to one month after the PGP date.

3. Members undergoing a medical board may request retention, through a series of extensions if necessary, after their PGP to complete the medical board. Retention for this purpose requires Commander, (CGPC-epm-1) authorization. Participation in the Servicewide Examination (SWE) competition process will comply with ☛ Article 5.C.12.

4. Members who have already extended their enlistment for the cumulative six-year maximum may request retention until their PGP. Such retention requires Commander, (CGPC-epm-1) authorization.

12.G.6. OBLIGATED SERVICE

1. When obligated service requirements would take the member beyond the PGP, the PGP takes precedence. The member must meet obligated service requirements by re-enlisting or extending to bring his or her enlistment expiration date as close as possible to one month after the PGP.

2. If the member's current PGP does not allow him or her to meet obligated service requirements for advancement from the date of the advancement eligibility list, he or she is still authorized to participate in the SWE and advance.

12.G.7. SEPARATION OR RETIREMENT

1. Commander, (CGPC-epm-1) will discharge a member who fails to advance before his or her PGP date. However, a retirement-eligible member may request retirement.

2. Discharge. Commander, (CGPC-epm-1) discharges members who exceed their PGP before one month after their PGP date. The Narrative Reason for separation is Maximum Service or Time in Grade and the separation is involuntary.

Members do not have to remain until their PGP date but may request discharge due to HYT within one year of their PGP date; this separation too is involuntary and will be approved as Service needs allow. An Administrative Discharge Board is not authorized for members discharged due to HYT.

3. Retirement. Retirement-eligible members may request to retire on an effective date before the end of the month in which they exceed their PGP and may stipulate voiding the request if their PGP increases before the requested retirement date. As such, Commander, (CGPC-epm-1) will not remove these members from the advancement eligibility list until they retire. However, if they do not desire to void their request, they will be removed when their retirement is approved.

12.G.8. CHANGE IN RATE

1. Members who request a change in rate must adhere to HYT requirements. They must ensure they are satisfactorily informed about HYT's affect on their career. Commander, (CGPC-epm-1) will deny requests if, at a minimum, on attaining the new rate, the member will not have the opportunity to compete in two SWEs and place above the cutoff or attain the next higher pay grade for the new rate. Requests may be denied for such reasons as Service needs, conduct, performance, or training opportunities.

2. Members who are authorized to change rate remain on active duty for a period Commander, (CGPC-epm-1) determines based on the change-in-rate date; the period will be long enough to allow the member the opportunity to compete in at least two SWEs in which to attain the next pay grade.

12.G.9. WAIVERS

1. Members in pay grades E-4 through E-9 may submit waivers to change the PGP date, which must arrive six to 12 months before that date. Commander, (CGPC-epm-1) will reject waivers without consideration if they arrive less than six months before the member's PGP.

2. Waivers must be in the form of a letter from the member to Commander, (CGPC-epm-1) with his or her commanding officer's endorsement containing the command's recommendation whether the member should be granted a waiver and commenting on the benefit to the Service of retaining the member.

3. Commander, (CGPC-epm-1) will judge the waiver request on these criteria. The member should address each applicable criterion whether he or she:

   a. Possesses critical abilities, skills, or qualifications fulfilling a Service need.

b. Experienced unusual circumstances which prevented him or her from competing for advancement within the PGP.

c. Has an especially deserving, somewhat unexpected circumstance so retention beyond the PGP date would reduce an impending hardship on the member's separation or retirement.

4. Requests should include any supporting documents, including copies of items in the member's unit record, to clarify or verify the member's circumstances.

5. The waiver panel will review the member's waiver submission and official service record.

6. The waiver panel will review waiver requests to decide in sufficient time to allow the member to prepare for separation or retirement. However, a member's late submission will not place the burden of a timely review on the waiver panel.

7. The waiver panel is composed of Commander, (CGPC-epm), Commandant (G-WR-2), and Commandant (G-CMCPO). Based on a majority vote, the panel will make a recommendation to Commander, (CGPC-c), who has final decision authority.

8. Commander, (CGPC-c) may grant waivers up to an allowable maximum of five years, in one- or two-year increments, beyond the PGP date.

9. Members in pay grade E-2 who have been determined ineligible for reenlistment by a Centralized First Term Reenlistment Review (CFTRR) panel and also identified for separation under HYT will be separated under the CFTRR process unless otherwise directed. ☛ Chapter 14.C.

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14.A. Commissioned and Chief Warrant Officer Personnel Boards

14.A.1. General

14.A.1.a. Significance

Personnel boards are so significant every officer in the Service should know board procedure and the general criteria boards use, whether determining promotion, continuation, retention, or appointment.

14.A.1.b. Guidelines

The criteria published here are furnished to boards solely to guide and do not limit the scope of authority vested in them. Each board member must retain an impartial, unbiased, unprejudiced attitude about all officers being considered and all groups and Coast Guard specialized duties. Any limitation of choice arbitrarily imposed on personnel boards by an outside authority would be unlawful and highly improper.

14.A.1.c. Type of Board

Personnel boards, such as those that select officers on the active duty promotion list (ADPL) to grades above lieutenant (junior grade) and consider captains for continuation on active duty, select on a best-qualified basis, in which the board is limited to a specific number it may select. Other personnel boards, such as those selecting to lieutenant (junior grade), select on a fully-qualified basis. Under this selection process, system, or method, the board compares each officer to a standard and recommends all who meet or exceed it. Accordingly, in addition to the fully-qualified standard, the board also must select by comparing each officer to all others considered. This procedure enables the board to select from the entire group the limited number whom it believes are the best-qualified.

14.A.2. Board Purposes

Personnel boards are convened for various purposes, including recommending officers for:

1. Promotion.
2. Continuation on active duty.
3. Retention in a particular occupational field.
4. Designation in a particular occupational field.

14.A.3. Selection Criteria

14.A.3.a. General

1. Personnel boards recommend on either a best-qualified or fully-qualified basis as set forth in law and directed in the precept. All personnel boards consider fundamentally the same type of information. However, each board develops its own overall standards and selection criteria. The degree of significance a board assigns to each of the many factors it considers may vary according to the grade and type of selection the board is making. A board selecting officers for lieutenant may emphasize different factors than would a Captain Continuation Board.

2. Promotion is not a reward for satisfactory service. If confirms an officer's demonstrated potential to serve the Coast Guard in a higher grade.

14.A.3.b. Basic Criteria

1. Performance Evaluations. A significant selection criterion is performance in present and past assignments. Boards should adhere to the following interpretations and policies when evaluating performance.

   a. Officer evaluation report forms define performance dimensions considered most significant in assessing an officer's performance and readiness for greater degrees of responsibility.

   b. Though the same performance dimensions seem important at every grade, some dimensions take on added meaning at higher grades. For example, leadership at the ensign level is quite different from that at the captain level, even though leadership at each level shares many common elements.

2. Professionalism.

   a. Professionalism is an essential element in selecting officers for promotion. Coast Guard officers must provide quality service to the public while promoting a positive image of the Coast Guard.

   b. The diversity of officer assignments in the Coast Guard makes it impossible for any officer to be qualified for all of them; the Service expects each officer to have true professional competence in one occupational field and, from assignments outside it, experience in other fields. While technical specialization is essential in certain lower grades and for certain assignments, in the higher grades emphasis shifts to leadership skills.

c. Each officer must be familiar with Coast Guard general administration and display interest in the immediate assignment, the rest of the Service, and the surrounding community and the world by improving his or her knowledge of Service-related subjects through study, activities and associations. The capable individual is highly adept at transferring talents from one task to another, which enables the Service to fulfill its mission and objectives.

d. Until recently, most officers had frequent operational assignments throughout their careers and were competent mariners or aviators. However, Coast Guard missions have changed so much the present number of billets makes this impractical. In fact, to maintain professional competence it is necessary to repeatedly assign certain officers to similar billets. This means the Service may not assign many officers to operational duty, particularly lieutenant commanders and above. It thus follows that operational experience, by itself, cannot be a universal selection requirement.

3. Leadership. Officers selected demonstrate those leadership traits and values that allow them to serve in a series of assignments with increasing responsibility in the grade to which promoted. Officers must exemplify our core values of honor, respect and devotion to duty in the highest degree.

a. A leader influences people to accomplish a purpose. Coast Guard leaders concentrate on “doing right things right,” integrating a leader’s focus on effectiveness with a manager’s focus on efficiency.

b. A successful leader inspires others by:

(1) Convincing them they have the solution and acting decisively and confidently;

(2) Sharing a vision of service, excellence and achievement;

(3) Demonstrating a commitment to innovation and quality team work; and,

(4) Modeling strength of character in word and action.

4. Education. Another consideration is education. To maintain a high level of expertise in areas such as science, engineering, operations, and administration, many officers are detailed to postgraduate education or specialized training. It would be desirable to afford every officer such an opportunity, but this is impossible. Thus, a board should not disproportionately emphasize an officer’s postgraduate training. Commissioned officers participate in education programs voluntarily. Each board should consider these factors in evaluating education:

a. Whether an officer pursues educational courses commensurate with his or her previous training and experience.

b. An officer's accomplishments in the program, including the grades attained where applicable.

14.A.4. General Procedures for All Boards

14.A.4.a. Responsibilities

Each personnel board member shall impartially and fairly evaluate the qualifications of each officer whose name is submitted to the board to determine whether he or she meets the overall criteria the board established considering the parameters outlined in ☛ Article 14.A.3.

14.A.4.b. Compliance

Personnel board actions shall comply with applicable laws, regulations, and their precept.

14.A.4.c. Consistency

So successive personnel boards' actions may be consistent, Commander, (CGPC-opm) and selected staff members shall appear before each personnel board to brief the members on applicable laws, regulations, and Service needs. Since the board is convened solely to obtain its members' opinion, it must act according to its own judgment and is bound only by existing law and the oath its members take.

14.A.4.d. Material Furnished

Commander, (CGPC-opm) furnishes personnel boards the names and personnel records of all officers to be considered. The personnel record consists of general administrative paperwork including such items as statements of service and sea service, the record of emergency data, page 7 entries, documentation of alcohol incidents, and reports of civil arrests, performance evaluations, education information, and awards and discipline documentation. A board must consider an officer's entire record; however, the following is considered the most significant portion of the record evaluated:

Grade Considered	Service Period
Rear Admiral (Lower Half), Captain, Commander	Seven years of immediate previous service or all service in present grade, whichever is greater
Lieutenant Commander	Six years of immediate previous service or all service in present grade, whichever is greater
Lieutenant, Lieutenant (Junior Grade)	All commissioned service

14.A.4.e. Additional Information

If the board desires additional information or clarification, the board president shall request it in writing from Commander, (CGPC-opm).

14.A.4.f. Fitness for Duty

Boards shall assume each officer it considers is fit for full duty unless otherwise advised.

14.A.4.g. Administrative Letters of Censure

☛ Chapter 8.E. prohibits filing administrative letters of censure in officers' personnel records. Since non-punitive censures were previously filed in an officer's official record, a board finding one shall ignore it when evaluating performance. However, a board may consider and evaluate the facts on which an administrative letter is based if an Officer Evaluation Report or other documents refer to them.

14.A.4.h. Officer Education Reporting Program

The Officer Education Reporting Program is voluntary. Officers may report educational achievement annually on an Officer Educational Record, CG-4082, for board consideration.

14.A.4.i. Board Proceedings

Except for its Report of the Board, the board members shall not disclose proceedings or deliberations to any person not a member of the board (14 U.S.C. 261).

14.A.5. Procedure for Boards Considering Officers on a Fully-Qualified Basis

14.A.5.a. Board Recommendation

Boards convened to recommend officers for promotion on a fully-qualified basis should recommend those whose records indicate they are qualified to perform all duties to which they reasonably might be assigned in the grade for which they are being considered. Each board shall definitely recommend whether each officer it considers is or is not qualified, without any restrictions or qualifications.

14.A.5.b. Comparison

In recommending each officer it considers, the board should compare him or her to the present grade and those in the next higher grade to determine how

well the individual measures up to such officers according to the overall criteria the board established. If the board believes the officer has demonstrated by past performance, fitness, and potential to perform creditably those duties to which he or she reasonably might be assigned, the board should recommend him or her. If past performance indicates potential for increased responsibilities and administrative assignments is doubtful or limited, the board should not recommend the officer.

14.A.5.c. Not Recommended

If the board does not recommend an officer or finds an officer's performance in his or her present grade is unsatisfactory, the board shall indicate its reasons.

14.A.5.d. Board Report

Each board's report shall contain:

1. A cover sheet.
2. A membership roster.
3. The convening, meeting, and adjourning dates.
4. A list of officers recommended.
5. A list of officers **found not fully-qualified for promotion with the specific reason why each was not recommended for promotion**.
6. A list of officers whose performance of duty in present grade the board considered unsatisfactory with **the specific** reason **why each was found as such.**
7. A certification **that** in the opinion of at least three members if the board has five, or two-thirds of the members if the board has six or more members, the officers recommended are fully-qualified for promotion.
8. Each member's signature.

14.A.6. Procedure for Boards Considering Officers on a Best-Qualified Basis

14.A.6.a. Number of Officers

Boards convened to consider officers on a best-qualified basis for promotion, continuation on active duty, retention in a particular occupational field, or appointment in another status may recommend to promote, continue, retain, or appoint only the number specified in the precept.

1. In 1963, legislation amended Title 14, United States Code, to improve the quality and efficiency of the Coast Guard officer corps by replacing a system based on seniority with one which would select the best-qualified officers.

2. Fundamental to selecting for promotion on a best-qualified basis is the fact the number of officers to be selected is fewer than the number being considered.

14.A.6.b. Comparison

In recommending, a board shall compare all officers submitted for consideration and base its recommendations on the extent to which they compare among themselves in accomplishing past assignments and potential for greater responsibility according to the overall criteria the board adopted; however, ☛ Article 14.A.10.f. limits below zone promotion selections.

1. Selection on a best-qualified basis embodies three elements; the board:

   a. *First*, considers all officers impartially and equally.

   b. *Second*, applies the same criteria to all.

   c. *Third*, evaluates by comparison, with the most capable officers advancing to positions of higher responsibility.

2. Best-qualified boards consider officers' records, comparing past performance, their capacity to undertake successfully tasks of progressively greater difficulty involving broader responsibilities, their capability and inclination to study for further professional growth, and their potential to perform creditably those duties to which these officers might be assigned in the next higher grade.

14.A.6.c. Board Report

The report of the board shall contain:

1. A cover sheet.

2. A membership roster.

3. The convening, meeting, and adjourning dates.

4. A list of the officers recommended for promotion, continuation, retention, or appointment in the order of relative precedence they held before the current consideration.

5. A certification that, in the opinion of at least three members if the board has five or two-thirds of the members if the board has six or more, the officers recommended for promotion, continuation on active duty, retention in a

particular occupational field, or appointment in another status are the best-qualified for promotion, continuation, retention, or appointment of those officers whose names were furnished to the board (14 USC 260).

6. Each member's signature.

14.A.7. Procedure for Boards Considering Officers on Both a Fully-Qualified and Best-Qualified Basis

14.A.7.a. Number of Officers

Boards convened to consider officers on both a fully- and best-qualified basis for promotion, continuation on active duty, retention in a particular occupational field, or appointment in another status, may recommend to promote, continue, retain, or appoint up to the number specified in the precept.

14.A.7.b. Comparison

In recommending each officer it considers, the board must make two determinations, fully-qualified and best-qualified.

1. The Fully-qualified Determination. First, the board should compare each officer to those in the present grade and those in the next higher grade to determine how well the individual measures up to such officers according to the overall criteria the board established. If the board believes the officer has demonstrated by past performance, fitness, and potential to perform creditably those duties to which he or she reasonable might be assigned, the board should go to the second determination step. If past performance indicates the potential for increased responsibilities and administrative assignments is doubtful or limited, the board should not recommend the officer.

2. The Best-qualified Determination.

   a. Those officers meeting the fully-qualified determination described above must then be selected on a best-qualified basis, which embodies three elements; the board:

      (1) *First*, considers all those fully-qualified officers impartially and equally.

      (2) *Second*, applies the same criteria to all.

      (3) *Third*, evaluates by comparison, with the most capable officers advancing to positions of higher responsibility.

   b. In recommending, a board shall compare all officers submitted for consideration and base its recommendations on the extent to which they compare among themselves in accomplishing past assignments and potential

for greater responsibility according to the overall criteria the board adopted. Best-qualified boards consider officers' records, comparing past performance, their capacity to undertake successfully tasks of progressively greater difficulty involving broader responsibilities, their capability for further professional growth, and their potential to perform creditably those duties to which these officers might be assigned in the next higher grade. Only officers who have been found fully-qualified may be selected.

(1) Normally, the number of officers found fully-qualified exceeds the number of officers found best-qualified. There is no requirement to identify reasons for those officers who were fully-qualified but not best-qualified. However, if an officer is found to be performing in an unsatisfactory manner, the Board shall specify the reason for that finding.

(2) When the board is tasked with choosing up to a maximum number of best-qualified candidates, they may choose less than that number only if there are an insufficient number of fully-qualified officers. If the board selects less than the maximum number, it is indicating that the officers not chosen were either not fully-qualified or unsatisfactory in their performance and shall specify in writing the reasons for each of these non-selections.

14.A.7.c. Board Report

1. Commander (CGPC-opm-1) may furnish boards with procedures and forms to assist them in evaluating records. The determination to use such assistance in the form provided or in modified form or not at all, rests solely with the board.

2. The board shall submit a report of its proceedings to the Commandant for Secretarial approval under the delegation contained in 49 CFR 1.45(a)(1), to include:

   a. A cover sheet.

   b. A listing of membership.

   c. A listing of the convening, meeting, and adjourning dates.

   d. A listing of the names of officers recommended for promotion in the order of relative precedence that they held prior to the current consideration.

   e. A certification that, in the opinion of at least a majority of the members of the board, the officers recommended for promotion are fully qualified and the best qualified of those officers whose names have been furnished to the board.

   f. The signature of each member.

   g. The original precept, appended.

14.A.8. through 14.A.9. Vacant

14.A.10. Selection Boards for Promotion from Lieutenant (Junior Grade) Through Rear Admiral (Lower Half)

14.A.10.a. Convening a Board

At least annually and at other times when the needs of the Service require, the Secretary shall convene selection boards to recommend for promotion to the next higher grade officers on the active duty promotion list (ADPL) in each grade from lieutenant (junior grade) through captain, with separate boards for each grade. However, the Secretary need not convene a board to recommend promotion to a grade if no vacancies exist in it and estimates none will occur in the next 12 months (14 USC 251).

14.A.10.b. Selection Board Composition

The selection board shall consist of five or more officers on the ADPL who serve in or above the grade to which the board may recommend promoting officers. No officer may serve on two successive boards convened to consider officers of the same grade for promotion (14 USC 252).

14.A.10.c. Board Convening Notice

Before convening the selection board, Commander (CGPC) gives the Service at large notice of the convening date, the promotion zone considered, officers eligible for consideration, and the number of officers the board may recommend for promotion (14 USC 253(a)).

14.A.10.d. Selection Board Member's Oath

Each selection board member shall swear he or she will perform the duties imposed on him or her without prejudice or partiality having in view both officers’ special fitness and the efficiency of the Coast Guard (14 USC 254).

14.A.10.e. Information Furnished to Selection Boards

The Coast Guard Personnel Command shall furnish each selection board with this information:

1. The number of officers the board may recommend for promotion to the next higher grade; and

2. The names and records of all officers eligible for consideration for promotion to the grade to which the board will recommend officers for promotion (14 U.S.C. 258).

14.A.10.f. Number of Officers Recommended for Promotion from Below the Zone

1. The number of eligible officers the board may select from below the zone for rear admiral (lower half) is unlimited. For all lower grades, the selection board shall recommend those officers it considers best-qualified from among those eligible under consideration in, above, and below the promotion zone in the limited numbers prescribed below.

2. The number of officers the selection board may recommend for promotion to the grade of captain or below from among eligible officers junior in rank to the junior officer in the appropriate promotion zone may not exceed:

   a. Five percent of the total number of officers the board is authorized to recommend for promotion to the grade of lieutenant or lieutenant commander.

   b. Seven and one half percent of the total number of officers the board is authorized to recommend for promotion to commander, and

   c. Ten percent of the total number of officers the board is authorized to recommend for promotion to captain.

3. However, if such percentage is a number less than one, the board may recommend one officer for promotion (14 U.S.C. 259).

14.A.10.g. Submitting Selection Board Reports

1. The selection board submits a report, as outlined in ☛ Article 14.A.6.c., to the Secretary. If the board has acted contrary to law or regulation, the Secretary may return the report for revision and resubmission. After final review, the Secretary submits the board report to the President for approval, modification, or disapproval.

2. If any officer recommended for promotion is not acceptable to the President, he or she may remove that officer from the board's report.

3. When the President approves the report, Commander, (CGPC) promptly disseminates the names of officers the board selected for promotion to the Service at large.

4. Except as this Article requires, no one shall disclose selection board proceedings to any person not a member of the board (14 U.S.C. 261).

14.A.11. Selection Boards for Promotion from Ensign to Lieutenant (Junior Grade)

14.A.11.a. Convening a Board

Approximately three months before the date an ensign completes 18 months of active service, computed from his or her date of rank as an ensign on the Active Duty Promotion List (ADPL), Commander, (CGPC) shall convene a selection board to consider him or her for promotion to the grade of lieutenant (junior grade).

14.A.11.b. Board Composition

The selection board shall consist of at least five officers on the ADPL serving as lieutenants or above. If practical, boards considering Reserve ensigns on extended active duty shall include at least one Reserve officer.

14.A.11.c. Board Members' Oath

Selection board member shall comply with ☛ Article 14.A.10.d.

14.A.11.d. Selection Method

A board considering ensigns for promotion shall recommend those officers it considers fully-qualified for promotion to lieutenant (junior grade); ☛ Article 14.A.5.

14.A.11.e. Submitting Reports

The board shall submit a report as outlined in ☛ Article 14.A.5.d. to the Commandant, through Commander, (CGPC) for approval, modification, or disapproval. If the board has acted contrary to law or regulation, Commander, (CGPC) shall return the report for revision and resubmission.

14.A.11.f. Consideration by Second Board

A second selection board will consider ensigns placed out of line for promotion whom the first board previously judged to be performing satisfactorily in that grade. If the second board selects the ensign, he or she shall be promoted under ☛ Article 5.A.5. ☛ Article 14.A.11.b. specifies the second board's members; no one who served on the first board may serve on the second. The board considers the officer's entire record, emphasizing particularly the period when the officer was out of the line of promotion. The board should compare performance evaluation reports for that period with previous reports to determine whether the officer's performance has improved to the extent he or she now warrants selection on a fully-qualified basis.

14.A.11.g. Finding of Unsatisfactory in Grade

Commander, (CGPC) may institute proceedings under 10 USC 12681, 14 U.S.C. 214(c), or 14 U.S.C. 281, as applicable, to revoke the commissions or vacate the temporary appointments of ensigns in their first three years of commissioned service who fail selection for promotion to lieutenant (junior grade) and whom the selection board determines are performing unsatisfactorily in grade, irrespective of ☛ Article 12.A.9. provisions.

14.A.12. Selection Boards for Promoting RPAs

14.A.12.a. Convening a Board

At least annually or when Service needs require, Commander, (CGPC) shall convene selection boards to recommend for promotion to the next higher grade Reserve Program Administrators (RPAs) in each grade from lieutenant (junior grade) through commander. A board may consider officers in more than one grade.

14.A.12.b. Board Composition

A board convened to consider RPAs for promotion to the next higher grade shall consist of five or more officers serving in or above the highest grade to which the board may recommend officers for promotion. Three members shall be RPAs. If enough are not available to satisfy this requirement, Commander, (CGPC-opm) may reduce the number of RPA members, but the board must have at least one RPA. If no Reserve officer serving on active duty is senior to all officers under consideration, Commander, (CGPC-opm) may recall to active duty a retired Reserve officer or one serving on inactive duty senior to all officers the board will consider to serve on the board.

14.A.12.c. Notice of Convening

Commander, (CGPC) shall give notice of convening a selection board in the same manner as described in ☛ Article 14.A.10.c.

14.A.12.d. Members' Oath

Selection board members shall comply with ☛ Article 14.A.10.d.

14.A.12.e. Information Furnished to Boards

Commander, (CGPC) shall furnish the appropriate selection boards with this information:

1. The number of officers the board may recommend for promotion to the next higher grade; and

2. The names and records of all officers eligible for the board to consider.

14.A.12.f. Selection Criteria

1. The board uses best-qualified criteria to consider RPAs for promotion to lieutenant and above. However, if the number of officers eligible for selection equals the number to be selected as determined in ☛ Article 5.A.6., the board uses fully-qualified criteria.

2. Under fully-qualified criteria, a board recommends for promotion only those RPAs who have demonstrated:

   a. A high degree of personal character and moral integrity and consistently both a well-mannered demeanor and a good military bearing,

   b. Sound competence in the Reserve Administration Program,

   c. Motivation to participate in the Coast Guard Reserve and its programs,

   d. Desire for continued growth and development as an RPA. The board may consider such factors as achievements as a Reserve officer, educational accomplishments, and demonstrated competence in a responsible position within the Reserve program, and

   e. Potential for the additional growth and professional development needed to qualify him or her for assignments to duties and responsibilities in the next higher grade.

14.A.12.g. Reports

1. Each board convened to select RPAs for promotion shall submit a written report signed by its members listing the officers recommended for promotion. If the board selects on a fully-qualified basis, its report shall contain detailed reasons for not recommending an officer for promotion.

2. The board shall certify that in the opinion of at least three members, if it has five, or two-thirds of the members, if the board has six or more, the RPAs recommended are fully qualified or the best-qualified for promotion, as applicable, of those Commander, (CGPC) furnished the board.

14.A.12.h. Submitting Reports

1. Each board shall submit its report to the Commandant, through Commander, (CGPC), for approval, modification, or disapproval. If the board has acted contrary to law or regulation, the Commandant or Commander, (CGPC) shall return the report for appropriate revision and resubmission.

2. When the Commandant approves the report, Commander, (CGPC) promptly disseminates the names of the officers selected to the Service at large.

3. Except as this Article requires, no one shall disclose selection board proceedings to any person not a member of the board.

14.A.13. Promotion Boards for the Coast Guard Academy's Permanent Commissioned Teaching Staff

14.A.13.a. Convening a Board

When one or more Permanent Commissioned Teaching Staff (PCTS) members are eligible for consideration, Commander, (CGPC) convenes a selection board to consider them for promotion to the next higher grade. If Commander, (CGPC) deems it appropriate, he or she may convene a separate board for each grade; otherwise, a single board acts for all grades.

14.A.13.b. Composition of Boards

The board convened to select PCTS members for promotion to the next higher grade shall consist of five regular Coast Guard officers serving in or above the highest grade to which the board may recommend PCTS members. No officer who served on a board that failed to recommend an eligible PCTS officer for promotion may serve on a later board that considers the same officer for promotion to the same

grade. PCTS members normally constitute at least one-third of the board membership. At least one board member must be from the ADPL.

14.A.13.c. Board Members' Oath

All selection board members shall swear they will, in view both the special fitness of PCTS members and the efficiency of the Coast Guard Academy in accomplishing its mission, perform the duties imposed on them without prejudice or partiality; and further, under ☛ Article 14.A.13.e. and f. standards, to the best of their ability recommend officers for promotion.

14.A.13.d. Standards for Recommendation

Each selection board shall recommend for promotion those eligible PCTS members whom it considers fully qualified for promotion under these standards:

1. The members must combine sound competence in the subject matter of their past and present Academy teaching assignments with a genuine skill in the art of teaching as evidenced by their officer evaluation reports or other performance records.
2. The members must be highly motivated toward the Coast Guard and the Academy and must substantially contribute to cadet life and development in nonacademic and academic areas.
3. The members must be persons of high personal character and moral integrity who consistently present both a well-mannered demeanor and a good military bearing.
4. The members shall have demonstrated both a desire and aptitude for continuing growth and development as educators by positive achievements in their fields. The list of factors the Board may consider includes, but is not limited to, the following:
   a. Attaining advanced degrees.
   b. Publishing writings.
   c. Participating in related professional organizations.
   d. Demonstrating outstanding teaching effectiveness.
   e. Demonstrating progress toward attaining terminal degrees in their disciplines (for promotion up to and including the grade of O-5).
5. The members must normally have attained a terminal degree in their disciplines for promotion to the grade of O-6.
6. The members must strive continually to maintain professional knowledge of the administrative or operational Coast Guard. The Board may consider factors such as involvement in summer training programs, brief tours away from the Academy

which permit both familiarity with the operational or administrative environment to apply their professional knowledge in operational contexts, and serving as consultants on Coast Guard projects.

7. The members must clearly demonstrate the potential for the growth and professional development needed to qualify them for assignment as Head of the Academic Department at the Academy.

14.A.13.e. Submitting Board Reports

1. The selection board shall submit a report as outlined in ☛ Article 14.A.5.d. to the Commandant, through Commander, (CGPC) for approval, modification, or disapproval. If the board has acted contrary to law or regulation, Commander, (CGPC) shall return the report for reconsideration, revisions, and resubmission.

2. After the Commandant has approved the report, Commander, (CGPC) promptly notifies the officers concerned of the board's action.

3. Except as this Article requires, no one shall disclose selection board proceedings to any person not a member of the board.

14.A.13.f. Consideration by Second Board

A second board convened as described in ☛ Article 14.A.13.a. shall consider a PCTS member who is out of the line of promotion. No officer who was a member of the first board may serve on the second board to consider the same officer.

14.A.14. Selection Boards for Promoting Retired Officers Recalled to Active Duty

14.A.14.a. Convening Boards

When one or more retired officers recalled to active duty are eligible for promotion under ☛ Article 5.A.8., Commander, (CGPC) convenes a selection board to consider promoting them to the next higher grade. If Commander, (CGPC) deems this appropriate, he or she may convene separate boards for each grade; otherwise, a single board acts for all grades.

14.A.14.b. Composition of Boards

The board consists of five active duty Coast Guard officers serving in or above the highest grade to which the board may recommend retired officers recalled to active duty for promotion. An officer who has served on a board that failed to recommend

an eligible recalled retired officer for promotion may not serve on a later board that considers that same recalled retired officer for the same grade.

14.A.14.c. Board Members' Oath

Each selection board member swears he or she will keep in mind both recalled retired officers' special fitness and Coast Guard efficiency and perform the duties imposed on him or her without prejudice or partiality.

14.A.14.d. Selection

Each selection board shall recommend for promotion those eligible recalled retired officers whom it considers fully-qualified for promotion.

14.A.14.e. Submitting Board Reports

1. Each board submits a report as described in ☛ Article 14.A.5.d. to the Commandant, through Commander, (CGPC), for approval, modification, or disapproval. If the board has acted contrary to law or regulation, he or she or Commander, (CGPC) returns the report for revision and resubmission.

2. After the Commandant approves the report, Commander, (CGPC) promptly notifies the officers concerned of the board's action.

3. Except as this Article requires, no one shall disclose selection board proceedings to any person not a member of the board.

14.A.14.f. Consideration by Second Board

A second board convened under ☛ Article 14.A.14.a. and b. considers a recalled retired officer out of line of promotion. No officer who served on the first board can serve on the second board to consider the same officer.

14.A.15. Selection Boards for Officers Recalled from the Temporary Disability Retired List

14.A.15.a. Commissioned Officers

Commissioned officers recalled to active duty from the Temporary Disability Retired List (TDRL) will be placed back on the ADPL and considered for promotion under the usual procedures for officers of their status, except as otherwise defined in ☛ Article 1.A.12.b.

14.A.15.b. Chief Warrant Officers

Chief warrant officers recalled to active duty from the TDRL will be considered for promotion under the usual procedures for officers of that status, except as otherwise defined in ☛ Article 1.A.12.b.

14.A.16. Selection Board for Promoting the Coast Guard Band Director

14.A.16.a. Convening a Board

When the band director is eligible for selection for promotion, Commander, (CGPC) convenes a selection board to consider promoting this officer.

14.A.16.b. Composition of Board

A board convened to consider the band director for promotion to the next higher grade shall consist of five Regular Coast Guard officers serving in or above the grade to which the board may recommend the director for promotion. No officer who served on a board which failed to recommend the band director for promotion may serve on a later board which again considers the same band director. If reasonably available, a Coast Guard Academy Permanent Commissioned Teaching Staff member shall serve as a board member.

14.A.16.c. Members' Oath

Each board member shall swear to the best of his or her ability to keep in view both the band director's special fitness and the efficiency of the Coast Guard Band; perform the duties imposed without prejudice or partiality; and, further, recommend selection for promotion under the standards prescribed in ☛ Article 14.A.16.d.

14.A.16.d. Performance Standards

The selection board shall recommend promoting the band director if it believes he or she is fully qualified for promotion by meeting these standards:

1. A versatile musician.

2. Highly motivated toward the Coast Guard and demonstrates outstanding efforts to enlist highly qualified musicians for assignment to the Coast Guard Band.

3. Instills and maintains a high spirit of professionalism within the band.

4. Demonstrates outstanding leadership qualities and maintains harmonious relationships within the band, the band members' superiors, and the general public.

5. Develops and maintains the Coast Guard Band at peak performance at all times.

6. Although the Coast Guard Band is his or her prime responsibility, demonstrates efficiency in performing assigned collateral duties.

14.A.16.e. Submitting Board Reports

1. The board submits its report as described in ☛ Article 14.A.5.d. to the Commandant, through Commander, (CGPC), for approval, modification, or disapproval.

2. After the Commandant approves the report, Commander, (CGPC) promptly notifies the officer concerned of the board's action.

3. Except as this Article requires, no one shall disclose selection board proceedings to any person not a member of the board.

14.A.17. Boards to Designate Reserve Officers as Reserve Program Administrators

14.A.17.a. Convening a Board

As the Service needs require, Commander, (CGPC) convenes a board to consider Reserve officers for designation as Reserve Program Administrators (RPAs) and provisional RPAs for designation as permanent RPAs.

14.A.17.b. Board Composition

The board shall consist of five officers, ADPL and RPA, serving in or above the grade to which the board may recommend RPA applicants.

14.A.17.c. Board Members' Oath

Each board member shall swear to keep in view both RPAs' special fitness and the Coast Guard's efficiency and to perform the duties imposed without prejudice or partiality.

14.A.17.d. Information Furnished to Boards

Commander (CGPC) shall furnish the board with this information:

1. The number of Reserve officers the board may recommend for designation as provisional RPAs.

2. The names of provisional RPAs eligible for consideration as permanent RPAs.

3. The names and records of all officers eligible for board consideration.

14.A.17.e. Selection Method

The board shall carefully consider applicants' performance of duty, educational background, administrative ability, and personal characteristics and select only those whom it considers fully qualified and will be successful in this occupation. If more fully qualified applicants for designation are available than vacancies, Commander (CGPC) shall instruct the board to select on a best-qualified basis.

14.A.17.f. Submitting Board Reports

Each board shall submit a report as outlined in ☛ Article 14.A.6.c. to the Commandant through Commander (CGPC) for approval. If the board has acted contrary to law or regulation, the Commandant or Commander (CGPC) shall return the report for revision and resubmission. Commander (CGPC) notifies applicants as soon as possible after the Commandant has approved the board recommendation.

14.A.17.g. Designation

All selected applicants are initially designated as provisional RPAs. After they complete their two-year extended active duty requirement, their designation is removed if a board does not select them as permanent RPAs; ☛ Article 1.B.3.i.

14.A.18. Selection Boards for Promoting Chief Warrant Officers

14.A.18.a. Convening Selection Boards (10 USC 573)

When Service needs require, the Secretary convenes a selection board to recommend eligible active duty warrant officers for promotion.

14.A.18.b. Board Membership (10 USC 573)

The board consists of at least five ADPL officers serving in a permanent grade above lieutenant commander. Commander (CGPC-opm) may assign warrant officers senior in grade to those under consideration as additional selection board members.

14.A.18.c. Board Members' Oath (10 USC 573(f))

Board members shall comply with ☛ Article 5.B.3.f.

14.A.18.d. Information Furnished to Boards (10 USC 576)

Commander (CGPC) furnishes information as indicated in ☛ Article 5.B.3.g.

14.A.18.e. Selection Method

The board shall comply with ☛ Articles 5.B.3.j. **and 14.A.7**.guidelines.

14.A.18.f. Submitting Report

The board submits a report as ☛ Articles 5.B.3.j. **and 14.A.7.** describe, with the name of any chief warrant officer it finds unfit or serving unsatisfactorily in his or her present grade, **or found not fully-qualified to serve in the next higher grade, as well as a description of the reasons for each of these findings**, for the Commandant's approval or disapproval. If the board has acted contrary to law or regulation, the Commander (CGPC) returns the report for revision and resubmission.

14.A.19. Selection Boards to Continue Active Duty Promotion List Captains on Active Duty

14.A.19.a. Convening a Board

At most annually, or less often as Service needs require, the Secretary may convene a board to recommend continuation for active duty ADPL captains who will complete at least three years' service in that grade during the promotion year in which the board meets and whom a board has not selected for promotion to rear admiral (lower half). The board shall not consider officers subject to a 30-year mandatory retirement under 14 USC 288 during the promotion year in which the board meets (14 USC 289).

14.A.19.b. Board Composition

The continuation board consists of at least six officers in the permanent grade of rear admiral (lower half) or rear admiral (14 USC 289).

14.A.19.c. Convening Notice

Before the continuation board convenes, Commander, (CGPC) notifies the Service at large of the convening date, the continuation zone the board will consider, officers eligible for consideration, and the number of officers the board may recommend for continuation (14 U.S.C. 289(d) and 14 U.S.C. 253).

14.A.19.d. Continuation Zone

Before convening a continuation board under ☛ Article 14.A.19.a., the Secretary establishes a continuation zone of ADPL captains eligible for consideration for continuation on active duty who previously were not placed in a continuation zone convened under 14 U.S.C. 289.

14.A.19.e. Communicating with the Continuation Board

Officers in the continuation zone may communicate to the President of the continuation board. ☛ Article 5.A.4.e. provisions apply. (14 U.S.C.289(d) and 14 U.S.C.253)

14.A.19.f. Continuation Board Members' Oath

Continuation board members shall comply with ☛ Article 14.A.10.d.
(14 U.S.C. 289(d) and 14 U.S.C. 254)

14.A.19.g. Information Furnished to Continuation Boards

Commander, (CGPC) shall furnish the continuation board with this information:

1. The names and records of all officers eligible for consideration in the established continuation zone (14 U.S.C. 289(d) and (14 U.S.C. 258).

2. The number of officers the board may recommend for continuation on active duty (14 U.S.C. 289(c)). This number shall be no fewer than 50 percent of the number considered.

14.A.19.h. Selecting the Number of Officers Recommended for Continuation

1. The board shall select the number the Secretary directs from the designated continuation zone those officers who in its opinion are best-qualified to continue on active duty (14 U.S.C. 289(c)).

2. When deliberating the board shall adhere to both the general criteria this Article establishes for all personnel boards and the following specific procedures (14 U.S.C. 289(e)).

   a. The board shall divide itself into two equally-sized, or as nearly so as possible, panels with each member on one.

   b. Each panel independently considers the records of each officer in the continuation zone, recommends the number of officers the Secretary has directed for continuation, and lists those recommended for continuation.

   c. The two panels then meet jointly to compare their recommendations. If both panels recommend an officer for continuation, the board recommends the officer or if neither recommends an officer, the board does not recommend the officer.

   d. The board then jointly considers those officers one panel but not the other recommends. A panel may recommend to continue an officer only if at least a majority of the panel members recommends him or her. The board recommends an officer for continuation only if at least two-thirds of the board members recommend him or her.

14.A.19.i. Submitting Continuation Board Reports

1. The continuation board shall submit a report, described in ☛ Article 14.A.6.c., to the Secretary. If the board has acted contrary to law or regulation, the Secretary returns the report for proceedings in revision and resubmission. After final review the Secretary submits the board report for the President's approval.

2. On Presidential approval, Commander, (CGPC) promptly disseminates the names of the officers the board selected for continuation on active duty to the Service at large.

3. Except as this Article requires, no one shall disclose board proceedings to any person not a member of the board. (14 U.S.C. 289).

14.A.20. Selection Board to Continue RPA Captains on Active Duty

14.A.20.a. Convening a Board

Commander, (CGPC) may convene a board annually or less often to recommend for continuation on active duty those RPA captains who will complete at least three years of service in that grade during the promotion year in which the board meets and who previously were not considered for continuation. A board normally convenes if:

1. Commander (CGPC) does not expect a sufficient number of vacancies at captain to permit promoting those RPAs on the selection list for that grade as of the dates their running mates are promoted as described in ☞ Article 5.A.6.a., or

2. The needs of the Service otherwise require it.

14.A.20.b. Board Composition

A board convened to consider RPA captains for continuation on active duty consists of five or more officers who serve as captain or above who previously have been continued. Three members shall be RPAs, but if a sufficient number of RPAs is not available to satisfy this requirement, Commander (CGPC) may reduce the number of RPA members to at least one. If no Reserve officer serving on active duty is senior to all officers considered for continuation, Commander (CGPC-opm) recalls a retired or inactive duty Reserve officer senior to all officers the board will consider to active duty to serve on the board.

14.A.20.c. Convening Notice

Before the continuation board convenes, Commander (CGPC) notifies the Service at large of the convening date, the composition of the continuation zone, and the number of officers the board may recommend for continuation.

14.A.20.d. Continuation Zone

Before convening a continuation board, Commander (CGPC) establishes a continuation zone of RPA captains who will have completed at least three years' service in that grade during the promotion year in which the board meets. The zone consists of the most senior RPA captains on active duty eligible but not previously considered for continuation.

14.A.20.e. Communicating with the Continuation Board

Officers in the continuation zone may communicate to the President of the continuation board. ☞ Article 5.A.4.e. applies.

14.A.20.f. Continuation Board Members' Oath

Continuation board members shall comply with ☞ Article 14.A.10.d.

14.A.20.g. Information Furnished to Continuation Boards

Commander (CGPC) furnishes this information to the continuation board:

1. The names and records of all officers eligible for consideration in the established zone.

2. The number of officers the board may recommend for continuation on active duty. This number shall be fewer than 100 percent, but not fewer than 50 percent of the number considered.

14.A.20.h. Selection

The board shall select from the designated continuation zone those officers who in its opinion are best-qualified to continue on active duty.

14.A.20.i. Submitting Continuation Boards' Reports

1. The continuation board submits a report as outlined in ☛ Article 14.A.6.c. to the Commandant, through Commander, (CGPC). If the board has acted contrary to law or regulation, the Commandant returns the report for revision and resubmission.

2. On the Commandant's approval, Commander, (CGPC) promptly disseminates the names of the officers the board selected for continuation on active duty to the Service at large.

3. Except as this Article requires, no one shall disclose board proceedings to any person not a member of the board.

14.A.21. Appointment of Officers to the Permanent Commissioned Teaching Staff of the Coast Guard Academy

14.A.21.a. Convening a Panel (14 U.S.C. 188)

As Service needs require, panels will be convened to consider Regular and Reserve Officers for appointment as members of the Coast Guard Academy's Permanent Commissioned Teaching Staff (PCTS). CGPC solicits applications through a solicitation message. All applications received will be processed by CGPC to ensure each applicant has submitted all the required information. No waiver determinations will be made by CGPC or the Academy.

14.A.21.b. Selection Method

Selection for appointment to the PCTS is a two-step process.

1. **Phase I. Initially, applicants will be considered by a panel of officers convened by Commander, CGPC. The panel will consist of three to five members: an officer from CGPC-opm; an officer from the Service at large; an Academy PCTS officer; and a department head from each of the Permanent Commissioned Teaching Staff Departments who have PCTS positions open. The decisions of the panel will be by majority vote. This panel (Phase I) will evaluate all applicants and will choose the ones they deem best-qualified for the positions open. They will rank those selected in best-qualified order.**

2. **Phase I Criteria. CGPC shall prepare the panel precept, which will include, but may not be limited to, the following criteria: performance as an officer, leadership ability, knowledge in the discipline, teaching/presentation skills, potential for further growth as an educator, scholar, administrator and role model, and ability to contribute to cadet life outside the classroom.**

3. **Phase II. The Dean of Academics, or the Assistant Dean, working with the respective Department Head and Section Chief will form Phase II. If there are two PCTS positions being considered in different academic departments, than separate Phase II panels will be convened for each. Phase II may interview those listed on the Phase I Panel report, and may require teaching presentations and/or a demonstration of subject matter expertise. They will make a final recommendation to the Superintendent as to the preferred candidate/s, as well as a prioritized list of alternates (if recommended). If their list/s is/are in a different order than Panel I, they shall include a brief description as to their recommendations.**

4. **Board Report. The Superintendent shall review the report of Phase II and endorse it with a recommendation as to the preferred candidate/s for PCTS, as well as a prioritized list of alternates to the Commandant via Commander, CGPC. The Commandant is the final approving official on the selection/s.**

14.A.21.c. Panel Convening Notice

A solicitation message released by Commander, CGPC will announce the convening of a panel to fill authorized PCTS vacancies.

14.A.21.d. Panel Members' Oath

Panel members shall swear or affirm that they will, without prejudice or partiality, and having in view both the special fitness of officers and the efficiency of the Coast Guard Academy, perform the duties imposed upon them.

14.A.21.e. Information Furnished to the Panels

1. **The Phase I panel will be furnished with the applications and records of all the officers responding to the solicitation message.**

2. **The Phase II panel will be furnished with the Phase I report, as well as the applications of all the officers found fully-qualified by the Phase I panel.**

14.A.21.f. Selection Criteria

The PCTS of the Coast Guard Academy exists to support the mission of providing teaching expertise and leadership in the academic division. Members of the PCTS should be models of academic, leadership and

professional excellence. The military component of the PCTS complements the civilian and rotating military components of the faculty. Applicants must:

1. **Be regular or reserve officers on active duty in the Coast Guard;**
2. **Possess at least a masters degree in the discipline or other closely allied discipline associated with the PCTS vacancy. A doctorate is desired;**
3. **Be in grades O-2 through O-4;**
4. **Possess the teaching and presentation skills necessary for success in the classroom as well as in other professional venues. Selectees should have at least two years of teaching experience, but a lack of such experience is not disqualifying;**
5. **Have the potential for growth as a leader, educator, scholar, administrator, and role model. They must have the potential to become competitive for the position of academic department head; and**
6. **Have the desire and ability to contribute to cadet life and development in non-academic areas and associated community activities.**

14.A.21.g. Reports

1. **Prior to convening Phase II, the Phase I panel shall submit the Phase I report as outlined in ☛ Article 14.A. and Article 14.A.21. (as applicable) to Commander, CGPC. The panel shall certify that in the opinion of at least a majority of the members, the officers recommended are the best-qualified for appointment of those officers whose names were furnished to the panel, and that the candidates are rank ordered on that best-qualified basis.**
2. **Commander, CGPC will forward the Phase I report to the Phase II panel. The Phase II panel will submit its report as outlined in ☛ Article 14.A. and 14.A.21. (as applicable) to Superintendent, Coast Guard Academy, via the Dean of Academics, for endorsement. The panel shall certify that in the opinion of at least a majority of the members the officers selected and the alternates listed were rank-ordered for designation on a best-qualified basis.**
3. **The Superintendent, Coast Guard Academy will endorse the Phase II report with his final recommendations for selection to Commandant (G-C) via Commander, CGPC.**
4. **When the Commandant approves the report, Commander, CGPC shall promptly disseminate the name(s) of the officer(s) selected for designation to the PCTS to the Service at large.**
5. **Except as this Article requires, no one shall disclose panel proceedings to any person not a member of the subject panel.**

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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.

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16.A. Soldiers' and Sailors' Civil Relief Act

16.A.1. Purpose

The Soldiers' and Sailors' Civil Relief Act of 1940, as amended, authorizes civil courts to protect U.S. Armed Forces members' interests by temporarily suspending the enforcement of certain of their civil liabilities if their military service impairs their ability to meet their obligations or assert their rights. The paragraphs below outline the Soldiers' and Sailors' Civil Relief Act's major provisions and more important protections. The articles in parentheses cite where in the Act the material under discussion appears. (Members desiring further information or advice should see the Legal Assistance Officer.)

16.A.2. General Provisions (Article I)

16.A.2.a. Civil Rights and Obligations

It is important to emphasize the fact that subject Act implies to civil rights and obligations only and in no way relieves persons in the Service from the eventual payment of debts or other obligations incurred by them before entering such Service. The subject Act will, when invoked in appropriate cases, defer the payment of such debts and obligations. It will defer the collection of taxes in certain cases regardless of when the same became due and payable. It is further important to observe that, with the exception mentioned as to taxes, subject Act affords no relief to persons in the Service against the collection of debts or other obligations contracted or assumed by them after entering such Service.

16.A.2.b. Impact of Service on Debt

The courts are vested with a wide latitude of discretion under the Act. In determining whether or not persons in the Service are entitled to the relief sought, the courts will in each case inquire into and ascertain whether or not the ability of such persons to pay their debts or obligations has been materially impaired by reason of their service. The court will then determine the proper relief to be given.

16.A.2.c. Proper Application

Many of the benefits of the subject Act do not flow automatically to persons in the Service, but will be extended to them only if a proper application for said relief is made to a court having jurisdiction in the matter.

16.A.2.d. Definition of “Service”

For the purpose of this section, the term "persons in the Service" includes the following persons and no others: All members of the United States Coast Guard, Coast Guard Reserve, and all officers of the Public Health Service detailed by proper authority for duty with the Coast Guard. The term "service" means Federal service on active duty with any branch of the Service heretofore mentioned as well as training and education under the supervision of the United States preliminary to induction into the Service. The term "active service" includes the period during which a person in service is absent from duty on account of sickness, wounds, leave, or other lawful cause.

16.A.2.e. Length of Service

The term "period of service" as used herein shall include the time between the following dates: For persons in active service from 17 October 1940, the date of the approval of the Act, it begins with that date; for persons entering active service after that date, with the date of entering active duty. It shall terminate with the date of discharge from active service, but in no case later than the date when the Act ceases to be in force.

16.A.2.f. Definition of “Person”

The term "person," when used with reference to the holder of any right alleged to exist against a person in the Service or against a person secondarily liable under such right, shall include individuals, partnerships, corporations, and any other form of business association.

16.A.2.g. Definition of “Court”

The term "court" includes any court of competent jurisdiction of the United States or of any State, whether or not a court of record.

16.A.2.h. Applicability to Others

Whenever pursuant to the Act the enforcement of any obligation or the performance of any other Act may be stayed, postponed, or suspended as to a person in the Service, the court in its discretion may also stay, postpone, or suspend said action insofar as it applies to the accommodation makers, sureties, guarantors, and endorsers thereon.

16.A.2.i. When Service Prevents a Member's Court Appearance

Whenever by reason of the service of a principal upon a criminal bail bond the surety is prevented from enforcing the attendance of said principal, the court may discharge such surety and exonerate the bail. A waiver of the rights afforded to persons who are secondarily liable in such cases is permitted under subject Act provided it is executed in writing by a separate instrument from the obligation itself, and provided that the person so executing it has not entered the Service subsequent to the execution thereof.

16.A.3. How the Act Affects Military Members

16.A.3.a. Temporary Suspension of Some Civil Obligations

The primary purpose of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, is to relieve military service members from worry over their inability to meet their civil obligations by temporarily suspending enforcement of certain civil liabilities if such military service impairs their ability to meet such obligations. The Act does not free a Service member from obligations or impose any automatic moratorium on them. It does, however, contain provisions designed to afford protection to those in service with regard to debts, leases, evictions, interest rates, income taxes, personal property taxes, real estate taxes, installment purchases, conditional sales, repossessions, foreclosures, mortgages, storage charges, life insurance, suits, judgments, attachments, executions, garnishments, penalties, statutes of limitation, homesteads, and mining claims. Protection is also provided under certain circumstances and in certain cases for dependents, sureties, endorsers, and persons jointly obligated with service members, and persons under orders to report for induction. The interpretation and application of the provisions of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, in particular cases involve the determination of issues of fact and the exercise of judicial discretion, and are functions of the civil courts. It should be noted that the construction which the courts of the several States have place on certain provisions of the Act is not uniform. In some States it seems to be the policy of the courts to stay an action whenever the defendant is in military service unless he or she files an appearance or a waiver of the benefits of the act, whereas in other States a stay is not ordinarily granted in the absence of a showing that the ability of the Service member or defendant to conduct his or her defense is materially affected by his or her military service. It would be difficult to list those States whose courts do or do not give a liberal construction to the provisions of the Act since in determining whether a service member is entitled to relief each case stands upon its factual circumstances and its own merits.

16.A.3.b. Service Member's Right to an Attorney

Where an action is commenced in any court, if it is brought to the attention of the court that a default in the appearance of the defendant is a result of his or her being a member of the Service the court shall not enter a judgment against such person until it shall have first appointed an attorney to represent the member. No attorney so appointed has the power to waive any right of the person for whom appointed or bind him or her by his or her acts. The court may in such cases require bond of the plaintiff to protect the absent defendant in case the judgment should be later set aside, or may make such further order to enter judgment as in its opinion may be necessary to protect the rights of the defendant. If the court does render judgment against an absent defendant in the Service and it appears that such person was prejudiced thereby, the judgment may, upon a proper application made not later than 90 days after the termination of service, be opened by the court ordering the same and the defendant permitted to defend, provided it appears that the defendant has a meritorious or legal defense.

16.A.3.c. Staying a Civil Action Due to Member's Service

At any stage of any action or proceeding in which a person in the Service (or a person separated from such Service for a period of not longer than 60 days) is either a plaintiff or a defendant the court may on its own motion, or shall on application to it by such person or someone in his or her behalf, stay said proceedings as provided in subject Act unless in the opinion of the court the ability of the plaintiff to prosecute the action or the defendant to conduct his or her defense is not materially affected by reason of his or her service. Where, upon bringing of any action which has for its purpose the enforcement of the terms of any contract, such action is stayed pursuant to the provisions of subject Act, no fine or penalty shall accrue by reason of such stay.

16.A.3.d. Staying a Judgement Against a Service Member

The subject Act provides that in any action commenced in any court against a person in the Service, the court may stay in the execution of any judgment or order entered against such persons; or may vacate or stay any attachment or garnishment of property, or money, or debts against such person in the hands of another whether it be before or after judgment. A stay of proceedings when ordered by the court under the provisions of subject Act may be for the period of service and for three months thereafter (or for any part of such period) and subject to such terms as may be just, whether it be as to payments in installments of such amounts and at such times as the court may fix or otherwise.

16.A.3.e. Service Time not Computed in Statute of Limitations

The period of service will not be counted in computing the time limited by any law for the bringing of any action or proceeding by or against a person in the Service nor shall time be counted against a person in the Service in computing the time in which real property which has been sold or forfeited for any obligation, tax, or assessment may be redeemed.

16.A.3.F. Interest Limited to Six Percent

No obligation or liability which bears interest at a rate in excess of six percent and which was incurred by a person in the Service prior to entry, shall, during his or her period of such service which occurs after 6 October 1942, bear interest at a rate greater than 6 percent unless a court upon application made thereto by the obligee, determines that the ability of the person in service to pay a rate greater than 6 percent is not materially affected by reason of his or her said service. The term "interest" shall be construed in such event to include service charges, renewal charges or fees, or any other charges (except bona fide insurance) in respect to such obligations or liabilities.

16.A.4. Rent, Installment Contracts, Mortgages, Liens, Assignments, and Leases (Article III)

16.A.4.a. Dependents' Eviction Protection

The dependents of a person in the Service cannot be evicted during the term of service from premises occupied by them chiefly for dwelling purposes where the agreed rent is not more than $150 a month, except by leave of court granted upon application or in legal proceedings affecting the right of possession. The court shall in such cases, upon application, stay said proceedings for not more than three months as provided in the Act unless it appears that the ability of the person to pay the agreed rent is not materially affected by reason of his/her service, or it may make such other order as may be just. The Secretary is empowered to order an allotment of the pay of a person in the Service in a reasonable proportion to discharge rent on premises occupied by the dependents of such person.

16.A.4.b. Real Estate Payments While in the Service

No person who has received a deposit or installment under a contract for the purchase of real or personal property from a person who, after the date of payment of said installment, has entered the Service, shall exercise any right or option under such contract to terminate the contract or resume possession of the property for nonpayment of any installment or for any other breach of said contract during the period of such person's service, unless it be done by an action for that purpose in a competent jurisdiction. The court may order a repayment of prior installments or

deposits as a condition of terminating the contract or resuming possession of the property, and shall on an application to it by such person in the Service, or by someone on his or her behalf, order a stay of the proceedings as provided in subject Act, if in the opinion of the court the ability of the defendant to comply with the terms of the contract is materially affected by reason of his or her service; or the court may make such other disposition of the case as will, in its judgment, conserve the interests of all parties.

16.A.4.c. Protections for Mortgage-Holders

The provisions of this paragraph apply only to obligations secured by mortgage, trust deed, or other security in the nature of a mortgage upon real or personal property owned by the person in the Service at the commencement of his or her period of service and still owned by the person, which obligations originated prior to such person's period of service. In any proceeding commenced in any court during the period of service to enforce such obligation arising out of nonpayment of any sum due or out of any other breach of the terms thereof occurring prior to or during the period of such service the court may, after hearing, in its discretion, on its own motion, and shall, on application to it by such person in service or some person on his/her behalf, unless in the court’s opinion the ability of the defendant to comply with the terms of the obligation is not materially affected by reason of his or her service: (1) Stay the proceedings as provided in subject Act; or (2) make such other disposition of the case as may be equitable to conserve the interest of all parties. No sale, foreclosure, or seizure shall be made of the property of a person in the Service for said person's nonpayment of any obligation thereon, whether it be under a power of sale, judgment, or otherwise after 6 October 1942 and during the period of service or within three months thereafter, unless such sale is an agreement between the parties as provided in subject Act or upon an order previously granted by the court. Said sale to be valid must also be approved by the court. When a proceeding to foreclose a mortgage, to resume possession of personal property, or to rescind or terminate a contract for the purchase thereof, has been stayed by the court, the court may, unless it would result in an undue hardship to the dependents of such service member, have the property appraised by three disinterested parties appointed by it, and based upon said appraisal order such sum as may be just paid to the person in the Service, or to the service member's dependents, as a condition of foreclosing the mortgage, resuming possession of the property or rescinding or terminating the contract.

16.A.4.d. Lessors’ Protections

A lease involving a Service member may be terminated by a notice in writing to that effect, delivered to the lessor at any time following the date of the beginning of such person's service, provided: (1) Such lease covers premises occupied for dwelling, professional, business, agricultural, or similar purposes; (2) such lease was executed by such person or designated agent prior to this entry into the Service; (3) the

premises so leased have been occupied for such purposes by such person or by the person and dependents. The delivery of the notice terminating the lease may be accomplished by mailing the same to the lessor or the lessors agent. Where the lease called for monthly payments, the termination shall not become effective until 30 days after the first date on which the next rental payment is due and payable subsequent to the date when such notice is delivered and mailed. The lessor may obtain a modification of the above provisions regarding the termination of a lease where the same is justified in the opinion of the court.

16.A.4.e. Model Lease Clause

The Act does not relieve the service member from the obligations of a lease entered into after entrance into the Service. It is therefore suggested that wide publicity be given to the desirability of including a military clause in every lease of real property. The following language is recommended as accomplishing the desired protection for service personnel. The language is, or course, subject to modification dictated by local conditions.

> The said LESSOR covenants and agrees that in the event the said LESSEE shall be transferred from ____, or be required to occupy Government quarters then, in either of such events, said LESSEE has and shall have the right to terminate this lease before its expiration date by delivering to the LESSOR a thirty (30)-day written notice of such transfer of assignment, and its effective date, said notice to be sent to the LESSOR by registered mail.

16.A.4.f. Foreclosure Protection

Persons in the Service and dependents of persons in service are protected against foreclosure or the enforcement of any lien for storage of household goods, furniture, and personal effects during such person's service for three months thereafter, in the same manner as is hereinabove set forth for the protection of a service member's mortgaged property.

16.A.4.g. Insurance as Collateral

Where any life insurance policy upon the life of a person in the Service has been assigned before he or she entered the Service to secure the payment of any obligation of such person, the assignee of such policy (except the insurer in connection with a policy loan) shall not during the period of such person's service nor within one year thereafter exercise any right of option by virtue of such assignment, unless it be with the consent of the insured in writing made during such period of service or when the premiums thereon are due and unpaid, or upon the death of the insured, or upon leave of court granted on an application made therefor by the assignee.

16.A.5. Insurance (Article IV)

16.A.5.a. Definitions

For the purpose of this paragraph the following definitions shall apply:

1. The term "insured" includes any person (male or female) on active duty with the Armed Forces of the United States except personnel performing an initial period of active duty for training of three to six months under the provisions of section 262 (c) of the Armed Forces Reserve Act of 1952, as amended, who is the insured and the owner and holder of a policy.

2. The term "policy" includes any contract of life insurance on a life or endowment, or term plan, and any benefit in the nature of life insurance arising out of a membership in any fraternal or beneficial association, which was made and a premium paid before 6 October 1942, or not less than 180 days before the date the insured entered into the military service. A policy is not eligible for protection if it contains any provision excluding or restricting liability for death arising from or in connection with military service or any activity which the insured may be called upon to perform in connection with military service or requires the payment of an additional premium because of military service. A policy must be in force on a premium-paying basis at the time of application for benefits under the Act. Policies of United States Government Life Insurance and National Service Life Insurance are not included within the provisions of the Act.

3. The term "premium" includes that amount specified in the policy as a stipend to be paid by the insured at regular intervals during the period therein stated, and membership dues and assessments in an association.

4. The term "insurer" includes any firm, corporation, partnership, or association which is chartered or authorized to engage in the insurance business and to issue a policy by the laws of a State of the United States or the United States.

16.A.5.b. Applicability

The provisions of the Act are not available except upon application made by the insured, by a person designated by the insured, or by the beneficiary if the insured is outside the continental United States, Alaska, and the Panama Canal Zone. Any writing signed by the insured designating a person, firm, or corporation to make application for benefits under the Act shall be sufficient authority for the making of such application for the insured by such agent. When application is made by a person designated by the insured, the instrument or other writing authorizing such action must be attached to the application executed by the agent.

16.A.5.c. Protection Maximum

The provisions of the Act are not applicable to insurance in excess of $10,000 on the life of an insured, and a policy (or policies) for a face amount exceeding that amount will be divided into two policies at the request of the Veterans Administration. If applications are made by an insured on policies exceeding a face amount of $10,000 (one or more polices with one or more insurers), without indicating a preference, the Veterans Administration will select the policy (or policies) which affords the best security to the Government.

16.A.5.d. Failure to Pay Premiums

A policy which has been brought within the provisions of the Act shall not lapse or otherwise terminate for the nonpayment of a premium or the nonpayment of any indebtedness or interest, during the period of military service of the insured and two years thereafter, but this guarantee shall not extend for more than two years after the date when the Act ceases to be in force. Premiums may be paid by the insured direct to the insurer when due even though a policy has been placed under the protection of the Act; also after an indebtedness has been established under authority of the Act payments may be made from time to time to reduce the indebtedness. It is also the insured's privilege to withdraw the policy from protection of the Act at any time during the period of protection by making such a request over the insured's signature either to the insurance company or the Veterans Administration.

16.A.5.e. Obtaining VA Approval

Before any dividend is paid, or any loan or settlement made on a policy while protected by the provisions of the Act, the written consent of the Veterans Administration must be obtained. The United States will guarantee payment of premiums and interest thereon at the rate specified in the policy for policy loans. If the amount guaranteed by the United States is not paid to the insurer prior to the expiration of the period of protection under the Act, the amount due will be treated by the insurer as a policy loan. If the cash surrender value of the policy is less than the amount then due, the policy shall cease and terminate and the United States shall pay the insurer the difference between the amount guaranteed and the cash surrender value. The amount paid by the United States to an insurer shall become a debt to the United States by the insured on whose account payment was made.

16.A.5.f. Paying Death Claims

In the event a policy protected by the provisions of the Act matures as a death claim, the insurer will deduct the amount of any unpaid premiums, with interest at the rate provided for policy loans, from the proceeds of the policy and report the amount so deducted to the Veterans Administration.

16.A.5.g. Act's Provisions Extended

Under the provisions of section 14 of the Selective Service Act of 1948 (Public Law 759, 80th Cong., 62 Stat. 623) the provisions of the Soldiers' and Sailors' Civil Relief Act, as amended, were extended until such time as the Act is repealed or otherwise terminated by a subsequent act of Congress.

16.A.6. Taxes (Article V)

16.A.6.a. Relieving Tax Obligations

Under certain conditions subject Act relieves against any unpaid taxes or assessments, whether general or special (other than taxes on income), whether falling due prior to or during the period of service, respecting personal property, money, or credits, or real property owned and occupied for dwelling, professional, business, or agricultural purposes by a person in the Service or the individuals dependents at the commencement of the member's period of service and still so occupied by his or her dependents or employees. The Act does not prohibit selling such property for delinquent taxes, but provides that a tax collect must first apply to obtain a court's permission to do so. If said property is sold, as aforesaid, the Service member has a right to begin an action to redeem the same within six months after the termination of the members service, but not later than six months after the termination of the war. Said delinquent taxes or assessments during the period of service shall bear interest at six percent per annum and no other penalty shall be added.

16.A.6.b. Deferring Paying Taxes

Collecting income tax from Service members whose service materially impairs their ability to pay such taxes, may, where application is made therefor, be deferred for a period of time extending not more than six months after the termination of such person's service, but not later than six months after termination of the war. The relief afforded by the subject Act applies whether the tax becomes due prior to or during the person's term of service, and where such deferment is granted, no interest or penalty will be charged theron. The above provisions do not provide for deferment in the filing of income tax returns. The collector may also require a financial statement from the person requesting deferment of payment.

16.A.6.c. Maintaining Residence

For the purposes of taxation of a person, the persons personal property, or income by any State, territory, possession, or political subdivision thereof, or the District of Columbia, subject Act provides that no person in the Service shall be deemed to have lost residence or domicile in any of the foregoing solely by reason of being absent therefrom in compliance with military or naval orders, nor to have become a resident

of any other State, territory, possession, political subdivision, or the District of Columbia while and solely by reason of being so absent. The compensation for military or naval service shall not be deemed income for services performed within, or from sources within, such State, territory, possession, political subdivision, or District, and personal property shall not be deemed to be located or present in, or have a situs for taxation in, any State, territory, or other jurisdiction of which the person is not a resident, or in which the person is not domiciled. This Act does not prevent taxation by any State, territory, possession, or political subdivision of any of the foregoing, or the District of Columbia in respect of personal property used in or arising from a trade or business if it otherwise has jurisdiction. When used in this section, "personal property" includes tangible and intangible property (including motor vehicles); "taxation" includes (but is not limited to) licenses, fees, or excises imposed in respect to motor vehicles or the use thereof, provided the license, fee, or excise required by the State, territory, possession, or District of Columbia, of which the person is a resident or in which the person is domiciled has been paid.

16.A.6.d. Model Statement

Below is the general form of statement of a member of the Armed Forces to the State or local taxing authority claiming exemption from personal property tax or income tax under the Soldiers' and Sailors' Civil Relief Act, as amended. The form of statement can be changed to cover the specific tax involved and may be altered to fit the facts as to place of duty station and domicile:

> Exception from the tangible personal property tax (income tax) of the State of is hereby claimed under the provisions of Section 514 of the Soldiers' and Sailors' Civil Relief Act, as amended. The undersigned, whose permanent residence is in the State of _____is a member of the Armed Forces and is residing in the State of _____ solely in compliance with military orders requiring the members presence in this area.
>
> _____
> (Name and grade or rating
>
> _____
> (Local residence)
>
> _____
> (Service number) USCG

16.A.7. Further Relief (Article VII)

A person may, at any time during his or her period of service or within six months thereafter, apply to a court for relief in respect to any obligation or liability incurred by such person prior to his or her period of service or in respect of any tax or assessment, whether falling due prior to or during such service. The court, after appropriate notice and hearing, unless in its opinion the ability of the applicant to comply with the terms of such obligation or liability or to pay such tax or assessment has not been materially affected by reason of his or her service, may grant the following relief:

1. If the obligation is an installment contract to purchase real estate, or is secured by a mortgage on real estate, stay its enforcement during the period of service, and from the date of the member's release from active duty or the date of application for relief, if made after such service, for a period equal to the remainder of the life of the instrument, plus the time in service of the applicant, or any part of such combined period, subject to the payment of the unpaid principal and interest in equal installments during the combined period, with interest thereon at the rate provided in the instrument for installments paid when due.

2. A court similarly may stay other obligations, liabilities, taxes, or assessments for a period of time equal to the applicant's period of service or any part thereof. The member must pay principal and interest due in equal periodic installments during the extended period, with interest at the rate prescribed in the obligation, liabilities, tax or assessment, as if the member had paid when due.

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16.B. Voting

16.B.1. Purpose

This section establishes policies and fixes responsibility for administering absentee voting for every person, in the following categories, who is absent from their place of voting residence and is eligible to vote under the laws and procedures of their State of voting residence. These policies apply to Coast Guard members; other Armed Services members serving with the Coast Guard, while in active service; their spouses and dependents; U.S. civilian employees administered by the Coast Guard serving outside U.S. territorial limits; and their spouses and dependents residing with or accompanying them. This eligibility is not dependent upon the employee being subject to the civil service laws and the Classification Act of 1949 or being paid from appropriated funds.

16.B.2. Authority

By Executive Order 12642, June 8, 1988, the President designated the Secretary of Defense to coordinate and facilitate actions required to discharge Federal voting responsibilities. The current legislative mandate is the Uniformed and Overseas Citizens Absentee Voting Act of 1986 (42 USC 1973). The Secretary of Defense has further delegated this responsibility to the Director, Administration and Management, Office of the Secretary of Defense, who has appointed the Director, Federal Voting Assistance Program to manage this program. Commandant (G-WPM-1) coordinates the Coast Guard's Voting Assistance Program.

16.B.3. Definitions

For the purposes of this section, the following definitions apply:

1. "Armed Forces." The Uniformed Services, including the Regular and Reserve (on active duty) components of the United States Army, United States Navy, United States Air Force, United States Marine Corps, United States Coast Guard, uniformed members of the National Oceanic and Atmospheric Administration, United States Public Health Service, and the cadets of the United States Coast Guard Academy.

2. "Dependent." Any person who is in fact dependent on the member listed above. In the event of controversy, 37 USC 401 shall apply.

3. "State Absentee Ballot." any ballot provided by a State or political subdivision thereof for absentee voting.

4. "Voting Residence." The residence where an individual would vote if circumstances permitted.

16.B.4. Policy

16.B.4.a. Voting Assistance Program Objectives

Every eligible person shall be afforded an opportunity to vote by absentee ballot in any election for which their State of voting residence has been established enabling laws and procedures. The Coast Guard Voting Assistance Program shall be administered to ensure that:

1. Members of the Coast Guard and members of other Armed Forces serving with the Coast Guard are advised of their rights, privileges, and responsibilities regarding voting. Other individuals cited in article 16-B-1 shall receive as much advice as can be provided to meet their individual desires. In all general elections involving Federal officials, a Federal Post Card Application (FPCA), Form SF 76 will be hand delivered to all Armed Forces personnel of voting age.

2. The applicable Voting Assistance Guide, COMDTINST M1742.2 (series), will be used to provide current absentee voting information for individual states. The Guide will be supplemented throughout the election cycle with Voting News Releases issued by the Director, Federal Voting Assistance Program, message address SECDEF WASHINGTON DC //OSD:ADMIN/FVAP//.

3. Individuals shall be permitted to vote in such a manner to safeguard the integrity and secrecy of their ballots. They must be provided assistance in establishing and understanding voting procedures as well as the services of an officer or other official authorized to attest the required oaths.

4. The Coast Guard will conform to Department of Defense guidance and direction with respect to the Voting Assistance Program.

16.B.4.b. Command’s Authority

The determination of what, under existing circumstances, is practical and compatible with military operations is a military command responsibility. The command's decision, made in good faith, is conclusive. In general, the voting opportunities referred to in these sections should be compatible with military operations whenever local conditions permit individuals to prepare, send, and receive personal mail.

16.B.5. General

16.B.5.a. Information Sources

General instructions on absentee voting by members of the Armed Forces and their dependents are contained in the Voting Assistance Guide, COMDTINST M1742.2 (series). Additional information is published for the current voting cycle by Federal Voting Assistance Program, COMDTINST 1743.3 (series), Commandant Notices, the Commandant's Bulletin, and by periodic Voting News Release messages.

16.B.5.b. Command Assistance

All available means should be used to carry out the spirit and intent of the Voting Assistance Program. Individual and group assistance and instruction sessions as well as employing the full use of normal communications/information channels, such as unit newspapers, Plans of the Day and Week, bulletins, and public address system announcements should be used. A list of materials, including posters, pamphlets, and videotapes, available to support local programs will be published prior to each general election.

16.B.5.c. Armed Forces Voters Day and Week

Armed Forces Voters Day and Week will be designated each year of a general election to provide an opportunity to concentrate efforts on encouraging eligible personnel to complete and mail absentee ballot applications. All Coast Guard units are encouraged to plan special events and programs for Armed Forces Voters Day and Week and publicize the date and planned activities widely.

16.B.6. Responsibilities

16.B.6.a. Commandant (G-WPM-1)

Commandant (G-WPM-1) will be responsible for:

1. Providing liaison with the Department of Defense, specifically the Director, Federal Voting Assistance Program.

2. Disseminating information to MLC's, districts, and select Headquarters and field units (AIG 4919) concerning absentee voting.

16.B.6.b. Districts and Maintenance and Logistics Commands

District commanders and commanders of maintenance and logistics commands are responsible for prompt dissemination of voting information received from Commandant to all units under their command.

16.B.6.c. Commanding Officers

Commanding officers are responsible for the administration of the Coast Guard Voting Program within their command. It is the duty of each commanding officer to:

1. Designate a commissioned officer as the unit voting officer to represent the commanding officer and act under their supervision in the discharge of voting program responsibilities. Assistant voting officers or voting counselors shall be designated in order to achieve a ratio of one assistant voting officer or voting counselors for every 20 members of the command. The Voting Officer, or Counselors should be readily available and equipped to give personal assistance to voters for Federal, State, and local elections. In addition, any person who appears to need assistance in reading or understanding any English language material relating to voting or voter registration should receive immediate assistance in the appropriate language. Duty as voting officer or assistant voting officer or counselor shall be a collateral duty.

2. Disseminate and publicize throughout the command the information received from Commandant, district, or MLC regarding election date and State voting procedures.

3. Ensure that Federal Post Card Applications (FPCA), SF 76, are:

    a. Delivered to all Coast Guard members of voting age under their command to use in applying for State absentee ballots for general elections where candidates for Federal offices are elected as follows:

        i. By 15 August before the election for military and civilians serving outside the territorial limits of the United States, and

        ii. By 15 September before the election for military personnel serving inside the territorial limits of the United States.

    b. Made available to those cited in article 16-B-1 for use in all elections for which State laws provide for absentee voting.

4. Ensure that Federal Write-In Absentee ballots (FWAB), Form SF 86, are provided to units located overseas and to cutters anticipating deployment immediately prior to or during the scheduled election. These ballots supplement the FPCA as they provide a means of voting for Federal officials if the members home State absentee ballot does not arrive in time for the election.

5. Provide for suitable observance of the Armed Forces Voter Day and Week established for each general election.

6. Arrange for administering and attesting the oath on the FPCA and with the State ballot, where required. While any commissioned, warrant, or petty officer may administer and attest such oath, it is recommended that a commissioned officer do so since some States do not honor the oath unless a commissioned officer attests to it. When designating a non-commissioned officer as Voting Officer, ensure the member has an official letter of designation.

7. Take all reasonable measures to facilitate transmission, delivery, and return of FPCA's, ballots, envelopes, and instructions identifiable as balloting material to and from command personnel. All such mail originating from overseas should be returned by air mail.

8. Provide an opportunity to execute ballots free from coercion and fraud and safeguard the integrity and security of the ballots.

9. Assist in post-election surveys in the manner specified by the Director, Federal Voting Assistance Program.

10. File an After-Action Report as specified by the Director, Federal Voting Assistance Program.

11. Carry out these obligations to the greatest extent practicable and compatible with military operations in accordance with Article 16.B.4.d.

16.B.6.d. Voting Officers

Voting Officers provide factual, accurate, and totally unbiased information on how the service member and dependents may vote by absentee ballot or in person. The Voting Officer:

1. Trains and instructs the command assistant voting officers/counselors in the conduct of their responsibilities.

2. Maintains an adequate supply of current FPCA's and FWAB's for issue to every member and dependent of voting age.

3. Reviews the stock of voting materials and ensures adequate quantities are maintained on hand.

4. Reviews the Voting Assistance Guide, COMDTINST M1742.2 (series) and advises personnel on how to establish State voting eligibility and when, how, and with what frequency to send for ballots. Contacts district, MLC, or Commandant (G-WPM-1) for special problems not covered in the Voting Assistance Guide.

5. Works with the commanding officer to plan and establish an effective voting program. It is important for every member of voting age to know their State registration status and the specific requirements for a ballot.

6. Acts well in advance of each election to establish the eligibility of all individuals listed in Article 16.B.1 to vote.

16.B.7. Eligibility to Vote

It is the responsibility of election officials within each State to determine the eligibility of an individual to vote under the laws of that State. Such determination will not be made by any member of the Armed Forces. Military officials acting in an official capacity will refrain from making contact with such officials in order to obtain State or other balloting materials or general information concerning State or other election procedures. All such contact will be made through the Director, Federal Voting Assistance Program. However, nothing herein denies or limits the rights of any individual to make any inquiry which they desire of officials or other persons in their home State regarding the exercise of their personal voting privilege.

16.B.8. Attempts to Influence an Election

1. DoD Directive 1344.10 details permitted and prohibited political activities for active duty members in the Armed Forces.

2. It is unlawful for any commissioned, warrant, petty officer, noncommissioned officer, or seaman in the Armed Forces to attempt to influence any member of the Armed Forces to vote or not to vote for any particular candidate or issue, or to require any member of the Armed Forces to march to any polling place or place of voting. Nothing in this paragraph prohibits the free discussion of political issues or candidates for public office.

16.B.9. Vacant

16.B.10. Handling Ballots Expeditiously

16.B.10.a. Speeding Transmittal

Coast Guard personnel will expedite the transmission, handling, and delivery of incoming mail and the postmarking, handling, dispatching, and transmission of outgoing mail identifiable as balloting material. All mail identifiable as balloting material will be transmitted by air to and from points outside the United States, as practicable and compatible with military operations. While in the hands of the Coast Guard, balloting mail carried by air will be given priority over other classes of mail.

16.B.10.b. Voting Documents Postage-Free

The law provides that official cards, ballots, voting instructions, and envelopes, whether transmitted individually or in bulk, shall be free of postage, including air mail postage, in the United States mails.

16.B.10.c. Official FPCA Symbols

To facilitate ready separation and expedite handling as mail, the FPCA bears a distinctive marking and air mail symbols. Federal Voting law has recommended to several States that similar marking and symbols be used on State absentee ballot envelopes.

16.B.11. Safeguarding Ballots

Every individual concerned with the administration of absentee voting shall take all necessary steps to prevent fraud, to protect voters against coercion of any sort, and to safeguard the integrity and secrecy of the cast ballot.

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16.C. COAST GUARD MEMBERS' POLITICAL ACTIVITIES

16.C.1. Definitions

1. Active Duty. Full-time duty in the active military service of the United States without regard to duration or purpose, including full-time training duty; annual training duty; attendance, while in the active military service, at a school designated as a Service school by law or by the Secretary of the Military Department concerned; and National Guard duty, as defined in 10 U.S.C. 101(42).

2. Armed Forces. The U.S. Army, Navy, Air Force, Marine Corps, and Coast Guard, including the Reserve components and the National Guard.

3. Civil Office. A nonmilitary office whose holder exercises civil government powers or authority, including elective and appointive office in the U.S. Government, a U.S. Territory or possession, State, county, municipality, or official subdivision thereof.

4. Extended Active Duty. Active duty under a call or order for a period in excess of 180 days.

5. Nonpartisan Political Activity. Activity supporting or relating to candidates not representing, or issues not specifically identified with, national or State political parties and associated or ancillary organizations. Issues relating to constitutional amendments, referendums, approval of municipal ordinances, and others of similar character are not considered under this section as being specifically identified with national or State political parties.

6. Partisan Political Activity. Activity supporting or relating to candidates representing, or issues specifically identified with, national or State political parties and associated or ancillary organizations.

16.C.2. Policy Guidelines

16.C.2.a. General

1. A member on active duty may:

   a. Register to vote, vote, and express opinions on political candidates and issues, but not as a representative of the Armed Forces.

b. Make monetary contributions to a political organization.

c. Attend partisan and nonpartisan political meetings or rallies as a spectator when not in uniform.

2. A member on active duty shall not:

a. Use official authority or influence to interfere with an election, affect its course or outcome, solicit votes for a particular candidate or issue, or require or solicit political contributions from others.

b. Be a candidate for or hold civil office except as ☞ Article 16.C.2.c.(4) authorizes.

c. Participate in partisan political management, campaigns, or conventions.

d. Make campaign contributions to another member of the Armed Forces, or an employee of the Federal Government.

3. To assist in applying the foregoing general provisions to particular factual situations, ☞ Article 16.C.3 contains representative examples of political activities which are deemed permissible or prohibited. These guidelines do not supersede other statutory provisions or the instructions contained in the ☞ Uniform Regulations, COMDTINST M1020.6 (series).

16.C.2.b. Candidacy for Elective Office

A member on active duty may not:

1. Campaign as a candidate for nomination or as a nominee for civil office, except as authorized in ☞ Article 16.C.2.c.(4). When circumstances warrant, Commandant (G-WPM-1) may permit a member to file such evidence of nomination or candidacy for nomination as may be required by law. Such permission shall not authorize activity while on active duty that is otherwise prohibited.

2. Become a candidate for any civil office while serving an initial tour of extended active duty or a tour of extended active duty that the member agreed to perform as a condition of receiving schooling or other training wholly or partially at U.S. Government expense.

16.C.2.c. Election or Appointment to Civil Office

Except as authorized by ☞ Article 16.C.2.c.(4) or otherwise provided for by law, no member on active duty may hold or exercise the functions of civil office:

1. In the U.S. Government that:

   a. Is an elective office.

   b. Requires an appointment by the President by and with the advice and consent of the Senate.

   c. Is a position on the Executive Schedule under 5 U.S.C. 5312 to 5317.

2. In the government of a State; the District of Columbia; a Territory, possession, or commonwealth of the United States; or in any political subdivision thereof.

3. A member may hold or exercise the functions of a civil office in the U.S. Government that is not described in ☞ Article 16.C.2.c.1., when assigned or detailed to such office or to perform such functions.

4. **As long as they are not serving on extended active duty (EAD)**, enlisted members and Reserve officers may hold partisan or nonpartisan civil office **if** such office is held in a private capacity and does not interfere with the performance of military duties. Additionally, enlisted members on extended active duty may seek and hold nonpartisan civil office as a notary public or member of a school board, neighborhood planning commission, or similar local agency, as long as such office is held in a private capacity and does not interfere with the performance of military duties. **Officers on active duty may seek and hold nonpartisan civil office on an independent school board that is located exclusively on a military reservation.**

5. A member elected or appointed to a prohibited civil office may request retirement and shall be retired if eligible for retirement. If such member does not request or is not eligible for retirement, the member shall be discharged or released from active duty, as determined to be appropriate by the Commandant.

6. The separation and retirement requirements of ☞ Article 16.C.2.c.(5), do not apply if the member declines to serve in the prohibited office, if the Commandant determines that the member should not be released from active duty based on the needs of the Service, or if the member is:

   a. Obligated to fulfill an active duty Service commitment.

   b. Serving or has been issued orders to serve afloat or in an area that is overseas, remote, a combat zone, or a hostile fire pay area.

c. Ordered to remain on active duty while the subject of an investigation or inquiry.

d. Accused of an offense under the Uniform Code of Military Justice (UCMJ), or serving a sentence or punishment for such an offense.

e. Pending administrative separation action or proceedings.

f. Indebted to the United States.

g. On active duty during a period of declared war, a national emergency, or other period when a unit of the Reserves or National Guard has been called on active duty.

7. A member who refuses to decline to serve in a prohibited civil office after being denied separation or retirement in accordance with c.(6) above, may be subject to disciplinary or adverse administrative action under Service regulations.

8. No actions undertaken by a member in carrying out assigned military duties shall be invalidated solely by virtue of such member having assumed or exercised the functions of a civil office in violation of this Section.

16.C.2.d. Local Nonpartisan Political Activities

This Section does not preclude participation in local nonpartisan political campaigns, initiatives, or referendums. A member taking part in local nonpartisan political activity, however, shall not:

1. Wear a uniform or use any Government property or facilities while participating.

2. Allow participation to interfere with or prejudice the member's performance of military duties.

3. Engage in conduct that in any way may imply that the Coast Guard or Department of Transportation has taken an official position on, or is otherwise involved in, the local political campaigns or issue.

16.C.2.e. Political Activities Not Expressly Permitted or Prohibited

Some activities not expressly prohibited may be contrary to the spirit and intent of this Section. In determining whether an activity violates the traditional concept that military members should not engage in partisan political activity, rules of reason and common sense shall apply. Avoid any activity that may be viewed as associating the Departments of Defense or Transportation, or any of their components, directly or indirectly with a partisan political cause or candidate.

16.C.2.f. Additional Requirements

Members of the Armed Forces on active duty engaging in permissible political activities shall:

1. Give full time and attention to the performance of military duties during prescribed duty hours.

2. Avoid any outside activities that may be prejudicial to the performance of military duties or are likely to bring discredit upon the Armed Forces.

3. Refrain from participating in any political activity while in military uniform, or using Government facilities or resources for furthering political activities.

16.C.3. Permitted and Prohibited Political Activities

16.C.3.a. Permitted Political Activities

In accordance with the policies established in Article 16.C.2, a member on active duty may:

1. Register to vote, vote, and express personal opinion on political candidates and issues, but not as a representative of the Armed Forces.

2. Promote and encourage other military members to exercise their voting rights, if such promotion does not constitute an attempt to influence or interfere with the outcome of an election.

3. Join a political club and attend its meetings when not in uniform.

4. Serve as an election official, if such service is not as a representative of a partisan political party, does not interfere with military duties, is performed while out of uniform, and has the prior approval of the Commandant (G-WPM-1).

5. Sign a petition for specific legislative action or a petition to place a candidate's name on an official ballot, if the signing does not obligate the member to engage in partisan political activity and is done as a private citizen and not as a representative of the Armed Forces.

6. Write a letter to the editor of a newspaper expressing the member's personal views concerning public issues or political candidates, if such action is not part of an organized letter-writing campaign or concerted solicitation of votes for or against a political party or partisan political candidate.

7. Make monetary contributions to a political organization, party or committee favoring a particular candidate or slate of candidates, subject to the limitations under 2 USC 441a and USC 607.

8. Display a political sticker on the member's private vehicle.

16.C.3.b. Prohibited Political Activities

In accordance with the policies established in Article 16.C.2 and other pertinent statutory restrictions, a member on active duty shall not:

1. Use official authority or influence to interfere with an election, affect its course or outcome, solicit votes for a particular candidate or issue, or require or solicit political contributions from others.

2. Be a candidate for civil office in Federal, State, or local government, except as authorized in Article 16.C.2.c.(4) or engage in public or organized soliciting of others to become partisan candidates for nomination or election to civil office.

3. Participate in partisan political management or campaigns, or make public speeches in the course thereof.

4. Make campaign contributions to another member of the Armed Forces, or to a civilian officer or employee of the United States for promoting a political objective or cause.

5. Solicit or receive a campaign contribution from another member of the Armed Forces or from a civilian officer or employee of the United States for promoting a political objective or cause.

6. Allow or cause to be published partisan political articles signed or written by the member that solicit votes for or against a partisan political party or candidate.

7. Serve in any official capacity or be listed as a sponsor of a partisan political club.

8. Speak before a partisan political gathering of any kind for promoting a partisan political party or candidate.

9. Participate in any radio, television, or other program or group discussion as an advocate of a partisan political party or candidate.

10. Conduct a political opinion survey under the auspices of a partisan political group or distribute partisan political literature.

11. Use contemptuous words against the officeholders described in 10 U.S.C. 888.

12. Perform clerical or other duties for a partisan political committee during a campaign or on election day.

13. Solicit or otherwise engage in fund-raising activities in Federal offices or facilities, including military reservations, for a partisan political cause or candidate.

14. March or ride in a partisan political parade.

15. Display a large political sign, banner, or poster (as distinguished from a bumper sticker) on the top or side of a private vehicle.

16. Participate in any organized effort to provide voters with transportation to the polls if the effort is organized by, or associated with, a partisan political party or candidate.

17. Sell tickets for or otherwise actively promote political dinners and similar fund-raising events.

18. Attend partisan political events as an official representative of the Armed Forces.

16.D. USING MILITARY TITLES IN COMMERCIAL ACTIVITES _____ *2*

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16.D. Using Military Titles in Commercial Activities

16.D.1. Prohibition of the Use of Words "U.S. Coast Guard"

14 U.S.C. 639 prohibits the use of the words or letters "USCG, USCGR, Coast Guard, United States Coast Guard, Coast Guard Reserve, United States Coast Guard Reserve, Coast Guard Auxiliary, United States Coast Guard Auxiliary, Lighthouse Service, or Life Saving Service," either alone or in combination with other letters or words, as the name under which the user shall do business for the purpose of trade, or by way of advertisement to induce the effect of leading the public to believe that the user has any connection with the Coast Guard. While it is true that both retired and Reserve personnel have a connection with the Coast Guard, the connection condemned by the statute has reference to inducing the public to believe that the Coast Guard officially is interested in or connected with the subject matter of the advertisement.

16.D.2. Personnel on Active Duty

While on active duty, officers and enlisted personnel of the Coast Guard and Coast Guard Reserve are prohibited from using their military titles in connection with any commercial enterprise. Subject to existing regulations, authorship of material for publication shall be specifically exempted from this provision.

16.D.3. Retired Personnel

While on inactive duty, retired officers and enlisted personnel, both Regular and Reserve, are permitted to use their military titles in connection with commercial enterprises.

16.D.4. Reserve Personnel

While on inactive duty, officers and enlisted personnel of the Coast Guard Reserve are permitted to use their military titles in connection with commercial enterprises.

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16.E. Civilian Employment during Off-Duty Hours

16.E.1. General

16.E.1.a. Policy

Coast Guard personnel on active duty are in 24-hour duty status, and their military duties shall at all times take precedence on their time, talents, and attention. However, subject to the conditions listed below, personnel are not prohibited from engaging in legitimate and ethical enterprise or employment during their off-duty hours. Personnel who accept off-duty employment must realize that even though they are on leave or liberty they are subject to recall and duty at any time.

16.E.1.b. Prohibited Employment

Personnel on active duty shall not engage in any civilian employment enterprise that, **in the opinion of the commanding officer, or officer-in-charge:**

1. **Detracts from unit readiness or poses a security risk of any kind**.

2. By reason of the hours or nature of the work, interferes with or is not compatible with proper and efficient performance of their military duties.

3. May reasonably be expected to bring discredit on the Service.

4. Is unethical in view of the possible exercise of influence attending the member's military position.

5. Involves conflict of interest, or the appearance of conflict of interest. Generally, this restriction precludes employment by any individual or business organization having a direct business relationship with the Coast Guard as a vendor, contractor, or subcontractor.

6. Is contrary to the provisions of any Federal, State, or local law or ordinance.

7. Permits or appears to permit the employer to gain an advantage over his or her competitors in transacting business with the Government by virtue of the employee's Coast Guard affiliation.

8. Involves the solicitation of life insurance, mutual funds and other investment plans, commodities, and services on any U.S. Government installation with or without compensation.

9. Involves personal commercial solicitation and sale to military personnel who are junior in grade or rate. This prohibition is applicable to activities on or off an installation, in or out of uniform, while on or off duty, and includes, but is not limited to, the personal solicitation and sale of life and automobile insurance, stocks, mutual funds, real estate, or other commodities, goods or services. As used in this subparagraph, "personal commercial solicitation" refers to those situations where a military member is employed as a sales agent on commission or salary and contacts prospective purchasers suggesting they buy the commodity, real or intangible, that he or she is offering for sale. This article does not prohibit the one-time sale of a member's personally owned property. It is not the intent of this subparagraph to discourage the off-duty employment of military personnel but it is intended to prohibit business dealings among members where grade, rank or position may be brought to bear or appear to do so.

16.E.1.c. VACANT

16.E.1.d. Labor Disputes

Off-duty employment of military personnel by an organization involved in a strike or lock-out is permissible if the member was on the payroll of such organization prior to the commencement of the strike, if the member will not be required to work at a site or location where a strike or lock-out actually is in progress, and if the employment otherwise conforms with this Article’s provisions. No military member may accept initial employment by an organization at a location where the business is involved in a strike or lock-out after the onset and during the course of such a labor dispute. Members who have accepted employment in violation of the above prohibition must terminate such employment immediately.

16.E.1.e. Wearing a Uniform at Civilian Employment

No distinctive parts of the uniform may be worn by personnel while engaged in off-duty employment, nor shall a member engaged in such activity obligate or commit the Coast Guard or in any way create an impression to the public that he or she is acting in an official capacity.

16.E.1.f. Participation in Non-Federal Entities

1. By law and regulation, Federal employees are prohibited from participating in matters on behalf of the Government which might affect the interests of

an organization they are affiliated with in a personal capacity. Coast Guard personnel who in their personal capacity (e.g., on their own time and at their own expense) are involved in managing non-Federal organizations, e.g., serve as officer, director, trustee, etc., shall notify their commanding officer of the nature of their involvement with a non-Federal organization. Coast Guard personnel who are required to file financial disclosure reports shall disclose such involvement when completing their new entrant or annual reports. (See Financial Disclosure Reports, COMDTINST M5370.9.)

2. **By Department of Transportation policy, all employees are prevented from holding any management position (as described above) with a non-Federal organization in their official capacity unless specifically authorized by statute. Employees are encouraged to maintain their relationships with such non-Federal organizations in a non-voting, official liaison capacity. An official liaison acts as an intermediary between the Coast Guard and the non-Federal organization, and informs the organization of Coast Guard views and policies on subjects of interest to the organization.**

3. **By agency policy, special rules govern service by officers, in grades O-7 through O-10, who serve as an officer or member of the board of any non-Federal entity. Flag officers wishing to serve on the board of such entities should contact the Office of General Law (G-LGL) for further guidance.**

16.E.2. Procedures

16.E.2.a. Commanding Officer's Authority

While personnel shall not normally be restrained from engaging in legitimate and ethical enterprise or employment during their off-duty hours, nothing herein is intended to unduly restrict a commanding officer in the exercise of his or her prerogatives and discretionary authority. Accordingly, **all Coast Guard personnel shall notify their commanding officer in writing of their off-duty employment activities and obligations. The notification shall include a brief description of the specific responsibilities of the position and an estimate of the number of hours per week required for employment.**

16.E.2.b. Decision-Making Authority

When a commanding officer has doubt as to the applicability of the foregoing restrictions to a member's outside employment or proposed outside employment, a request for determination will be addressed to Commandant (G-WPM-1) via the chain of command. Such requests shall not be prepared by units below the Group level.

16.E.2.c. Confidentiality

Information on an individual's off duty employment shall be treated as "for official use only" if disclosure might otherwise be a source of embarrassment to the member.

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16.F. Alien Registration

16.F.1. Legal Requirements

16.F.1.a. Aliens' or Their Parents' Obligation

The Immigration and Nationality Act of 1952 as amended (8 USC 1101 and 1302 through 1306) requires that, with certain exceptions, every alien or parents or legal guardians of such alien:

1. Who is 14 years of age or older,

2. Has not previously been registered and fingerprinted, and

3. Remains in the United States for 30 days or longer must apply for registration and be fingerprinted before the expiration of such 30 days.

16.F.1.b. Alien Registration Receipt Card

Every alien registered and fingerprinted shall be issued an alien registration receipt card. Loss of this card should immediately be reported to the nearest Immigration and Naturalization Service office. Every alien 18 years of age and over shall, at all times, have such alien registration receipt card in their personal possession and available for display if so requested.

16.F.1.c. Change of Address

Every alien required to be registered and who lives within the United States shall notify the Attorney General, in writing, of each change of address and new address within ten days from the date of such change. Additional information may be required by the Attorney General and shall be provided upon request.

16.F.1.d. Definition

When used in this section, the term "United States" means the 50 states, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands.

16.F.2. Penalties

16.F.2.a. Failure to Register

Any alien required to apply for registration and fingerprinting who willfully fails or refuses to make such application or to be fingerprinted shall be guilty of a misdemeanor and shall, upon conviction, be fined not more than $1000 or be imprisoned not more than six months or both.

16.F.2.b. Failure to Carry Card

Every alien issued an alien receipt card is required to have the card in their personal possession at all times. Failure to have such card in their personal possession shall subject the alien to, upon conviction, a fine of not more than $100 or imprisonment for not more than 30 days or both.

16.F.2.c. Failure to Notify

Any alien who willfully or inexcusably fails to report their address as required in Article 16.F.1.d. above shall be guilty of a misdemeanor and, upon conviction, be subject to a fine not to exceed $200 or be imprisoned for not more than 30 days or both.

16.F.3. Responsibility

16.F.3.a. Commanding Officers

Commanding officers shall direct any alien who has not been registered or fingerprinted to do so at the earliest possible date. This article does not apply to members who enlisted from the Philippines and have not applied for American citizenship.

16.F.3.b. Alien Members

Alien members shall keep the Attorney General appraised of their address upon each permanent change of station in accordance with current Immigration and Naturalization Service directives.

16.F.3.c. Registration Number

The alien registration number shall be entered on all alien members' enlistment contracts and Certificate of Release or Discharge from Active Duty, DD-214.

16.F.4. Armed Forces Immigration Adjustment Act of 1991

16.F.4.a. Stipulates Length of Service

This Act (PL 102-110) amended the Immigration and Nationality Act to provide for special immigration status for certain aliens, their spouses, and children. The service member must have served honorably (or be enlisted to serve) in the Armed Forces of the United States for at least 12 years. The Act provided that an immigrant who has served honorably on active duty in the U.S. Armed Forces after 15 October 1978, and after original lawful enlistment outside the United States (under a treaty or agreement in effect on the date of the enactment of this subparagraph) for a period or periods aggregating:

1. Years and who, if separated from such service, was never separated except under honorable conditions, or

2. Six years, in the case of an immigrant who is on active duty at the time of seeking special immigrant status under this subparagraph and who has reenlisted to incur a total active duty service obligation of at least 12 years, and the spouse or child of any such immigrant if accompanying or following to join the immigrant, but only if the executive department under which the immigrant serves or served recommends the granting of special immigrant status to the immigrant.

16.F.4.b. Requesting Special Immigrant Status

Members eligible to apply for this special immigration status shall submit a letter request to the Immigration and Naturalization Service through the members parent command. This letter request shall be attached to INS Form 360, obtainable at INS regional offices in the United States or through U.S. embassies and consulates overseas. The command endorsement shall include:

1. Member's name and nationality;
2. Member’s date and place of birth;
3. Date member entered, extended, or reenlisted to meet the 12 year requirement;
4. Note if period of service was under honorable conditions; and
5. Commanding officers recommendations or comments.

16.F.4.c. Filing on Dependents' Behalf

If the member is also filing for their dependents, the following additional information is required:

1. Spouse and children(s) names;
2. Date and place of birth of each dependent; and
3. Commanding officer's recommendations or comments.

16.F.4.d. Defining Children

For the purpose of this special immigrant status program, children are defined in the Immigration and Nationality Act and generally include unmarried children under 21 years of age, including stepchildren acquired before their 14th birthday, and certain illegitimate children. INS makes final determinations on whether children meet the requirements of the Act. Parents and in-laws are not covered.

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16.G. American Red Cross Services

16.G.1. Responsibility

The American Red Cross provides the following core services to the Armed Forces: emergency communications, financial assistance through a partnership with the Military Aid Societies, volunteer programs, health and safety, disaster assistance, and information and referral service. All Red Cross reports about members or their dependents shall be treated as confidential.

16.G.2. Services to Units

The Red Cross may furnish the following services to commanding officers of Coast Guard units:

1. Provide verification of emergency leave requests for Service members and their families when serious illness, death or other urgent situations involve family members. Emergency leave can be granted without Red Cross verification. The Red Cross will not provide after-the-fact verification reports.

2. Provide volunteers to assist in all Coast Guard clinics. The volunteers would serve, with the exception of watch standing duties, in the same capacity as non-HS personnel temporarily assigned to help in the clinic. Female volunteers can participate as attendants for medical examinations of female patients.

3. Assist in administering the Red Cross blood donation program at Coast Guard units.

16.G.3. Services to Personnel

Upon request the Red Cross will provide the following services to personnel:

1. Information and referral.

2. Financial assistance (loan or grant) to be determined on an individual basis when emergency leave is granted or to meet other emergency financial needs. All requests for financial assistance must normally have the approval of the Coast Guard Mutual Assistance Office, Coast Guard Headquarters (G-ZMA).

3. Assistance in the preparation and filing of VA forms and furnishing information about Government insurance, allowances, allotments, and pensions.

4. In a dependency or hardship discharge request (☛ Chapter 12) or humanitarian reassignment (☛ Chapter 4), by mutual agreement the military authorities will not request, and the Red Cross will not provide, reports at the time an application is being submitted. If the application and supporting evidence do not contain sufficient factual information on which to base a decision, the command having authority for discharge or reassignment decisions may request the Red Cross to supply the specific additional information required. When a Red Cross report is desired, the request will include a brief summary of the information already provided.

16.G.4. Services to Dependents

Through the Service to Military Families department in the local Red Cross Chapters, the following services may be provided:

1. Counseling in personal and family problems.

2. Reporting and communications service.

3. Assistance in applying for Government benefits.

4. Referral service.

5. Financial assistance for other emergencies that are immediate and must be met to avoid privation.

16.G.5. Red Cross Volunteers' Requirements

Red Cross chapters and Coast Guard commands must comply with these documents:

1. Current Memorandums of Understanding (MOUs) between the American National Red Cross and the U. S. Coast Guard. Copies of such MOUs are held by Commandant (G-PS) and the ARC Programs and Services Department.

2. The provisions and dictates of ARC publication 3309, *National Framework in Which Volunteers May Give Service.*

16.H. MENTALLY INCOMPETENT COAST GUARD MEMBERS ***2***

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16.H. Mentally Incompetent Coast Guard Members

16.H.1. Authority

37 USC 601 to 604 authorizes the Secretary to promulgate regulations in connection with the payment of Federal moneys due to mentally incompetent Coast Guard personnel. These regulations are set forth in 33 CFR 49.01 to 49.15 and delegate to the Commandant the authority to appoint trustees for such personnel. Before the Commandant will appoint a trustee for mentally incompetent Coast Guard personnel, certain requirements must be fulfilled, including these:

1. The declaration on mental incompetence must be affirmatively made by a board of at least three qualified medical officers, one of whom is specially qualified to treat mental disorders. There is no special format required for the board's report; however, it is desired that a Medical Board Report Cover Sheet, NAVMED 6100/1, be used whenever practical. In this connection, a medical board which is part of the record of a physical examinations board, would satisfy requirements if it affirmatively states that the patient is mentally incapable of managing his or her own affairs and if it is signed by three medical officers, one of whom is specially qualified in the treatment of mental disorders.

2. No legal committee, guardian, or other representative has been appointed by a court of competent jurisdiction.

3. The mentally incompetent Coast Guard person is eligible to receive active duty pay and allowances, amounts due for accumulated or accrued leave, or retired or retainer pay. For personnel who have waived Coast Guard retired pay in favor of Veterans Administration compensation or pension, no appointment of trustee will be made.

4. The prospective trustee will be required to execute and file with the Commandant an affidavit or affidavits saying and deposing that any moneys henceforth received by virtue of appointment as trustee would be applied solely to the use and benefit of the incompetent and dependents and that no fee, commission or charge shall be demanded or in any manner accepted for any service or services rendered in connection with such appointment as a trustee for the incompetent.

5. A bond will be required in all cases when the amounts received may be expected to exceed $1,000. Expenses in connection with the furnishing and renewal of such bonds may be paid out of sums due the incompetent. In general, a $1,000 bond is a minimum requirement. Should a much larger lump sum or annual total payment be involved, the bond should be increased commensurately.

16.H.2. Commanding Officers' Actions

16.H.2.a. Application to Appoint Trustee

Any information alleging that Coast Guard personnel, active or retired, are mentally incapable of managing their own affairs shall be forwarded to Commandant (G-WPM-1) promptly. The next of kin or another responsible person willing to accept trusteeship for the alleged incompetent should be requested to apply to the Commandant for such appointment. The application should contain the following information:

1. Name, service number, rate, service assignment, if any, and present address of alleged incompetent person.

2. Name, address, and relationship, if any, of person seeking appointment as trustee for alleged incompetent person.

3. Statement as to whether or not a legal guardian has been or is to be appointed by the civil authorities in the near future.

4. Anticipated future financial relationship with person alleged mentally incompetent.

16.H.2.b. Restrictions on Trustee's Powers

In addition, the prospective trustee should be affirmatively advised as to the limited nature of any appointment as trustee the Commandant can make. An appointment of the Commandant covers only the receipt and use of active duty pay and allowances, amounts due for accumulated or accrued leave, and any retired pay otherwise payable to the mentally incompetent. It does not appoint the trustee as guardian of the mentally incompetent person, or as trustee of any other part of the service member's estate other than the Federal moneys indicated above. In most cases, the interests of the mentally incompetent and the next of kin can best be served by obtaining an appointment from a court of competent jurisdiction, which appointment is normally broader in nature than that which the Commandant can make. When an appreciable amount of money is expected from Government sources or a large private estate exists, the next of kin or interested responsible person should be advised to obtain expert legal advice and make every attempt to obtain a Civil Court guardianship.

16.I. Mortgage Insurance for Service Members

This program is no longer available for new subscribers. Members already in the program should contact Commandant (G-WPM-4) for assistance.

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16.J. Visiting Foreign Countries

16.J.1. General

16.J.1.a. Permission and Notification

1. This section applies to visits by Coast Guard personnel to foreign countries when on leave or other authorized absence from their commands, and while traveling under orders which require leaving the United States. Except as provided below, personnel desiring to visit foreign countries must obtain advance permission. Commanding Officers and Group Commanders may grant permission for officer and enlisted personnel on active duty to visit foreign countries on routine foreign travel and leave but must insure members meet the requirements of the ☞ Military Personnel Security Program COMDTINST M5520.12 (series). For personnel assigned to Headquarters, **Deputy** Directors may grant approval for foreign travel to personnel assigned to their section.

2. All Coast Guard personnel traveling to foreign countries on official Coast Guard business must comply with the requirements in ☞ Foreign Travel, Passports and Visas, COMDTINST M5000.5 (series) **and the Financial Resource Management Manual, COMDTINST M7100.3 (series)**.

3. **Coast Guard retired personnel are not required to obtain permission to travel overseas.**

16.J.1.b. Intelligence Consultation

The reviewing authority may consult Commandant (G-**CI**) for the latest political, military, or other intelligence information that could influence his or her decision. Communication for this purpose should be by the most expeditious means.

16.J.2. When Permission Not Required

Permission is not required for unofficial visits to Puerto Rico, the Virgin Islands, Bermuda, Canada, the Bahama Islands, and Mexico. However, district commanders, particularly in those districts bordering Canada and Mexico, are authorized to establish such restrictions as may be necessary for travel to these countries. Personnel traveling in accordance with this article shall wear civilian clothing when the wearing of civilian clothing in an off-duty status is authorized.

16.J.3. Visits to Mexico

16.J.3.a. Required Documentation

Personnel visiting Mexico shall obtain passports and visas, or tourist cards when required, as follows:

1. All official visits (to the interior as well as border towns) require passports and Mexican visas and will be made only in uniform.

2. Unofficial visits to the interior require tourist cards obtained from a Mexican Consul, but not passports, and will be made only in civilian clothes.

3. Unofficial visits to border towns require only the Coast Guard identification card.

16.J.3.b. Registration with Attaché

Travel orders or leave papers for personnel going to Mexico City, officially or unofficially for a stay of 18 hours or more, shall include instructions to register at the office of the United States Naval Attaché, Mexico City, Mexico.

16.J.4. When Permission Required

16.J.4.a. Permission Process

Each member of the Coast Guard on active duty in the United States, who visits other foreign countries, shall comply with the following:

1. Permission will be obtained as prescribed in ☞ Article 16.J.1 prior to departure from the United States. The application will include the destination, desired date of departure, period of visit, all addresses, if known, and expected date of return to the United States.

2. Each member must obtain his or her own passports and visas, if required, and comply with all other Department of State travel regulations and, when applicable, notify the activity arranging or furnishing transportation when such requirements have been satisfied. This applies to all personnel, including those proceeding abroad under official orders. The Joint Federal Travel Regulations provides information concerning reimbursement for regular fee passports for official travel of members and command sponsored dependent travel.

3. Members will not wear their uniform outside the United States on unofficial visits except while actually traveling by military transportation or at U.S. military installations in connection with such travel.

16.J.4.b. Fourteenth District and European Approval Authority

The Commander, Fourteenth Coast Guard District, and Commander, Coast Guard Activities, Europe, are authorized to grant permission to personnel attached to their commands to visit foreign countries in accordance with the regulations of the cognizant theater commander.

16.J.5. Sufficient Funds

A member traveling to foreign countries or places outside the United States must make his or her own transportation arrangements. "Space Available" accommodations for leave via the Military Airlift Command (MAC) or other Government aircraft are very difficult to obtain. It is imperative that personnel traveling “space available” via MAC have sufficient funds to defray commercial travel expenses and costs of hotel accommodations when delayed or when passage by MAC or Government aircraft is unobtainable. Each member of the Coast Guard, or Coast Guard Reserve on active duty, shall also be informed of the current Treasury Department regulations regarding exportation and importation of currency.

16.J.6. Conduct of Personnel

Personnel who visit other countries shall maintain the highest standard of conduct to reflect credit upon the U.S. Coast Guard and the United States.

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16.K. OVERSEAS MARRIAGES

16.K.1. Purpose

This section establishes policies and identifies other Federal requirements for members desiring to marry foreign nationals.

16.K.2. General

Coast Guard personnel have the same right to enter into marriage as any other citizen of the United States. However, before entering into a marriage with a foreign national, written approval must be obtained from the senior Coast Guard command having authority in the foreign national's home area. Members attached to an overseas command shall also obtain approval from their commanding officer. This requirement ensures that both parties to the marriage are fully informed of the requirements for lawful entry of the alien spouse, and any dependents, into the United States. All such individuals must be in strict compliance with the applicable laws and regulations of the Immigration and Naturalization Service (INS) and the Department of State (DOS) governing such marriages.

16.K.3. Entry into United States

16.k.3.a. Admission Requirements

Admitting alien spouses and children bears serious consideration since such marriages are normally planned with the expectation the dependents eventually will reside in the United States and possibly seek citizenship. Individuals must be made fully aware of the admission requirements into the United States. A number of disqualifying conditions are based on the mental and physical health of the alien spouse; certain character, moral, and political beliefs; affiliations; criminal involvement; and any prior affiliation with the United States. Obtain specific information from the local INS office or United States Embassy or Consulate (☛ Article 16.K.7 for INS offices overseas).

16.K.3.b. Proof of Support

In addition to the requirements the alien must meet, the military member must present satisfactory evidence of the ability to prevent the dependent spouse and any related children from becoming public charges.

16.K.4. Policy

16.K.4.a. Approval Authority

District commanders **and** Maintenance and Logistic Commands are authorized to approve requests for overseas marriages in their areas of concern. This authority may be delegated as deemed necessary.

16.K.4.b. Commanding Officers' Authority

Commanding officers are authorized to approve overseas marriage requests from members assigned to their command where the command is in the country of the prospective spouse.

16.K.4.c. Governing Regulations

Any joint or coordinated marriage regulations promulgated by the senior Department of Defense (DoD) command in the applicable overseas area shall govern Coast Guard members' marriages. The responsible Coast Guard district commander; Maintenance and Logistic command; Commanding Officer, Far East Section; or specific commanding officer may promulgate further implementing regulations, based on the DoD requirements.

16.K.4.d. Local Implementing Regulations

Coast Guard personnel should be granted permission to marry outside the United States when the member has complied with local regulations, provided the alien spouse demonstrates that entry to the United States would not be barred due to an inability to meet statutory physical, mental, or character standards. Local implementing regulations should be reasonable. They are designed to protect both aliens and United States citizens from the possible disastrous effects of marriage entered into without appreciation of its implications and obligations. Regulations issued will stress that the screening of applicants for permission to marry is substantially similar to the processing of requests for entry of alien spouses into the United States. The lack of command approval may result in unfavorable action on the part of the local United States Consul and the applicable Commissioner of INS. Such regulations may include:

1. Marriage and legal counseling.

2. Financial support (ability or preparation).

3. Parent's or legal guardian's permission for applicant to marry (if under 21 years old).

4. Legal freedom to marry.

5. Eligibility of alien spouse, and any children, to receive a nonimmigrant visa for admission into the United States under applicable INS regulations.

16.K.4.e. Punitive Action

Punitive action for marrying without command authorization is within the prerogative of unit commanders (U.S. vs. Wheeler, 12 USCMA 387, 30 CMR 387).

16.K.4.f. Performing Officer

Applicants are encouraged to have the marriage ceremony performed by a military chaplain, if available. Marriages overseas may sometimes involve two ceremonies, a civil ceremony as required by host country laws and a religious ceremony. The laws of the United States only recognize those marriages which are legally entered into under the laws of the country in which the ceremony is performed. There may also be a residency period which must be met to be in accordance with the regulations of the host country. The INS does not hold proxy, telephone, or similar marriages to be valid for immigration purposes unless the marriage shall have been consummated through cohabitation.

16.K.4.g. Equality of Benefits

Once the parties are married, no distinction will be made between alien and citizen spouses. Quarters allowances, commissary privileges, medical care (where available for dependents), and other benefits to which members and dependents of the Armed Forces are entitled apply to the spouse. However, no Coast Guard members will be authorized dependent quarters on a date earlier than otherwise entitled had they entered the overseas command initially on the date of the marriage.

16.K.5. Immigration and Naturalization Service Requirements

16.K.5.a. Immigrant Visa

Section 101(a)(15)(K) of the Immigration and Nationality Act, as amended, provides nonimmigrant visa classification (K-1) for aliens proceeding to the United States to marry American citizens. Accompanying minor children of such fiance(e) may also be granted nonimmigrant classification (K-2). The marriage must be concluded within 90 days of their admission into the United States. After the marriage, the alien spouse and minor children must apply to the INS for adjustment of status to that of permanent resident(s).

16.K.5.b. Petition for Visa

To establish K-1 classification, an American citizen fiance(e) must file a petition (Form I-129F) with the INS office having jurisdiction over the place of the petitioner's residence in the United States. Such a petition may not be adjudicated abroad. The petitioner and beneficiary of a fiance(e) petition must have met at least once within the two years prior to filing the petition. This requirement will be waived if unique circumstances exist. If approved, the petition will be forwarded by the approving office to the American consular office where the alien fiance(e) will apply for a visa. Any minor children derive K-2 status from the beneficiary as the children are listed on the Form I-129F petition. This petition is valid for four months from the date of INS approval.

16.K.5.c. U.S. Consular Action

The local American consular office notifies the beneficiary(s) of the approved petition and provides the necessary forms and instructions to apply for a "K" category visa. When the case has been processed, the beneficiary(s) will be interviewed by a consular officer to determine the eligibility for a "K" category nonimmigrant visa. If found eligible, the visa will be issued and will be valid for one entry during a 6-month period.

16.K.6. Processing Requests for Authorization to Marry

16.K.6.a. Submitting the Request

Requests for authorization to marry will be forwarded via the chain of command to the command having authority to grant the request:

1. Members attached to commands in countries where the fiance(e) resides shall submit the request to their commanding officer.

2. Members attached outside of the country of the fiance(e) shall submit their request to the command having cognizance in the area of the fiance(e). Questionable cases should be referred to Commandant (G-WPM).

16.K.6.b. Accompanying Documents

The request must be accompanied by **a written and notarized statement by the fiance(e). If the fiance(e) is under the legal age for marriage-without-consent as prescribed by the laws of the respective domicile, a written and notarized consent of the parent(s) or legal guardian(s) of the fiance(e) must be provided as well.** The notarized submission must include:

1. The full name and residence of the member.

2. The full name and residence of the fiance(e).

3. The full name, residence, and relationship of the person(s) granting permission.

4. The date permission is granted.

16.K.6.c. Approval Distinct From Visa Petition

Approval of the request to marry by the military command does not necessarily guarantee the alien fiance(e) or spouse a nonimmigrant visa. The member and fiance(e) shall sign a statement on the request acknowledging this fact. The member should initiate contact with INS and the Department of State to ensure smooth processing to avoid any visa or entry problems. All members whose requests have been approved will receive all practical assistance in arranging their marriages and securing visa and other entrance documentation.

16.K.7. Overseas Immigration and Naturalization Service Offices

The chart on pages 6 through 8 lists several foreign U.S. Immigration and Naturalization Services offices.

COUNTRY	ADDRESS
Austria	USINS c/o American Consulate General Vienna, Austria APO NY 09108
Germany	USINS c/o American Consulate General Frankfurt, Box 12 APO NY 09213
Greece	USINS c/o American Embassy Athens, Greece APO NY 09253
Guam	USINS 801 Pacific News Building 238 O'Hara Street Agana, Guam 96910
Hong Kong, **PRC**	USINS c/o American Consulate General Hong Kong, Box 30 FPO San Francisco, CA 96659

India	c/o American Embassy New Delhi, India U.S. Department of State Washington, DC 20520-9000
Italy	c/o American Embassy Rome, Italy APO NY 09794-0007
Kenya	USINS c/o American Embassy Nairobi, Box 12 APO NY 90675
Korea	USINS c/o American Embassy Seoul, Korea APO San Francisco, CA 96301
Mexico	1. USINS c/o American Consulate General Ciudad Juarez P.O. Box 9896 El Paso, TX 79989-9896 2. USINS c/o Officer in Charge Guadalajara Box 3088 Laredo, TX 78044 3. USINS c/o American Embassy Mexico City, Room 118 P.O. Box 3087 Laredo, TX 78044 4. USINS c/o American Consulate General Monterrey P.O. Box 3098 Laredo, TX 78041 5. USINS c/o American Consulate General Tijuana P.O. Box 11358 San Ysidro, CA 92073-1358
Panama	USINS c/o American Embassy Panama City APO Miami, FL 34002

Philippine Islands	USINS c/o American Embassy 1201 Roxas Boulevard Manila APO San Francisco, CA 96528
Puerto Rico	USINS GPO Box 5068 San Juan, PR 00936
Singapore	USINS c/o American Embassy Singapore APO San Francisco, CA 96699-0001
Thailand	USINS c/o American Embassy Bangkok, Box 12 APO San Francisco, CA 96346-0001

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16.L. Foreign Employment

16.L.1. General

A section of the Foreign Relations Authorization Act (P.L. 95-105, enacted 17 August 1977) provides that subject to the approval of the Secretary concerned (Secretary of Transportation for the Coast Guard) and the Secretary of State, retired members of the Uniformed Services and Reserve members of the Armed Forces are granted Congressional consent to accept civil employment from a foreign government or from companies owned by a foreign government. The law repealed 10 U.S.C. 1032, which required the approval of the Secretary concerned for a Reserve member to accept civil employment from a foreign government. The requirements for approval for a Retired or Reserve member to accept foreign employment are now included as a footnote to 37 U.S.C. **908**.

16.L.2. Submission of Requests

16.L.2.a. Required Information

Requests by Retired or Reserve members to accept civil employment from a foreign government, or from companies owned by a foreign government, shall include:

1. **Your social security number (SSN) and rank at, and date of, retirement.**
2. Country.
3. Name of company and relationship of the company to the foreign government.
4. Statement as to whether foreign citizenship is a condition of employment.
5. **Are you required to execute an oath of allegiance to a foreign government?**
6. Job title and brief description of duties.
7. Duration of employment.
8. **Is there any reason this employment might bring discredit upon the United States?**

16.L.2.b. Approving Entities

Requests from retirees (Regular and Reserve) shall be submitted to Commandant (G-WPM); those from Reserve personnel shall be sent to Commandant (G-WTR). To prevent possible loss of retired pay or other benefits, requests should be approved before a prospective employee assumes responsibility of the office or position being considered.

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16.M. Jury Duty

16.M.1. Policy

It is Coast Guard policy to encourage members of the Coast Guard to fulfill their civic responsibilities consistent with their military duties. For members stationed in the United States (all 50 states, U.S. territories, the District of Columbia, and the Commonwealth of Puerto Rico), serving on a State or local jury is one such civic obligation. Coast Guard members, however, may be exempted from jury duty when it would interfere unreasonably with performance of their military duties or adversely affect the readiness of a unit, command, or activity.

16.M.2. Exemptions

16.M.2.a. Grounds to Exempt

If such jury service would interfere with the member's military duties or adversely affect readiness, the member shall be exempted from jury duty. When a Coast Guard member on active duty is summoned to perform State or local jury duty, the commanding officer concerned shall decide if such jury duty would:

1. Interfere unreasonably with the performance of the member's military duties.

2. Adversely affect the readiness of the unit, command, or activity to which the member is assigned.

16.M.2.b. Exempt Personnel

All flag officers, commanding officers, officers in charge, all personnel assigned to units whose primary function is to operate vessels or aircraft to perform an operational mission of the Coast Guard, and personnel in a training status or stationed outside the United States are exempt from serving on a State or local jury. Such jury service would necessarily interfere with the performance of military duties by these members and adversely affect the readiness of the unit, command, or activity to which they are assigned.

16.M.3. Procedures

16.M.3.a. Leave and Reimbursement

Coast Guard members who serve on State or local juries shall not be charged leave or lose any pay or entitlements during the period of service. All fees accrued to the member for jury service are payable to the United States Treasury. Members may keep any reimbursement from the State or local jury authority for expenses incurred in the performance of jury duty, such as for transportation costs or parking fees.

16.M.3.B. Notice for Exempt Personnel

Written notice of each exemption determination shall be provided to the responsible State or local official who summoned an exempt member for jury duty. The written notice shall cite 10 U.S.C. 982 as authority for the exemption.

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16.N. Organ Donation

16.N.1. General

Active duty Coast Guard personnel may desire to donate an organ, e.g., kidney, bone marrow, skin, etc. This section specifies the general criteria for military personnel desiring to participate in an organ donation procedure; such members should follow these guidelines.

16.N.2. Policy

16.N.2.a. Request to Donate

A member who wishes to donate an organ must submit a letter with all pertinent information to Commander (CGPC-opm) for officers and (CGPC-epm) for enlisted personnel.

16.N.2.b. Medical Counseling

A medical officer, preferably an appropriate specialist, must counsel and fully brief Service members on the hazards involved in organ transplants. The medical officer should make it perfectly clear to the member who still elects to donate an organ that losing that organ will not become the basis for special consideration in assigning duty.

16.N.2.c. Financial Responsibility

The U. S. Government will assume financial responsibility for the organ donation only to the extent that the recipient is authorized TRICARE benefits, or as authorized for an active duty recipient. The member must execute a written statement acknowledging complete understanding that no disability benefits are provided for under 10 USC 61 for the loss of a donated organ and related diseases or conditions if subsequently found unfit for further military service.

16.N.3. Procedures

16.N.3.a. Required Information

Messages or letters requesting organ donation authority must contain the following:

1. Member's request indicating relationship to the recipient;

2. Statement whether the member has been fully counseled on the hazards of donating the organ;

3. Name, address, and telephone number of medical counselor;

4. Location and estimated duration of member's hospitalization;

5. Statement that the following have been signed:

   a. Statement that the member fully understands that special duty assignments will not be made because of the loss of organ under these circumstances;

   b. Written acknowledgment that member fully understands that there will be no entitlement to disability benefits for the donated organ and related diseases if subsequently found physically unfit for military service, and;

   c. Statement that the member fully understands that the U.S. Government will assume financial responsibility for the organ donation only to the extent that the recipient is authorized TRICARE benefits, or as authorized for an active duty recipient.

16.N.3.b. Submitting Documents

All signed statements will be made in duplicate with signed copies mailed to Commander (CGPC-opm) or (CGPC-epm) as appropriate, and the original filed in the member’s Personnel Data Record.

16.N.3.c. Obtaining a Medical History

A complete medical history and narrative summary of hospitalization will be obtained as soon as possible and placed in the member's health record. This is to document that the member is missing an organ through donation.

16.N.3.d. Authorized Leave

Requests for time away for confirmatory testing, counseling and marrow donation should be approved the same as those for other minor surgical procedures except that permissive orders and sick leave are authorized. Up to 30 days sick leave may be authorized to enable the donor to recover from the procedure.

16.N.3.e. Follow-up Examination

A physical examination will be performed to determine a member's fitness for duty after returning from sick leave.

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17.A. Retaining Personnel Unfit for Continued Service on Active Duty

17.A.1. Policy

17.A.1.a. General

This section prescribes procedures under which certain active duty members of the Coast Guard who are eligible for retirement or separation because of physical disability may remain on active duty in a limited assignment status on approval of their application for waiver.

17.A.1.b. Primary Objective

The primary objective of this program is to conserve human resources by effective utilization of needed skills or experience. A member who is unfit for continued service has no inherent legal or vested right to be continued on active duty, and disapproval of a request for retention has no bearing on the disposition of a case processed under the provisions of the Physical Disability Evaluation System, COMDTINST M1850.2 (series).

17.A.1.c. Needs of the Service

Each case involving a request for retention on active duty in a limited assignment status shall be considered individually, with decisions based on the Service's needs.

17.A.1.d. On Completing 20 Years' Service

A member found unfit for continued service by reason of physical disability who is retained on active duty on completing 20 years' service normally will be processed for physical disability separation or retirement.

17.A.1.e. More Than 20 Years' Service

Members, particularly those with more than 20 years of active duty service, shall not remain on active duty unless their retention is justified as being of value to the Coast Guard. Such members shall not remain solely to increase their monetary benefits.

17.A.1.f. Unfit for Continued Service

Members who are unfit for continued service will not be retained on active duty unless they so request.

17.A.1.g. Reevaluation at Time of Ultimate Retirement or Separation

A member retained on active duty under the provisions of this section will not be penalized for such service. At the time of ultimate retirement or separation, the member's physical condition will be reevaluated and documented to indicate whether the impairment(s) have remained the same, increased in severity, improved, or been cured. The case will then be referred to the Central Physical Evaluation Board (CPEB). Since the unfit for continued service finding was established by a previous board, a member whose condition has remained the same or increased in severity will be found unfit for continued service because the basis for that finding is still present. A member whose condition has improved, or been cured will be reevaluated to determine whether the existing impairment(s) still render the member unfit for continued service by reason of physical disability.

17.A.2. Criteria

17.A.2.a. Considerations

Commander, (CGPC) will consider retaining on active duty in a limited assignment status members who, although unfit because of physical disability, meet these criteria:

1. The member possess a special skill for which there is a specific Service need.
2. The member's physical condition is such he or she can perform duty requiring their special skill.
3. Retention will not jeopardize their health nor their associates' health.
4. The disability is stabilized and is not likely to require frequent absence from duty.
5. The member should have at least 18 years but less than 20 years service.

17.A.2.b. 18 Years' Service

Members who have at least 18 but fewer than 20 years service when they are found unfit for continued service or who remain on active duty under paragraph a. of this article who attain 18 years of service will remain on active duty until they complete 20 years of service if they meet these criteria:

1. They can perform useful service in an established billet for their grade, specialty, or rating.
2. Their retention will not be detrimental to their health nor a hazard to their associates.

17.A.3. Procedure

17.A.3.a. Physical Disability Evaluation System

The following procedures have been implemented in Chapters 3 and 4 of the Physical Disability Evaluation System, COMDTINST M1850.2 (series).

1. Members may append a request for retention on active duty to their Medical Board at the time they sign the Form CG-4920 acknowledging the medical board findings. The request for retention then will be forwarded along with the Medical Board. Concurrent action will be taken on their request by Commander, (CGPC-opm-1) or (CGPC-epm-1) and the Central Physical Evaluation Board (CPEB), and a coordinated reply transmitted with the CPEB findings for the acceptance or rejection of the member. This procedure is intended for, but not limited to, those members that are within six months of eligibility for a normal 20 year retirement.

2. Members who have not previously requested retention on active duty, but who subsequently are found unfit for continued service by the CPEB, may request retention on active duty. If they desire, the members may make an acceptance of the CPEB findings conditional upon approval of the retention request.

3. In the case of those members with more than 18 years but fewer than 20 years active duty, who have not requested retention as described in subparagraph (1) above, the CPEB will append to any unfit for continued service finding a specific opinion as to whether or not the member meets the medical requirements for retention established in this chapter. This provision is intended to encourage members who are approaching eligibility for a normal 20 year retirement to conditionally accept the CPEB findings and request retention on active duty.

17.A.3.b. Unfit for Continued Service

Members found unfit for continued service by a Formal Physical Evaluation Board (FPEB) may submit a request for retention on active duty to Commander, (CGPC-opm-1) or (CGPC-epm-1).

17.A.3.c. Appeal Process

When the Physical Review Council (PRC) or the Physical Disability Appeal Board (PDAB) has determined that a member is unfit for continued service, the member may request retention on active duty.

17.A.3.d. Requesting Retention

A member desiring retention on active duty in all circumstances should submit a letter request addressed to Commander, (CGPC-opm-1) or (CGPC-epm-1) with copy to (CGPC-adm-1) and suitably endorsed with regard to applicable criteria contained in ☛ Article 17.A.2.a. or b.

17.A.3.e. Commander, Coast Guard Personnel Command

Based on the policy contained in ☛ Articles 17.A.1. and 17.A.2., Commander, (CGPC) determines whether to retain the member or proceed with physical disability retirement or separation proceedings.

17.A.3.f. Letter Notification

In addition to any other notification, Commander, (CGPC-opm-1) or (CGPC-epm-1), as appropriate, will respond by letter to all requests for retention. When retention on active duty is approved, the requirements for periodic evaluation, renewal and termination of retention when Not Fit for Duty (NFFD) will be specified.

17.A.3.g. Death Imminent/Expedited Review Process

In the event of catastrophic injury, and when a member's death may be imminent, the member's command is responsible for initiating the Expedited Review process by immediately notifying the Flag Plot Duty Officer at the Coast Guard Headquarters Command Center. The purpose of the Expedited Review process is to provide a member, whose death is imminent, with the counsel to represent the member's best interests, and an opportunity to make timely decisions that will maximize applicable benefits for the member's dependents. Failure to initiate the Expedited Review process as soon as it is determined that the member's death may be imminent could prevent the process from being completed before the member's death and jeopardize the eligibility of the member's dependents for applicable benefits. ☛ Physical Disability Evaluation System, COMDTINST M1850.2C, Chapter 4.A.10. for further instruction.

17.A.4. Periodic Evaluation and Renewals

17.A.4.a. Approvals for Retention

Approvals for retention on active duty will be granted for periods up to one year. Before the end of the one-year period, the member shall undergo a physical examination and reevaluation of the specified condition(s) that were the basis for the unfit for continued service findings to determine whether to terminate retention on active duty, continue retention, or a return to a full duty status is warranted. Annual examinations shall be prepared in Medical Board format with particular emphasis on any changes in the conditions for which the member initially was found fit for

limited duty (FFLD), prognosis, and ability to continue in an FFLD status if further retention is approved. The examination shall be sent to Commander, (CGPC-opm-1) or (CGPC-epm-1), as appropriate. The member's commanding officer shall insert the words "Retention Waiver Reevaluation" across the top of the Medical Board cover sheet. The commanding officer also shall attach a copy of the retention authorization then in effect and adds an endorsement similar to that provided for in ☛ Article 17.A.3.d. in case the request is for continued retention.

17.A.4.b. Determination

Commander, (CGPC) will decide in accordance with the policy contained in ☛ Article 17.A.1. and criteria in ☛ Article 17.A.2. The decision will be to grant an additional period of retention or proceed with disability retirement or separation proceedings.

17.A.4.c. Active Duty Termination

When retention on active duty is to be terminated, it is important that a thorough exam in the format of an Initial Medical Board be conducted to determine whether the evaluee's original condition has changed, and to identify any new impairments. This Initial Medical Board shall be submitted to the CPEB so that final adjudication can be started in the disability process.

17.A.4.d. Retention for fewer than Six Months

There is no requirement to reevaluate disability or a new Medical Board if the period of retention is fewer than six months from the date the CPEB or FPEB initially found the member NFFD.

17.A.5. Aviation Rating Personnel in a Non-Flying Status

In exceptional cases, Commander, (CGPC-epm-1) will consider retaining an individual in an aviation rating in a non-flying status until eligible for retirement subject to all these conditions:

1. The member possesses an above average proficiency in an aviation rating for which the Service has a specific need.
2. The member can perform useful service in an established billet for their rate and rating.
3. The member’s retention will not jeopardize his or her own or associates’ personal health.
4. The member is in pay grade E-6 or above with at least 16 years of service for retirement eligibility.

5. The member submits a written request to Commander, (CGPC-epm-1) to remain on active duty until completing 20 years' active service.

17.A.6. Terminating Active Duty when Unfit for Continued Service

17.A.6.a. Disapproval of Continued Service

Any member retained on active duty under the provisions of this section whose continued retention has been disapproved by Commander, (CGPC), shall be processed in accordance with the Physical Disability Evaluation System, COMDTINST M1850.2 (series) for disability separation or retirement.

17.A.6.b. Limited Duty Termination

Any member retained on active duty under the provisions of this section who request termination of this limited duty status shall be processed in accordance with the Physical Disability Evaluation System, COMDTINST M1850.2 (series).

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17.B. Final Action on Physical Evaluation Boards

17.B.1. Authority to Take Final Action

17.B.1.a. Approval of Proposed Findings

In the Physical Disability Evaluation System (PDES), final action consists of approving specific proposed findings and a disposition of an active duty or retired on temporary disability member and providing the authority to implement the approved disposition.

17.B.1.b. Authority to Take Final Action

Authority to take final action for the Coast Guard on Central Physical Evaluation Board (CPEB), Formal Physical Evaluation Board (FPEB), Physical Review Council (PRC) and Physical Disability Appeal Board (PDAB) recommendations, findings, dispositions or modifications thereto is reserved to the Commandant and such other officers designated in the Delegation of Authority, Headquarters Instruction 5402.3 (series) as follows:

1. Commandant: Fit for Duty (FFD) cases involving flag officers.

2. Secretary of Transportation: All other cases of Not Fit for Duty (NFD) involving flag officers.

3. Commandant, Vice Commandant, or Chief of Staff: Specific cases in which the Commandant (G-W) has acted as the President, Physical Disability Appeal Board.

4. Commandant (G-W): All other cases.

5. Commander, (CGPC).

17.B.1.c. Findings, Dispositions, or Modifications

Findings, dispositions or modifications thereto, made in accordance with the provisions contained in the Physical Disability Evaluation System, COMDTINST M1850.2 (series), are only recommendations. They are subject to modification by competent authority, until made final by the Commandant or such officers as may be designated herein.

17.B.2. Final Action Procedure

17.B.2.a. Officers Authorized to Take Final Action

Officers authorized to take final action on Physical Evaluation Board may:

1. Approve the recommended findings and disposition of disability boards appropriately transmitted in accordance with the Physical Disability Evaluation System, COMDTINST M1850.2 (series) for final action; or,

2. Accept and approve a minority report or any other recommendation or make independent substitute findings and/or disposition; or,

3. Refer the case to any board in the PDES for development of additional information or further consideration of any aspect of the case, stating the reasons therefore.

17.B.2.b. Submitting a Rebuttal to Board Findings

When the Commandant or his or her designee proposes to accept a minority report or other recommendation or makes independent substitute findings and/or disposition which would either affect the ultimate disposition of the evaluee as defined in the Physical Disability Evaluation System, COMDTINST M1850.2 (series) or decrease the evaluee's temporary or permanent disability retired pay, the evaluee first is given an opportunity to submit a rebuttal in the manner prescribed in the Physical Disability Evaluation System, COMDTINST M1850.2 (series), provided the evaluee has not previously had an opportunity to submit a rebuttal on the same question.

17.B.3. Disposition of Evaluee Before Final Action

17.B.3.a. Assignment While Undergoing Evaluation

Personnel undergoing evaluation in the physical disability evaluation system normally are not assigned to a new permanent change of station until the physical disability evaluation process is completed. Temporary additional duty orders may be issued to the evaluee to obtain additional medical evidence for a disability hearing, appear before a hearing considering the evaluee for administrative separation other than for physical disability, or such temporary additional duties not deleterious to the evaluee's medical condition. Evaluees may be transferred to a home awaiting orders status in accordance with ☞ Chapter 7.

17.B.3.b. Interim Duty Status

If sick leave or Home Awaiting Orders Status (HAOS) is indicated, the evaluee's commanding officer shall request authority from Commander, (CGPC-opm-1) or (CGPC-epm-1), as appropriate, to take such action. Consideration shall be given to the following factors, in assigning and maintaining a specific interim duty status:

1. Limited Duty. When limited duty is assigned pending disposition of the case, evaluees shall be assigned to duties which they can be used effectively without detriment to their physical or mental health.

2. Sick Leave. Sick leave may be assigned when an evaluee is undergoing medical treatment other than hospitalization and cannot perform assigned duties. Sick leave shall normally be granted only when the evaluee is expected to eventually return to a fit for duty status. The provisions of Article 7.A.5.h. apply to the granting of sick leave.

3. Hospitalization. When continued medical treatment is recommended by the FPEB, an evaluee who is hospitalized at the time will be retained in that status. When hospitalization is no longer necessary, the evaluee shall be assigned an appropriate status consistent with the provisions of this article. The evaluee shall also receive such followup care as necessary. Care from civilian sources shall be in accordance with the Medical Manual, COMDTINST M6000.1 (series).

4. HAOS. An evaluee found unfit for continued service may be placed in HAOS when approved by Commander, (CGPC-opm-1) or (CGPC-epm-1), as appropriate. HAOS normally is used only when the evaluee cannot perform useful duties commensurate with pay grade at the unit, pending final resolution of the case after the CPEB has rendered a finding of unfit for continued service. On approval of HAOS, the commanding officer shall ensure compliance with ☛ Article 7.A.5.g.

17.B.4. Final Action When Fit for Duty

17.B.4.a. Approval of “Fit for Duty” Status

If a recommendation of "fit for duty" is approved, Commander, (CGPC-opm-1) or (CGPC-epm-1), as appropriate, informs the evaluee, who then returns to duty and, where applicable, the evaluee retires or is discharged or released to inactive duty as appropriate under other provision of law or regulations.

17.B.4.b. Temporary Disability Retired List

If the evaluee is on the temporary disability retired list (TDRL), these provisions apply:

1. Officers. When appropriate, an officer found fit for duty on the TDRL shall be ordered to active duty as a retired officer, with his or her consent. Commander (CGPC-opm-1) shall also initiate action to reinstate the officer's commissioned or warrant status. For an officer found fit for duty who originally was to be retired, discharged, or released to inactive duty under some other provisions of law or regulations, that action shall be completed expeditiously.

2. Enlisted Members. An enlisted member on the TDRL who is found fit for shall be afforded the opportunity to reenlist and shall be notified of the following by Commander (CGPC-epm-1):

   a. Upon presentation of the notification of the fit for duty finding to any Coast Guard recruiting office within 15 working days, the member shall be reenlisted, provided the member is qualified. There will be no further physical examination for the impairments for which temporarily retired.

   b. Reenlistment will be effected in the grade and rating in which the member served on the date prior to retirement. If placed on the TDRL in a grade higher than that held on the day prior to retirement, the member shall be reenlisted in the lower grade.

   c. Status on the TDRL and disability retirement pay shall be terminated either on the day prior to reenlistment or on the 15th day from the date the letter of notification is postmarked, if the evaluee does not reenlist.

   d. If the member has a Reserve obligation and does not reenlist, the member shall be transferred to or retained in the Reserves to complete such obligation. All time during which the evaluee's was on the TDRL shall be counted toward the completion of the Reserve obligation.

17.B.5. Final Action When Not Fit for Duty

1. If an evaluee is found "not fit for duty" because of a condition which is not a disability (☞ Physical Disability Evaluation System, COMDTINST M1850.2 (series)), the evaluee will be separated without benefits.

2. If an evaluee has both a condition that is not a disability, and also a ratable disability, the evaluee is entitled to benefits only if the ratable disability, considered alone, is determined to render the evaluee not fit for duty.

3. If an evaluee meets the provisions of the Physical Disability Evaluation System, COMDTINST M1850.2 (series), orders shall be issued for the evaluee's separation with severance pay or retirement, as applicable. ☞ U.S. Coast Guard Pay Manual, COMDTINST M7220.29 (series).

17.B.6. Effective Date of Disability Retirement or Separation

17.B.6.a. Date of Separation or Retirement

1. When temporary or permanent disability retirement or disability separation is directed, the effective date of such retirement or separation normally is 20 working days following the date of Commander, Coast Guard Personnel Command's action. **If every effort has been made to meet the separation date within the 20 working day period, but it proves impossible to complete the separation processing (shipment of household goods, OUTCONUS to CONUS transfer, etc.) within that timeframe, then retention of the member beyond the mandatory date for a period which is absolutely necessary to complete the separation processing may be authorized by Commander (CGPC-epm) for enlisted or Commander (CGPC-opm) for officers. Commanding Officers must submit a request, via message, for an extension of the separation date and must outline the additional time needed and the reason(s) for the extension.**

2. The separation or retirement date may be delayed for not more than 24 months if a member has requested, retention on active duty in accordance with the provisions of ☞ Article 17.A. and the member's request has been approved. In all other areas in which requests for retention on active duty have been approved, final action will be held in abeyance until there has been final reconsideration of recommended findings and disposition as provided for in ☞ Article 17.A.1.g.

17.B.6.b. Retaining Commissioned Officers

In the case of commissioned officers, the Coast Guard must make every effort to evaluate a member's physical disability prior to a mandatory retirement or discharge date. However, except as provided in ☞ Article 12.C.6.b. for chief warrant officers, if every effort has been made to meet the mandatory date, but it proves impossible to complete physical disability processing then retention of the member beyond the mandatory date for a period which is absolutely necessary to complete the physical disability determination may be authorized by Commandant (G-W).

17.B.6.c. Retention Beyond Expiration of Enlistment

Enlisted members, whose enlistment expires prior to completion of the evaluation of their physical status, may be retained with their consent for a period not to exceed six months in accordance with the provisions of ☞ Article 12.B.11.f.(1)(a). They may be retained without their consent for a period not to exceed 30 days in accordance with the provisions of ☞ Article 12.B.11.i.

17.B.6.d. Request for Retirement or Discharge

Whenever evaluees for personal reasons desire retirement or discharge at the earliest possible date, they may submit a written request to do so to Commander (CGPC-opm-1) or (CGPC-epm-1), as appropriate. In such a case an evaluee shall request retirement or discharge be effected without delay on completing review and final action on the record of proceedings of the CBEB or FPEB, as applicable. ☞ Physical Disability Evaluation System, COMDTINST M1850.2 (series). Commanding officers of evaluees shall advise Commander (CGPC-opm-1) or (CGPC-epm-1), as appropriate, by message immediately on receiving the evaluee's request.

17.B.7. Retirement or Separation for Other Reasons

Evaluees who meet all qualifications for physical disability retirement but also qualify for retirement or separation for other reasons may, prior to the effective date of retirement, request the Commandant to take no action on the record of proceedings of the Physical Evaluation Board in their case so they may request and retired or be separated for reasons other than physical disability. ☞ Articles 12.A. and 12.B.

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18.A Benefits for Veterans and Dependents

18.A.1 General

Benefits for veterans and their dependents are provided by laws administered by the Department of Veterans Affairs, Social Security Administration, and the Coast Guard. When a member of the Coast Guard dies, either while serving on active duty or after retirement, the Commandant should be notified by expeditious means, (Refer to article 11.A.2). The necessary forms to enable the next of kin, if within the permitted class of dependents, to apply for a pension or compensation will be forwarded by Commandant (G-WPM-2), together with information as to additional documents which may be required by the Department of Veterans Affairs, the Social Security Administration and/or the Coast Guard. Commandant (G-WPM-2) will strive to advise all claimants of available benefits. However, all matters relating to the many benefits provided by laws administered by the Department of Veterans Affairs and the Social Security Administration are entirely within the jurisdiction of these agencies. Their determinations are not subject to any review by the Coast Guard. Any question of eligibility should be handled directly with the above agencies by the claimant.

18.A.2 Benefits for Veterans

Under the Department of Veterans Affairs regulations certain benefits are available for veterans whether retired or discharged and for certain members of their families. Some of these benefits are also available for members on active duty. To be eligible for these benefits, in addition to other qualifications, the veteran must have been discharged or separated from the Service under conditions other than dishonorable. Substantiating documents necessary to support a veteran's claim for benefits are outlined in article 18.A.3. A statement of service and/or DD Form 214 is required for active duty personnel. Even though the member, the member's dependents and/or survivors may be entitled to certain benefits, no benefit can start until after a claim has been filed. Filing the necessary claims is the responsibility of the person who may be eligible for the benefit. Most of the benefits and other programs applicable to former members of the Coast Guard are administered by the Department of Veterans Affairs (VA). Even if a program is not administered by the VA, its contact representatives are well informed about all Federal and State programs applying to veterans.

18.A.3 Substantiating Documents

18.A.3.a. Required Documents

The following substantiating documents are required for Social Security, Department of Veterans Affairs, and Coast Guard benefits:

1. Proof of marriage, copy of original certificate of marriage is preferred.

2. In the event of prior marriage, certified copy of certificate of death or divorce decree of former husband or wife, as the case may be.

3. Certified copies of birth certificates of children under 18 years of age.

4. Certified copy of birth certificate of spouse, if member is a participant in the Retired Serviceman's Family Protection Plan. (Refer to article 18.F.3).

18.A.3.a. Copies of Documents

Copies of the documents listed should be filed at Coast Guard Headquarters in the personnel record of the officer or enlisted member concerned, in order that delay in forwarding application for death benefits payable by the Coast Guard may be obviated. In addition, copies of these documents should be retained by the veteran for submission to the proper agencies for benefits.

18.A.4 Death Gratuity

18.A.4.a. Definition of Terms

1. Member of the Uniformed Services, with respect to Coast Guard personnel means:

   a. Any person appointed, enlisted, or inducted into the Coast Guard or Coast Guard Reserve or a cadet at the Coast Guard Academy. The term "Reserve" as used herein does not include temporary members of the Coast Guard Reserve or members of the Coast Guard Auxiliary.

   b. Any person while en route to or from, or at, a place for final acceptance or for entry upon active duty in the Coast Guard service:

      - Who has been provisionally accepted for such duty; or

      - Who, under the Universal Military Training and Service Act, has been selected for active military service and has been ordered or directed to proceed to such place.

2. Active duty is defined as full-time duty performed by a member of the Coast Guard, other than active duty for training, or as a cadet at the Coast Guard Academy, and authorized travel to or from such duty or service.

3. Active duty for training is defined as full-time duty performed by a member of the Coast Guard Reserve for training purposes and authorized travel to or from such duty.

4. Inactive duty training is defined as any of the training, instruction, duty, appropriate duties, or equivalent training, instruction, duty, appropriate duties, or hazardous duty performed with or without compensation by a member of the Coast Guard Reserve prescribed pursuant to Section 501 of the Career Compensation Act of 1949 or any other provision of law. The term does not include:

   a. Work or study performed by a member of the Coast Guard Reserve in connection with correspondence courses in which the member is enrolled.

   b. Attendance at an educational institution in an inactive status under the sponsorship of any of the Uniformed Services.

   c. Activities of temporary members of the Coast Guard Reserve or Coast Guard Auxiliary.

5. Service Without Pay. Any member of the Coast Guard Reserve who performs active duty, active duty for training, or inactive duty training, without pay, shall for purposes of death gratuity payment be considered as being entitled to basic pay while performing such duties.

6. Death Occurring While Traveling to and From Active Duty for Training and Inactive Duty Training. Any member of the Coast Guard Reserve, who, when authorized or required by competent authority, assumes an obligation to perform active duty for training or inactive duty training and who dies from an injury incurred on or after 01 January 1957 while proceeding directly to or directly from such active duty for training or inactive duty training, shall be deemed to have been on active duty for training or inactive duty training, as the case may be.

7. Hospitalization. A member of the Coast Guard Reserve who suffers disability while on active duty, active duty for training, or inactive duty training, and who is placed in a pay status while receiving hospitalization or medical care, including outpatient care for such disability, shall be deemed, for the purposes of the payment of a death gratuity, to continue on active duty, active duty for training, or inactive duty training, as the case may be, for so long as the member remains in a pay status.

18.A.4.b. Eligibility

Generally, the member's death must have occurred while on active duty, active duty for training, or inactive duty training. However, the gratuity is also payable if a service member or former service member dies of a service-connected cause within 120 days after discharge or release from active duty or active duty for training under other than dishonorable conditions. In the case of inactive duty training, the gratuity is payable if death occurs within 120 days and is the result of injury received during that training. Death gratuity is not payable if death is the result of lawful punishment for crime or military offense, except when inflicted by a hostile force. No payment will be made to

a survivor implicated in the homicide of the deceased in the absence of evidence clearly absolving such survivor.

18.A.4.c. Eligible Survivors

Such death gratuity shall be paid to or for the living survivor or survivors of the deceased member in the following order:

1. The lawful spouse.

2. The member's children, without regard to their age or marital status, in equal shares. The term child includes a legally adopted child; a stepchild, if a member of the service member's household; an illegitimate child if the father acknowledges the child in writing signed by him; or, was judicially ordered to contribute to the child's support; or, was prior to his death judicially or otherwise shown by satisfactory evidence to be the father of the child; an illegitimate child of the female member as evidenced by birth certificate or other satisfactory evidence that member was mother of the child.

3. The member's parents, brothers or sisters, including those of the half blood and those through adoption, when designated by the member. The term parent includes natural father, mother, father through adoption, mother through adoption, and persons who have stood in loco parentis to the service member at any time prior to entry into active service for a period of not less than one year, provided that, not more than one father and mother as defined shall be recognized in any case.

4. The member's parents in equal shares.

5. The member's brothers and sisters, including those of the half blood and those through adoption, in equal shares.

18.A.4.d. Designation of Payee by Service Member

1. Where the member has designated a beneficiary and is not survived by a spouse, child, or children, the payment will be made to the specific person designated by the member provided the designee falls within the class of beneficiaries listed in paragraph c. of this article. If more than one person is so designated, payment will be made in equal shares.

2. If a survivor dies before receiving payment, such amount shall be paid to the then living survivor or survivors listed in paragraph c.

18.A.4.e. Nature of Benefit

The death gratuity is $6,000. (Refer to 10 U.S.C. 1478)

18.A.4.f. Delegation of Authority

District commanders and commanding officers of Headquarters units are authorized to certify eligibility for the payment of the death gratuity to the lawful spouse who was residing with the service member at or near the member's place of duty at the time of death, except in those cases in which a substantial question may exist as to the eligibility of the survivor. It is the intent that determinations by district commanders and commanding officers of Headquarters units will be confined to spouses who were living with the member at the time of the member's death. Payment of death gratuity to all other eligible beneficiaries will be made by the Pay and Personnel Center.

18.A.4.g. Policies and Procedures

1. Immediate Payment. In order to expedite the payment of death gratuity, district commanders or commanding officers of Headquarters units will, upon official notification of death, ascertain the duty status of the deceased and determine the eligibility of the spouse who was residing with the deceased member on or near the member's duty station at the time of death. The services of a district legal officer will be utilized as required. Every effort shall be made to effect prompt payment.

2. Certification. Claim, Certification and Voucher for Death Gratuity Payment, DD Form 397, will be prepared in quadruplicate and forwarded to the Authorized Certifying Officer for processing in accordance with the Coast Guard Pay Manual, COMDTINST M7220.29 (series).

3. Reporting. If for any reason payment is not contemplated, a message will be sent to Commandant (G-WPM-2) and the Pay and Personnel Center, setting forth the facts necessary for the Commandant to expedite payment.

18.A.4.h. Reporting of Deaths Occurring While Traveling To and From Active Duty, Active Duty for Training, and Inactive Duty Training

If payment is not contemplated by district commanders or commanding officers of Headquarters units, commanding officers will submit the report required by article 11.A.2 on the death of any person performing travel as set forth in paragraph a. of this article. There shall be included in such report the following information:

1. The hour on which the member began to proceed or to return.

2. The hour on which the member was scheduled to arrive for or on which the member ceased to perform such duty.

3. The method of travel employed.

4. The member's itinerary.

5. The manner in which the travel was performed (e.g., passenger, operator).

6. Immediate cause of death.

18.A.5 Unpaid Pay and Allowances

18.A.5.a. Settlement of Accounts

In the settlement of the accounts of any deceased member of the Coast Guard the amount found due shall be paid to the person or persons surviving on the date of death in the following order of precedence:

1. Designated beneficiary.

2. Widow or widower.

3. Child or children and descendants of deceased children by representation.

4. Parents or to the survivor of them.

5. Duly appointed legal representative of the estate of the deceased member, or if there be none, to the person(s) determined to be entitled thereto under the laws of the domicile of the deceased member.

18.A.5.b. Regulations

Regulations prescribed by the Comptroller General of the United States specify that such pay and allowances may include per diem, travel, transportation of dependents, transportation of household goods, etc., found due the decedent on date of death.

18.A.5.c. Record of Emergency Data

The Record of Emergency Data, CG-4113, is specified as the form to be used in designating a beneficiary for unpaid pay and allowances when the member is on active duty, active duty for training, or inactive duty training, and in the case of a retired member, Designation of Beneficiary for Unpaid Retired Pay, CGPPC-3600. Settlement will be made with the person or persons named on the latest form CG-4113 or form CGPPC-3600.

18.A.5.d. Claim of Designated Beneficiary

Standard Form No. 1174, Claim of Designated Beneficiary for Unpaid Pay and Allowances of Deceased Member of the Uniformed Service, is forwarded by Commandant (G-WPM-2) to the designated beneficiary(ies) or next of kin entitled to file

claim. Upon return of the executed claims, they are reviewed for correctness of form and certification is made by Commandant (G-WPM-2). The claims then are forwarded to the Pay and Personnel Center. Settlement is made by that office in all cases except those wherein there exists a doubtful question of fact or law or if the payee is a minor or incompetent, or is the estate of the decedent. In such cases, settlement is made by the General Accounting Office.

18.A.6 Summary of benefits

The benefits listed in the following table are the most important Federal benefits that have been provided and may be available to service members, their dependents, and/or survivors. These benefits, other than those paid by the Coast Guard, are entirely within the jurisdiction of the administering agencies. The determination of entitlement to benefits is dependent upon the member's service status, dependency of dependents and/or survivors, and in the case of survivor benefits, the circumstances of the members death. For information or assistance on benefits other than those administered by the Coast Guard, reliance may be placed on the contact activity at any Department of Veterans Affairs facility. The following table indicates the many types of benefits, the administering agency and their applicability to active duty personnel, retired and discharged personnel, dependents and/or survivors.

BENEFITS	ACTIVE DUTY	RETIRED/ DISCHARGED	SURVIVORS
DEPARTMENT OF VETERANS AFFAIRS BENEFITS			
Dependency and Indemnity Compensation, Death Compensation and/or Death Pension			X_1
Compensation for Service Connected Disability; Pension for Non-Service-Connected Disability		X_2	
GI Bill Education and Training	X_3	X_3	
Orphans Education Assistance		X_4	X_4
GI Loans for Homes, Farms, Businesses	X	X	X
Service Member's Group Life Insurance	X	X_5	X_5
Hospitalization, Outpatient, Medical and Dental Treatment		X_6	
Burial Allowance			X_7
Burial Flag			X

Service-Disabled Veterans Insurance		X[8]	

SOCIAL SECURITY BENEFITS			
Social Security Lump Sum Benefits			X
Monthly Survivors Payment for Eligible Dependents			X
Retirement Benefits		X	
Disability Benefits		X	

OTHER BENEFITS			
Federal Civil Service Preference		X	X
Burial in National Cemeteries	X[9]	X[9]	X[9]
Headstone or Grave Marker		X[10]	X[10]
FHA Home Mortgage Insurance		X[11]	X[11]

COAST GUARD BENEFITS			
Death Gratuity			X[12]
Accrued Retired Pay and Accrued Pay and Allowances			X[13]
Retired Serviceman's Family Protection Plan		X[14]	
Primary and Secondary Burial Allowances	X[15]	X[15]	

NOTES:

1. Dependency and indemnity compensation is payable to survivors of veterans or service members who die from a disease or injury incurred or aggravated in line of duty while on active duty or active duty for training, an injury incurred or aggravated in line of duty while on inactive duty training, or a disability otherwise compensable under laws administered by the VA. Death compensation is payable to survivors of veterans or service members whose death occurred prior to 01 January 1957 from a service-connected cause. Although death compensation generally is limited to deaths occurring before 01 January 1957, survivors of those who die of a service-connected cause on or after 01 May 1957, while an inservice waiver of premiums on GI or NSLI insurance is in effect, may receive only death compensation. Death pension is payable to survivors of wartime veterans and those of the Korean-conflict period who have died due to nonservice-connected causes.

2. Disability compensation is a monthly payment to veterans disabled by disease or injury incurred in or aggravated by active military service in line of duty. Allowances are also paid for certain family dependents when the extent of disability is 50 percent or more. Retired personnel may elect to receive disability compensation in lieu of retired pay. Disability pension is available to wartime and Korean-conflict veterans with a nonservice-connected disability who have little or no income.
3. Refer to the Montgomery G.I. Bill - Active Duty Education Assistance Program, COMDTINST 1760.9 (Series).
4. For sons and daughters of deceased veterans and those of living veterans who have disabilities which are considered to be total and permanent in nature whose death or disability was a result of service in the Armed Forces.
5. Coverage continues for 120 days after separation, release from active duty, or retirement. Benefit payable after 120 days following separation provided member converted to an individual policy. Benefit payable to survivors and/ or beneficiaries.
6. Within the limits of the VA facilities.
7. To survivors of veterans of a wartime or armed conflict period designated by Congress or a peacetime veteran in receipt of service-connected compensation at time of death or discharge or retired for disability incurred in line of duty.
8. Refer to article 18.D.3.
9. Refer to article 11.B.15.
10. Refer to article 11.B.16.
11. Refer to Section 16.I.
12. Refer to article 18.A.4.
13. Refer to article 18.A.5.
14. ~~Refer to section 18.B.~~
15. Refer to articles 11.B.1 and 11.B.2.

18.A.7. Dissemination of information

Descriptive literature and pamphlets on the aforementioned benefits are issued by the agency administering the applicable laws. Copies of these benefits pamphlets may be obtained from the various agencies concerned. Pamphlets available from the Coast Guard are listed in the Directives, Publications, and Reports Index, COMDTNOTE 5600.

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18.C. Uniformed Services Identification and Privilege Card, DD Form 1173, and Instructions for Completing DD Form 1172

18.C.1. General

18.C.1.a. Uniformed Services Identification and Privilege Card

The DD form 1173, Uniformed Services Identification and Privilege Card, shall be used to identify individuals eligible for benefits and privileges administered by the Uniformed Services.

18.C.1.b. Personal Custody of the Card

The DD Form 1173 is not a pass. The card, which is the property of the U. S. Government, shall be in the personal custody of the individual to whom issued at all times; however, if required by military authority, it shall be surrendered for identification or investigation.

18.C.1.c. Unauthorized Usage

Any person willfully altering, damaging, lending, counterfeiting, or using their DD Form 1173 card in any unauthorized manner is subject to fine or imprisonment or both as prescribed by 18 U.S.C. 499, 507, or 701. Unauthorized or fraudulent use of the DD Form 1173 would exist if a bearer uses the card in a manner that would enable the bearer to obtain benefits and privileges to which he or she is not entitled. Sec. 701, Title 18 U.S.C., prohibits photographing or otherwise reproducing or possessing Uniformed Services ID cards in an unauthorized manner, under penalty of fine or imprisonment or both. Photocopying of the DD Form 1173 to facilitate medical care processing, check cashing, or administering other military related benefits to eligible beneficiaries are examples of authorized photocopying.

18.C.1.d. Cross Servicing Agreement

Under the Uniformed Services cross-servicing agreement any Coast Guard ID Card issuing facility will verify and issue the DD Form 2 (Retired) and DD Form 1173 to eligible beneficiaries of all Services in the following categories upon presentation of required documentation: dependents and survivors of retired members, survivors of active duty members, active duty dependents who have been previously enrolled in the Defense Enrollment Eligibility Reporting System (DEERS), Medal of Honor recipients and 100 percent disabled veterans including their dependents and survivors, and unremarried and unmarried former spouses if the parent Uniformed Service verified the initial ID card application. When eligibility can be verified through DEERS, presentation of documentation will not be required. The agreement, however, restricts verification of

the DD Form 1172 to the Uniformed Service for the following categories: incapacitated individuals over 21, secondary dependent parents who require a dependency determination, illegitimate child of spouse of sponsor, any dependents of an active duty sponsor not enrolled in DEERS, and unremarried and unmarried former spouses applying for initial issuance of an ID card. When presenting a properly verified DD Form 1172 from the parent Uniformed Services, any Uniformed Service may issue the DD Form 1173 for these categories of beneficiaries.

18.C.1.e. Principal Issuing Activities

The following Coast Guard units are designated principal issuing activities for DD Form 1173:

1. Headquarters.
2. Districts.
3. Maintenance and Logistics Commands.
4. Yard.
5. Academy.
6. Institute.
7. Information Systems Center, Alexandria.
8. Training Center, Cape May.
9. Training Center, Petaluma.
10. Reserve Training Center, Yorktown.
11. Aviation Training Center, Mobile.
12. Pay and Personnel Center.

District commanders and commanders, maintenance and logistics commands may authorize Coast Guard units within their commands to issue DD Form 1173 provided adequate facilities are available for processing and security.

18.C.2. Eligibility

18C.2.a. Authorized Issuance

DD Form 1173 shall be issued to:

1. Dependents of active duty members, or members entitled to retired pay, including those in a dual status, e.g., retired member and dependent of active duty member. DD Form 1173 may be issued to a dependent wife in the legal name by which she is known, such as a maiden name.

2. An unremarried former spouse or unmarried former spouse of a member or former member, married to the member or former member for a period of at least 20 years during which period the member or former member performed at least 20 years of

service that is creditable in determining the member's or former member's eligibility for retired or retainer pay, or equivalent pay.

3. An unremarried former spouse described in (2) above, except that the period of overlap of marriage and the member's creditable service was at least 15 years but less than 20 years, and the final decree of divorce or dissolution of marriage was before April 1985. If the marriage terminated on or after 01 April 1985 and before 30 September 1988, entitlements shall exist for two years after the divorce or dissolution. If marriage terminated on or after 30 September 1988, entitlements shall exist for one year after the divorce or dissolution.

4. Surviving dependents of members who died while on active duty under orders that specified a period of more than 30 days or members who died while in a retired with pay status.

5. Surviving dependents of Reserve members who died while in line of duty while on active duty, temporary active duty, active duty for training, or inactive duty for training, such as drills, for a period of 30 days or less.

6. Persons designated as former members, 60 years of age or older and eligible for retired pay under 10 U.S.C. 1331, including those in dual status, and their dependents.

7. Surviving dependents of former members who attained age 60 and were eligible for retired pay under 10 U.S.C. 1331.

8. Surviving dependents of Reserve members who retired without pay, had met time in service requirements, had elected to participate in the Reserve Component-Survivor Benefit Plan, and who died before reaching age 60, but after 01 October 1978 (P. L. 95-397). The DD Form 1173 may be issued to the dependent only on or after the date on which the member would have been 60 years old had they survived.

9. Honorable discharged veterans rated by the VA as 100 percent disabled from a Uniformed Service-connected injury or disease, or Medal of Honor recipients.

10. Dependents and surviving dependents of honorably discharged veterans rated by the VA as 100 percent disabled from a Uniformed Service-connected injury or disease at the time of their death and Medal of Honor recipients.

11. Foreign personnel in the following categories:

    a. Active duty officer and enlisted personnel of North Atlantic Treaty Organization (NATO) countries serving in the United States under the sponsorship or invitation of the Department of Defense or a Military Service and their accompanying dependents living in the sponsor's U.S. household.

b. Active duty officer and enlisted personnel of non-NATO countries serving in the United States under the sponsorship or invitation of the Department of Defense or a Military Service and their accompanying dependents living in the sponsor's U.S. household.

c. Active duty officer and enlisted personnel of NATO countries who, in connection with their official NATO duties, are stationed in the United States and are not under the sponsorship of the Department of Defense or a Military Service and their accompanying dependents living in the sponsor's U.S. household.

d. Active duty officer and enlisted personnel of NATO and non-NATO countries when serving outside the United States and outside their own country under the sponsorship or invitation of the Department of Defense or a Military Service or when determined by the major overseas commander that the granting of such privileges is in the best interests of the United States and such individuals are connected with, or their activities are related to, the performance of functions of the U.S. military establishment and their accompanying dependents living with the sponsor.

12. Civilian personnel in the following categories:

a. Civilian employees of the Department of Defense and the Uniformed Services and their accompanying dependents when residing in a household on a military installation within the Continental United States (CONUS), Hawaii, Alaska, and Puerto Rico.

b. Civilian employees of the Department of Defense, the Uniformed Services, and other Government agencies and civilian employees under private contract to the Department of Defense or a Uniformed Service, when stationed or employed in foreign countries, and their dependents when residing in the same household.

13. Contract surgeons during the period of their contract.

14. Uniformed and non-uniformed full-time paid personnel of the Red Cross assigned to duty with the Uniformed Services within CONUS, Hawaii, Alaska, and Puerto Rico and their accompanying dependents when residing in the same household on a military installation.

15. Uniformed and non-uniformed full-time paid personnel of the Red Cross assigned to duty with the Uniformed Services in foreign countries and their accompanying dependents when residing in the same household.

16. Area executives, center directors, and assistant directors of the United Service Organization (USO) when serving in foreign countries and their accompanying dependents when residing in the same household.
17. United Seaman's Service (USS) personnel in foreign countries and their accompanying dependents when residing in the same household.
18. Military Sealift Command (MSC) civil service marine personnel deployed to foreign countries on MSC-owned-and-operated vessels.
19. Ship's officers and members of the crews of vessels of NOAA (33 U.S.C. 857-4).
20. Officers and crews of vessels, light keepers, and depot keepers of the former Lighthouse Service.

18.C.2.b. Issuing to Dependents

DD Form 1173 shall be issued to dependents at the following times:

1. Upon the sponsor's entry on active duty or active duty for training for a period in excess of 30 days.
2. Upon the sponsor's reenlistment or extension for continuous active duty.
3. Upon a change in dependency status.
4. Upon certification of loss or theft.
5. Upon the sponsor's retirement with pay or upon death.
6. Upon expiration of card.
7. Upon change in grade or rating of the sponsor, if the commanding officer deems such action necessary, or if entitlement changes.
8. Dependents of Coast Guard Reserve personnel performing active duty for 30 days or more. Dependents of Reserve members performing active duty for periods in excess of 72 hours, but less than 30 days, may exercise commissary and exchange privileges during the active duty period by presenting an endorsed copy of the member's orders which lists the names of eligible dependents. The certification will be made on the orders by the Reserve member's commanding officer or the commanding officer of the unit to which ordered for active duty for training.

18.C.2.c. Restrictions

DD Form 1173 may not be issued to:

1. Individuals when eligibility for, or usage of, the card for periods of 30 days or less. When it is felt necessary to issue an ID card for less than 30 days, contact Commandant (G-WPM-2) for authorization.

2. Minor dependents under ten years of age, unless they do not reside in the household of an eligible family member. Minor dependent children under ten years of age may be issued the DD Form 1173 when both parents are members of the Uniformed Services, or a single parent required to be away from the household, or when circumstances warrant.

3. Military personnel, except on an individual basis when the Secretary of the Military Department concerned, or a designee, considers the issuance to be in the Department's interest.

4. Employees of nonappropriated fund instrumentalities in the United States, unless otherwise eligible.

5. Individuals whose eligibility for privileges is based on temporary duty (TAD). Presentation of travel orders constitutes acceptable ID.

6. Dependents when the member is in a deserter status.

7. To civilians or their dependents solely for identification purposes.

8. Dependents of eligible civilian personnel who do not reside with the sponsor are not entitled to be issued the DD Form 1173 (e.g., a child attending school in the United States or in another foreign country, or a spouse who does not accompany the sponsor overseas).

18.C.2.d. Overseas Limitations

Treaties, status of forces agreements, or military bases agreements in overseas areas may place further limitations on the logistical support that otherwise might be available to eligible personnel. Usually, status of forces agreements with foreign countries preclude the use of commissary or exchange facilities by persons who are not stationed within the host country under official orders in support of our mutual defense mission.

18.C.3. Surrender of Identification Cards

18.C.3.a. When to Surrender

The identification cards shall be surrendered:

1. Whenever a new card is issued, except to replace a lost or stolen card.
2. Upon expiration.
3. Whenever the cardholder becomes ineligible by reason of age, divorce, attainment of self-support, or other reasons.
4. Upon death or release of the sponsor from active duty.
5. When an unremarried or unmarried spouse or former spouse subsequently remarries.
6. Whenever the sponsor is officially placed in a deserter status.
7. When requested by a responsible officer for administrative purposes.
8. When card becomes mutilated.
9. When DD Form 1173 has an expiration date of "INDEFINITE," except in the case of a 100 percent DAV (Permanent) **or a Medal of Honor recipient**. Cards issued "INDEFINITE," other than 100 percent DAV (Permanent) **or a Medal of Honor recipient**, shall be confiscated and returned to the appropriate Service.
10. Upon cancellation of entitlement by proper authority for abuse or misuse. Detailed procedures are contained in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

18.C.3.b. Notifying Proper Authority

Sponsors shall be directed to notify the appropriate authority immediately upon any change in status which terminates or modifies their dependent's entitlement. Such authority is vested to:

1. The member's commanding officer, if on active duty.
2. Commandant (G-WPM-2), if retired, a surviving dependent, 100 percent disabled veteran or Medal of Honor recipient.

18.C.3.c. Failure to Return ID Card

Whenever the cardholder becomes ineligible and does not surrender the DD Form 1173, Uniformed Services ID and Privilege Card, every effort shall be made to effect its return. If an ineligible cardholder refuses to surrender the card, the commanding officer concerned will request assistance from the cognizant Coast Guard investigations and security officer and notify Commandant (G-WPM-2).

18.C.3.d. Surrendered Cards

Surrendered cards shall be destroyed. Follow the procedures in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

18.C.4. Loss or Theft

The loss or theft of an identification card will be reported promptly by the individual concerned through the resubmission of DD Form ll72. Procedures for the resubmission of DD Form 1172 are contained in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

18.C.5. How to Apply

Detailed procedures are contained in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

18.C.6. Guidelines for Completing DD Form 1172

Detailed procedures are contained in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

18.C.7. Verification of DD Form 1172

The commanding officer shall designate, in writing, a commissioned officer, chief warrant officer, master chief, senior chief, chief petty officer, or first class petty officer to verify DD Form 1172. The officer authorized to verify DD Form 1172 shall comply with the instructions contained in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

18.C.8. Preparation and Issue of DD Form 1173; Disposition of DD Form 1172

Detailed procedures are contained in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

18.C.9. Designation of an Agent for Commissary or Exchange Purchases

Regulations governing commissaries and exchanges provide that an authorized commissary store or exchange patron may designate an agent to make purchases on

their behalf. In extreme hardship cases, and when no adult member is capable of shopping, due to sponsor being stationed away from the household, physical disability, or when the spouse is unable to shop due to sickness, temporary designation as agent of persons not meeting the dependent criteria may be made at the discretion of the commanding officer having jurisdiction over the local commissary and exchange facility. In such cases, a letter of authorization will be issued by that facility not to exceed one year or the duration of the disability, whichever is less. Such authorizations may be renewed where the extreme hardship continues to exist.

18.C.10. Security and Accountability

18.C.10.a. Provisions

The provisions for the security and accountability of DD-1173's are listed below:

1. Proper procedures for strict accountability and security of ID cards shall be maintained. All requisitions for ID cards submitted by an issuing facility shall be maintained for five years.

2. Controls for processing and handling of ID cards shall be established to ensure that unauthorized individuals do not obtain them.

3. A log, CG-3133, of the disposition of each card shall be maintained for five years in order to provide for an audit trail. This log shall include, but not be limited to, the ID card serial number, the name of the activity, and the individual to whom the card was issued.

18.C.10.b. Additional Precautions

Issuing activities will take the following additional precautions in connection with the issue and handling of DD Forms 1173.

1. Maintain an up-to-ate file of authenticated signatures of verifying officers of the local commands in order that comparisons may be made, if necessary.

2. Advise the recipient of each DD Form 1173, parent or guardian, if appropriate, in writing of the conditions under which the card is issued; specifically:

   a. That any change in the sponsor's status affecting the use of the card should be reported to the nearest Coast Guard unit. A DEERS add/change or terminate should be submitted.

   b. That it is unlawful for a person to use a card to which they are not entitled.

c. That no person shall have in their custody more than one valid DD Form 1173 in their own name.

4. When practicable, the issuing officer shall visually compare the physical descriptive features listed on the application with the person to whom the card is being issued.

18.C.11. Availability of forms

Requests for supplies of DD Form 1173 will be made by letter to Commandant (G-WKS-5). Principal issuing units will be responsible for the supply at authorized sub-issuing activities. Supplies of DD Form 1172 will be obtained by requisition submitted to Supply Center, Baltimore using stock number 0102-LF-001-1723.

18.C.12. Vacant

18.C.13. Defense Enrollment Eligibility Reporting System (DEERS)

Detailed procedures are contained in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

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18.D. Information on Government Insurance and Indemnity

18.D.1. Serviceman's indemnity

For the period 24 April 1951 to 31 December 1956, a gratuitous indemnity of $10,000 was available to survivors in accordance with the Servicemen's Indemnity and Insurance Acts of 1951 (Public Law 23 - 82nd Congress). Effective 01 January 1957, the provisions of the Servicemen's Indemnity Act which provided the gratuitous indemnity of $10,000, less any amount of National Service Life Insurance or United States Government Life Insurance in force, automatic coverage against death were terminated by the "Servicemen's and Veterans' Survivor Benefits Act" (Public Law 881 - 84th Congress).

18.D.2. National Service Life Insurance

18.D.2.a. Prior to April 1951

Prior to 25 April 1951, members of the Armed Forces of the United States, while in the active service, were eligible to apply for National Service Life Insurance on one or more of seven plans under certain conditions as provided by the National Service Life Insurance Act of 1940, as amended. In general, no new National Life Insurance policies have been issued since 25 April 1951, except to disabled personnel.

18.D.2.b. Former Holder of Permanent Plan

A former holder of a permanent plan policy that was surrendered for cash after 24 April 1951, and prior to 01 January 1957, while the policy holder was on active duty, may replace or reinstate same, not in excess of the amount surrendered, while the ex-policy holder is in the active service or within 120 days after separation or retirement. Personnel whose 5-year term policies, the term of which expired while the member was in active service after 25 April 1951, and within 120 days after separation, and in either case prior to 01 January 1957, shall, upon application made while in active service or within 120 days after separation from active service, accompanied by payment of premiums and evidence of good health satisfactory to the Administrator of Veterans Affairs, be granted an equivalent amount of insurance on the 5-year level premium term plan at the premium rate for his/her then attained age. In cases where the term period of a policy under waiver expired while the member was in active service on or after 25 April 1951, or within 120 days after separation, such term period was automatically renewed for an additional 5-year period and the premium due at the then attained age was waived. Therefore, do not consider such a policy as an "expired policy."

18.D.2.c. Regulations

The regulations governing National Service Life Insurance are published by the Department of Veterans Affairs in VA Pamphlet 9-3, "National Service Life Insurance and Servicemen's Indemnity--Information and Premium rates."

18.D.2.d. Issuance of New Policies

The issuance of new policies of National Service Life Insurance is now prohibited except to a person who is released from active service under other than dishonorable conditions and has a service connected disability of ten percent or more in degree. Personnel ordered to active duty for training for not less than three months or more than six months under the provisions of subsection 262 (c)(1) of the Armed Forces Reserve Act of 1952, as amended, who suffer a service-connected disability of ten percent or more and are released from active service are also eligible. Such insurance may not be granted if the disability is a dental condition for which rating is made only for purposes of dental treatment. Such eligible persons may apply for any of the following plans of nonparticipating National Service Life Insurance (Service Disabled Veterans Insurance) up to a policy value of $10,000:

Five-year level premium term
Ordinary Life
Thirty-payment life
Twenty-payment life
Twenty-year endowment
Endowment at age 60
Endowment at age 65

Application must be submitted within one year of the date such service-connected physical disability was determined by the Department of Veterans Affairs. Totally disabled personnel may apply for any of the above plans except the endowment plans.

18.D.2.e. Beneficiary

The insured under a National Service Life Insurance contract may designate as a beneficiary any person or persons, firm, corporation, or other legal entity, including his/her estate, either individually or as a trustee. Further, the insured may cancel and change the beneficiary designation at any time, without the consent or knowledge of the beneficiary.

18.D.2.f. Settlement Options

An insured under a National Service Life Insurance policy may elect any one of the following four settlement options for payment of insurance benefits upon his/her death, or may elect that a part of the proceeds be paid under one option and the balance under another option:

1. Option 1--One sum in cash

2. Option 2--Limited monthly installments (monthly installments for a specified period).

3. Option 3--Monthly installments for life (120 months certain).

4. Option 4--Monthly installments for life (refund life income).

18.D.2.g. Waiver of Premiums

National Service Life Insurance policies basically provide for the waiver of premiums in the event of total disability existing for a period of six or more consecutive months. Further, upon evidence of insurability, good health, and payment of additional premium, a total disability income provision granting disability income to the insured may be added to existing policies.

18.D.3. Responsibility for Dissemination of Information on Government Insurance

It is the responsibility of commanding officers to ensure that all Coast Guard personnel within their command are aware of their privilege to apply for nonparticipating National Service Life Insurance (Service Disabled Veterans Insurance), upon separation from service, if they have a service-connected disability of ten percent or more. Additional information on specific cases relating to Government insurance may be obtained by letter request to Commandant (G-WPM-2).

18.D.4. Servicemembers’ Group Life Insurance

18.D.4.a. Establishment of SGLI

Public Law 89-214 established SGLI (Servicemembers' Group Life Insurance) effective 29 September 1965 for the purpose of making life insurance protection available to members of the Uniformed Services at a reasonable cost. VA Handbook 29-75-1 provides complete details of the program.

18.D.4.b. Eligibility for SGLI Coverage

1. All active and Reserve members who perform full-time active duty, or active duty for training under orders that do not specify periods of less than 31 days, are eligible for full-time SGLI coverage.

2. Full-time coverage is also provided for members of the Ready Reserve assigned or attached to a unit or position that may require performance of active duty or active duty for training and that will be scheduled to perform at least twelve periods annually of inactive duty training creditable for retirement purposes, and members assigned to, or who are eligible for assignment to, the Retired Reserve and have not received the first increment of military retired pay or reached 61 years of age.

18.D.4.c. Effective Date

The effective date of insurance for eligible members is the first day of active duty, active duty for training or the beginning of a period of inactive duty training. Delayed entry active duty enlistees are not eligible until the day they report for active duty. For those assigned to the Retired Reserve, the effective date is the date the initial premium or acceptable application is mailed to the Office of SGLI.

18.D.4.d. Coverage

Full-time coverage for eligible personnel is automatic at the maximum authorized amount, unless the member declines or elects coverage at a lesser amount signing SGLV-8286.

18.D.4.e. Dual Insurance

A member eligible for SGLI and VGLI (Veterans' Group Life Insurance) may participate in both plans, however, the combined amount may not exceed the maximum allowable SGLI coverage.

18.D.4.f. Cost of Insurance

The VA Administrator establishes the table for SGLI premiums. Premiums are deducted from a members pay and the Pay and Personnel Center forwards the amount collected to the Office of SGLI.

18.D.4.g. Termination

SGLI coverage shall terminate on the 120th day after separation or release from duty, unless the member is disabled totally on the date of separation or release, in which case,

coverage terminates at the end of the day on which the insured ceases to be disabled totally or at the end of the last day one year following separation or release, whichever is earlier. Termination also occurs at the end of the 31st day of a continuous period of: (1) absence without leave, (2) confinement by military authorities under court-martial sentence involving total forfeiture of pay and allowances, (3) confinement by civilian authorities under sentence adjudicated by a civilian court.

18.D.5. Veterans' Group Life Insurance

18.D.5.a. Veterans' Insurance Act of 1974

The Veterans' Insurance Act of 1974, Public Law 93-289 enacted 24 May 1974 and effective 01 August 1974. VA Handbook 29-75-1 provides details of the program.

18.D.5.b. Eligibility for VGLI Coverage

Individuals released from active duty or active duty for training under a call or order to duty that does not specify a period of less than 31 days, reservists, while performing active duty or active duty for training under orders specifying a period of less than 31 days.

18.D.5.c. Effective Date

For members separated or released from a period of active duty or active duty for training which does not specify a period of less than 31 days, the 121st day after such separation or release provided the initial premium is mailed or otherwise delivered to The Office of SGLI on or before the 120th day after separation or release.

18.D.5.d. Type and Amount of Insurance

VGLI is term life insurance. It does not provide disability or other supplementary benefits coverage. VGLI is renewable in 5-year terms with the option to convert to a commercial policy at the end of each such 5-year period. The authorized amount of insurance available is establihsed by the Department of Veterans Affairs.

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18.E. Schooling for Minor Dependents

18.E.1. General

This section sets forth policy guidelines and authorization for the primary and secondary schooling and transportation of dependents of Coast Guard personnel (14 U.S.C. 657). The authority of the Secretary of Transportation to provide funds and establish regulations for these purposes has been delegated to the Commandant (49 C.F.R. 1.46(r)).

18.E.2. Minor dependents' Schooling in Overseas Areas

18.E.2.a. DoDDs Responsibility

Effective 01 October 1987, the Department of Defense Dependents Schools (DoDDS), assumed responsibility, including budgeting and funding, for the primary and secondary schooling and transportation in support of educating minor dependents of uniformed members of the Coast Guard serving on active duty and stationed outside the 50 United States, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States, excluding the Trust Territory of the Pacific Islands and Midway Island. (20 U.S.C. 921).

18.E.2.b. Use of Coast Guard Funds

The use of Coast Guard appropriated or nonappropriated funds for minor dependents of active duty Coast Guard members schooling and transportation in overseas areas is prohibited.

18.E.2.c. Compliance with DoD Guidelines

Coast Guard overseas commands shall comply with DoD guidelines and regulations pertaining to overseas dependent schooling (Refer to DoD Dependents Schools (DoDDS) Directives Pertaining to Minor Dependent's Schooling in Overseas Areas, COMDTINST 1755 (series)). Each member with dependents shall be made fully aware of the DoD overseas dependent schooling policy, specifically the following regulations:

1. DoD Directive 1342.12, Education of Handicapped Children in the DoD Dependents Schools.

2. DoD Directive 1342.13, Eligibility Requirements for Education of Minor Dependents in Overseas Areas.

3. DoD Regulation 4500.36-R Chapter 6, Transportation of Dependent School Children.

4. Dependent School (DS) Regulation 2500.11, DoD Dependents Schools Complaint Management System.

5. Memorandum of Understanding Between DoD and DOT signed 18 November 1991, Coordination of Overseas Assignments of Coast Guard Members Who Have Children Who Require or Are Likely to Require Special Education.

18.E.2.d. Personnel with Overseas Orders

Coast Guard personnel with dependents in receipt of overseas orders shall be informed in writing of the local DoD overseas dependent schooling programs and policies by the Coast Guard overseas command. Personnel reporting to other than a Coast Guard overseas command shall be advised to contact the command and obtain this information. Prior to transfer, an appropriate Personnel Data Record entry shall be initiated indicating that the member has been informed in writing by the overseas command of local programs and policies concerning overseas dependent schooling and has acknowledged this action.

18.E.2.e. DoDDS Regional Directors

Overseas commands shall contact the following DoDDS Regional Directors for their respective geographical area to establish proper dependent schooling options:

Department of Defense Dependents Schools
European Region
Unit 29649, Box 285
APO AE 09096
Telephone: DSN 338 + 4 digit extension
Civilian 49-611-380 + 4 digit extension
FAX: 0611-380-7565 Civilian FAX: 49-611-3880-7565

Department of Defense Dependents Schools
Pacific Region
PSC 556, Box 796
FPO AP 96386-0796
2570 Aza Nishihara
Urasoe-shi, Okinawa 901-21
Telephone: DSN 645 + 4 digit extension
Civilian 011-81-98-876-0279

Department of Defense Dependents Schools
Panama/Islands Region
4040 North Fairfax Drive
Arlington, VA 22203
Telephone: (703) 696-4412 x109

18.E.2.f. Definition

The term "primary and secondary schooling" includes kindergarten, and grades one through twelve.

18.E.2.g. Kindergarten

The term "kindergarten" means a school program organized to provide educational experiences for a group or class of dependents during the school year immediately preceding the year the dependents would normally enter the first grade. Dependents attending kindergarten must reach their fifth birthday by 31 December of the year in which they enroll in kindergarten.

18.E.2.h. Dependents

The term "dependent" means:

1. The child, stepchild, adopted child, ward, or spouse of a sponsor, or who is a resident in the household of a sponsor who stands in loco parentis to such individual and who receives one-half or more of their support from such sponsor; and

2. Has not completed secondary school and who will reach their fifth but not 21st birthday by 31 December of the current school year; or

3. Is handicapped, and is between three and five years of age by 31 December of the current school year, provided that the Director, DoDDS, or appointed designee, in their sole discretion, determines that adequate staff and facilities are available to service such a handicapped child. (Refer to 18.E.2c.(1) and (5).)

18.E.2.i. Sponsor

The term "sponsor" means a uniformed member of the Coast Guard or Coast Guard Reserve serving on active duty.

18.E.3. Transportation in Support of Educating Minor Dependents in Non-Overseas Areas

18.E.3.a. Transportation of Dependents

The Secretary of Transportation is authorized to provide for the transportation of dependents of Coast Guard personnel between schools located in the same area as a Coast Guard facility, and the Coast Guard facility, if it is determined that the schools in the area are not accessible by public means of transportation on a regular basis (14 U.S.C. 657). This authority has been delegated to the Commandant in 49 C.F.R. 1.46(r). This authorization applies for transportation services in support of educating minor dependents of Coast Guard personnel attending schools located in the 50 United States, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States, including the Trust Territory of the Pacific Islands and Midway Island.

18.E.3.b. Financial Assistance

In addition, the Department of Education (DoE), is authorized to provide financial assistance to local educational agencies in federally impacted areas. This financial assistance may be used to fund the transportation of Coast Guard dependents. Accordingly, before any Coast Guard funded or Coast Guard owned transportation is provided, the local educational agency must be requested to provide the necessary transportation, from either its own resources or from Federal impact funds made available by the DoE. Only if the local educational agency refuses to provide the required transportation, and the agency certifies that Federal impact funds either are not available or could not be made available if application for them was made, may Coast Guard funded or owned transportation be provided.

18.E.3.c. Not Accessible

The term "not accessible by public means of transportation on a regular basis" means:

1. That the school is more than one mile distant from both the dependent's residence and the Coast Guard facility, as measured over the actual route the dependent would take to school, or, if either or both of the distances are one mile or less, that the route to school passes through areas of heavy traffic, blighted urban or residential districts, potentially dangerous industrial or construction areas, or involves other conditions or circumstances that would jeopardize the health or safety of the dependent; and

2. That, in the case of dependents in kindergarten through grade eight, regular public school transportation is not available; or

3. That, in the case of dependents in grades nine through twelve, both regular public transportation, that furnished by a commercial firm or public utility on a regularly scheduled basis as part of its public service, but not including taxi service, and regular public school transportation are not available.

18.E.3.d. Total Travel Time

Notwithstanding the provisions of paragraph c. above, if the total travel time by the available means of non-Coast Guard transportation exceeds one hour each way, and the total travel time by Coast Guard funded or owned transportation would be one hour or less, the school will be deemed to not be accessible by public means of transportation on a regular basis.

18.E.3.e. Coast Guard Transportation Provided

When Coast Guard funded or owned transportation is provided, no dependent may be furnished more than one round trip to and from school each school day.

18.E.3.f. Coast Guard Owned Transportation

Coast Guard owned transportation facilities should normally be used to transport dependents. If, in the judgment of the commanding officer of the facility involved, the transportation can be more effectively or more economically provided by contracting for commercial service:

1. Commercial services may be used in lieu of Coast Guard owned facilities; or

2. Reimbursement may be provided to the sponsor who provides the transportation or contracts for commercial transportation service.

18.E.3.g. Payment for Transportation

Payment for transportation costs may be made either on the basis of purchase orders to carriers, or by reimbursement to the sponsor. All claims for reimbursement of expenses paid by sponsors must be adequately supported by proper receipts. The commanding officer shall attach a receipted copy of the purchase order certifying that the materials and services have been received to each bill or group of bills submitted for payment.

18.E.3.h. Definition of Dependent

The term "dependent" for purposes of this article means the same as prescribed in article 18.E.2, except that dependents under five years of age by 31 December of the current school year may be considered a dependent for school transportation purposes if enrollment in the local public school is permitted.

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18.F. Survivor Benefit Plan (SBP)

18.F.1. General

On 21 September 1972, Public Law 92-425 amended 10 U.S.C. 73 to establish a new Survivor Benefit Plan within the Uniformed Services retirement system. Various amendments have been applied to the original legislation through the years. This section provides regulations for administration of the Survivor Benefit Plan.

18.F.2. Purpose

The purpose of the Survivor Benefit Plan is to establish a survivor benefit program for military personnel in retirement to complement the survivor benefits of social security. The Plan provides all career members of the Uniformed Services who reach retirement eligibility an opportunity to leave a portion of their retired pay to their survivors at a reasonable cost.

18.F.3. Definitions

18.F.3.a. SBP or Plan

SBP or Plan, as hereinafter used, means the Survivor Benefit Plan, which for members initially retired on or after 21 September 1972, replaces the Retired Serviceman's Family Protection Plan (RSFPP).

18.F.3.b. Base Amount

For a member retired on or after 21 September 1972 means:

1. The amount of monthly retired pay to which the member is entitled when eligible for the award of that pay; or

2. The amount of monthly retired pay to which the member later becomes entitled by being advanced on the retired list, performing active duty in a recall from retirement status, or being transferred from the temporary disability retired list to the permanent disability retired list; or

3. Any lesser amount that may be designated by the member prior to retirement, but not less than $300.00. If full retired pay is less than $300.00, full retired pay is the base amount.

> NOTE Whenever retired pay is increased, the SBP base amount is normally increased at the same time and by the same percentage. Refer to ☛ Article 18.F.10.

18.F.3.c. Widow(er)

Widow(er) means the surviving spouse of a deceased retiree who:

1. Was married to the retiree when the retiree became eligible for retired pay; or
2. Married the retiree after retirement, and:

    a. Was married to the retiree at least one year immediately before, and at the time of, his or her death; or

    b. Was the parent of a natural child from the marriage.

18.F.3.d.Former Spouse

Refer to ☛ Article 18.F.13. of this chapter for complete information.

18.F.3.e. Dependent Child

A dependent child means an unmarried child:

1. Who is a natural child, an adopted child, a stepchild, or a foster child who lived with the retiree in a regular parent-child relationship. Additionally, to qualify as a dependent child, a foster child must reside with the retiree at the time of death, receive over one-half of his/her support from the retiree, and not be cared for under a social agency contract.

2. Meets the following criteria:

    a. Under 18 years of age, or at least 18, but under 22, if pursuing a full-time course of study or training in a high school, trade school, technical or vocational institute, junior college, university, or comparable recognized educational institution; or

    b. Incapable of self-support because of mental or physical incapacity which existed before the 18th birthday or which was incurred before age 22 while pursuing a full-time course of study or training.

NOTE: For the purposes of the definition of a dependent child:
A child whose 22nd birthday occurs before 01 July or after 31 August of a calendar year while he/she is pursuing a full-time course of study or training, is considered to

become 22 years of age on the first day of July after that birth date. Students will continue to be considered as such during the interim between school years, but not for periods longer than 150 days.
In the case of an incapacitated child, such incapacity must be substantiated by a current physician's statement before eligibility is extended beyond the 18th or 22nd birthday An incapacitated child's continued eligibility will be reevaluated biennially, unless medical prognosis indicates the disability is permanent and recovery is highly improbable.

18.F.3.f. Date of Election

The date of receipt of election means the day of receipt by the Pay and Personnel Center (PPC) or, in those cases where the execution of the member's election intent might be prejudiced, the date of postmark of the member's election.

18.F.3.g. Insurable Interest Person (IIP)

Insurable Interest Person (IIP) is any person having a reasonable and lawful expectation of monetary benefit from the continued life of a retiree. Some examples are: parents; stepparents; grandparents; grandchildren; aunts; uncles; sisters; brothers; half-sisters; half-brothers; child(ren); or a nonrelative business associate, employee, etc. If the designation is for a nonrelative, proof of financial benefit from the continuance of life of the retiree must be submitted.

18.F.4. Coverage

18.F.4.a. Coverage Available

Under SBP, every member with a spouse and/or dependent child(ren) on the first day of entitlement to retired pay will automatically participate in the Plan at the maximum level legally allowed, unless less than the maximum coverage, or no coverage at all, is selected. A member who is not married nor has any dependent child(ren) at retirement need not make an SBP election upon retirement; however; such member may elect to provide survivor protection to an insurable interest person.

18.F.4.b. Automatic Coverage

Unless a member elects not to participate in SBP, or elects to participate at less than maximum level, before the first day on which he/she becomes entitled to retired pay, each member with a spouse and/or dependent child(ren) on the date of retirement will AUTOMATICALLY participate in SBP as follows:

1. A member with a spouse only will be enrolled for that spouse at the maximum level;

2. A member with a spouse and child(ren) will be enrolled for the spouse and child(ren) at the maximum level with the annuity payable to the spouse or, in the event of the death or remarriage of the spouse, to the eligible child(ren).

3. A member with child(ren) only will be enrolled for the child(ren) at the maximum level.

NOTE: "Maximum" level of participation means that coverage is based on the member's full gross retired pay.

18.F.4.c. Reduced Coverage

Every member with a spouse and/or dependent child(ren) on the date of retirement, who does not desire coverage under the automatic provision of SBP, may elect one of the following optional coverages, with written consent of the spouse.

1. A member with a spouse only on the date of retirement may elect to participate at a reduced level or may elect not to participate at all.

2. A member with a spouse and child(ren) on the date of retirement may elect to cover the spouse and child(ren) at a reduced level, may elect to cover the spouse only at the maximum level or at a reduced level, or may elect not to participate at all.

3. A member with child(ren) only on the date of retirement may elect to participate at a reduced level or may elect not to participate at all.

4. A member with a spouse and child(ren) on the date of retirement may elect former spouse coverage. (Refer to ☛ Article 18.F.13.)

18.F.4.d. Insurable Interest Coverage

A member who is unmarried and has no dependent child(ren) on the date of entitlement to retired pay, may elect to provide an annuity for a person with an insurable interest in the member.

18.F.4.e. Special Coverage Provisions

1. Application of the Plan to a member whose name is on the temporary disability retired list ceases when the member's name is removed from that list and the member is no longer entitled to retired pay. When a member is transferred from the temporary disability retired list to the permanent disability retired list, such transfer is not considered a change in status for the member, and any prior election under SBP cannot be changed or revoked.

2. If an active duty member dies after becoming eligible for retired pay but before its award or while on active duty after retirement, the spouse shall receive an annuity in an amount equal to the difference between any Dependency and Indemnity Compensation (DIC) the Department of Veterans Affairs pays on the widow(er)'s behalf and an annuity equal to 55 percent of what the member's retired pay would have been on the date of death. Dependent child(ren) who otherwise meet ☛ Article 18.F.3.e. qualifications shall be paid an SBP annuity if no spouse survives or the member's surviving spouse subsequently dies.

18.F.5. Eligibility Requirements

18.F.5.a. Provisions of the Survivor Benefit Plan

The provisions of the Survivor Benefit Plan apply to:

1. Any person who initially becomes entitled to retired pay on or after 21 September 1972.

2. Any person who was entitled to retired pay before 21 September 1972. Such a retiree must have elected to participate in the SBP before 21 March 1974, if he/she had eligible beneficiaries (spouse, child(ren)). Persons not married on 21 March 1974, but who later married or acquired dependent child(ren), were authorized to elect to participate in the Plan within one year of acquiring the spouse or child. If the member participated in the RSFPP, he/she had the option to continue such participation and elect to participate in SBP, provided the combined annuities did not exceed 100 percent of the retired pay on the effective election date. Alternatively, a retiree who participated in the RSFPP could have elected to participate in the SBP and canceled the RSFPP participation as of the day before the effective date of the new election.

3. Any member or former member of the Coast Guard Reserve qualifying for retired pay at age 60 in accordance with 10 U.S.C. 1331-1337. Reservists in this category who do not submit an election or who elect option A under the Reserve Component Survivor Benefit Plan (RC-SBP) (refer to ☛ Article 18.F.12.), will be covered AUTOMATICALLY at the MAXIMUM LEVEL, unless they choose, prior to entitlement to retired pay, to elect reduced coverage as described in ☛ Article 18.F.4.c. Such a member will be notified concerning SBP and its provisions approximately six months before reaching age 60.

18.F.6. Election Regulations

18.F.6.a. Participation

Any election not to participate, or to participate at a reduced base amount, if not rescinded or changed prior to the first date of entitlement to retired pay, is irrevocable.

Therefore, if coverage is declined for a spouse at the time of retirement, the decision is irrevocable and coverage for that spouse cannot be provided at any later point in time. Consequently, any decision not to participate, or to participate at a reduced base amount, should be reviewed very carefully.

18.F.6.b. Non-Participation

If a member elects not to participate or participate at less than the maximum level, or elects children-only coverage when there is an otherwise eligible spouse, that spouse must sign a statement concurring with the member's election. IF ALL REQUIREMENTS FOR AN ELECTION NEEDING THE SPOUSE'S CONCURRENCE HAVE NOT BEEN SATISFIED PRIOR TO RETIREMENT, FOR WHATEVER REASON, FULL SPOUSE COSTS AND COVERAGE WILL BE IMPLEMENTED, regardless of any request by the member to do otherwise. If a member can establish his/her spouse's whereabouts are unknown and cannot be determined, spousal concurrence will be waived if the member signs a statement as follows:

> The whereabouts of my spouse are unknown to me and have been unknown to me for at least 90 days. I understand if this statement is later found untrue, spouse coverage will be established on the full amount of retired pay with costs and interest collected retroactive to my date of retirement unless my spouse consents otherwise. I understand any false statement or misrepresentation thereto is a violation of law punishable by fine of not more than $10,000 or imprisonment of not more than five years or both (18 U.S.C 1001).

18.F.6.c. Spouse Coverage

A member who has no spouse and/or child(ren) on date of retirement, but who later acquires a spouse and/or child(ren), may elect to participate in the Plan, provided he/she elects to do so within one year of such acquisition. Such election must be submitted in writing to the Pay and Personnel Center (PPC). Spouse coverage becomes effective one year after marriage, unless a child is born of that marriage before the first anniversary.

18.F.6.d. Elections Are Irrevocable

Except as provided below, elections are irrevocable after the award of retired pay and are not voided by recall to active duty. The following are exceptions; in these cases, an election may be changed or revoked:

1. If a member elected to provide coverage for an insurable interested person, that election may be later terminated. It may also be changed to cover a newly acquired spouse or dependent child(ren), provided such election is received by PPC within one year of acquisition of the spouse and/or child(ren).

2. If a member who was unmarried on the date of retirement elected to provide coverage for dependent child(ren), the election may be changed to cover a newly acquired spouse along with the child(ren) should the member subsequently marry, but the election must be done within one year of the marriage.

3. A member may drop coverage for dependent child(ren) because of ineligibility of all children for an annuity.

4. Elections made by Commandant (G-WPM) on behalf of a member declared incompetent may be changed or revoked by the member within 180 days after appropriate authority subsequently determines such member is mentally competent. (☛ Article 18.F.11.c. contains further information on) mental incompetence.

5. If a member with spouse, or spouse and child(ren), coverage loses all eligible beneficiaries, then later remarries, the member has the following options:

   a. Resume coverage at the original level for the new spouse.

   b. Increase coverage up to the maximum level based on full retired pay. This option requires the member to pay the difference between the SBP costs incurred and the costs that would have been incurred if the new level of participation had been elected originally.

   c. Elect not to have spouse coverage resumed.

6. SBP elections shall be submitted on Form CG PPC-4700, as prescribed in the Personnel and Pay Procedures Manual, PPCINST M1000.2 (series).

18.F.7. SBP Costs

18.F.7.a. Spouse/Former Spouse Only

For members entering the Service on or after 01 March 1990, the monthly cost for providing an annuity for a spouse/former spouse is 6 percent of the elected base amount. For members entering the Service before 01 March 1990, the monthly cost is the lesser of: (1) **6.5** percent of the base amount; or (2) **2.5** percent of the first **$434.00** of the base amount (**$434.00** as of 01 January **1997;** the figure is adjusted annually) plus 10 percent of the remaining base amount.

18.F.7.b. Spouse/Former Spouse and Eligible Child(ren)

In addition to the cost in ☛ Article 18.F.7.a. above, there will be an additional actuarial charge based on the ages of the member, the member's spouse, and the youngest child. Ages to be used for calculating the actuarial charge will be the ages

of the member and eligible dependents on their nearest birth dates as of the date of the member's election. Sample actuarial charges are shown in the table below:

Additional Cost for Children Under Spouse and Children Coverage				
Age of Member and Spouse	Age of Youngest Child			
	5	10	15	20
45	.00089	.00048	.00018	.00003
50	.00105	.00045	.00016	.00003
55	.00211	.00075	.00020	.00002
60	.00440	.00151	.00037	.00004

2. When all children cease to be eligible for an annuity, the actuarial charge for the child(ren) will be discontinued and the member will be charged only spouse/former spouse costs as described in paragraph a. on the previous page. The reduction of cost will be automatically effected the first day of the month following that in which the last child becomes age 22, as defined in article 18.F.3.e., unless the retiree notifies PPC in writing that the child has become ineligible prior to that time or retains eligibility past age 22 because of a disability.

18.F.7.c. Child(ren) Only

1. The monthly cost for providing an annuity to children, but not to a spouse, shall be based on a set of tables similar to those shown below. Ages to be used will be the ages of the member and his/her youngest child on their nearest birth date as of the date of the member's election.

Cost of Participation To Cover Children Only				
Age of Member	Age of Youngest Child			
	5	10	15	20
45	.0097	.0054	.0025	.0008
50	.0159	.0091	.0043	.0014
55	.0275	.0160	.0077	.0025
60	.0400	.0230	.0109	.0035

2. If the retiree should later marry, and elect to cover his/her spouse, the costs shall then be recalculated, under paragraph b. on the preceding page, effective as of the first day of the month following the first anniversary of the marriage.

3. If the retiree does not later marry, PPC will automatically stop child costs effective on the first day of the month following that in which the last child becomes age 22, as defined in article 18.F.3.e., unless the retiree notifies PPC in writing that the child has become ineligible prior to that time or retains eligibility past age 22 because of a disability.

18.F.7.d. Recalculating Cost

The cost of providing coverage for a child(ren) under paragraphs b. and c. of this article will not be recalculated when a child different from the child initially established as the youngest child becomes the youngest child (for example, if the initially established youngest child dies or if a younger child is subsequently acquired). However, for the member providing coverage for children only under paragraph c., if a spouse is acquired after retirement, the cost of coverage for children will be recalculated based on the age of the youngest child and the age of the member and spouse, under paragraph b., at the time coverage is elected for the spouse.

18.F.7.e. Insurable Interest Person

The monthly cost to provide an annuity to an insurable interest person shall be ten percent of the member's full retired pay, plus an additional five percent of the member's full retired pay for each five years that the insurable interest person is younger than the retiree. The total cost, however, may not exceed 40 percent of the member's retired pay.

18.F.7.f. Member not Entitled to Pay

For any period that a member awarded retired pay is not entitled to that pay, the member must pay the cost of coverage under the Plan to PPC by direct remittance. The only exceptions are as follows:

1. When the member has been ordered to active duty for a period exceeding 30 days; or

2. When a member waives retired pay for civil service retired pay, deposits for SBP costs will not be required while the waiver is in effect unless the member elected not to provide an annuity under Section 834(b) of Title 5, U.S.C. (Civil Service Survivorship Plan). In this case, SBP participation continues and costs are paid by the retiree directly to PPC (RAS).

18.F.7.g. Refunds

Except as provided in article 18.F.9.d., refunds of SBP cost deductions are not authorized unless such amounts were deducted through administrative error.

18.F.7.h. COLADJ Increases

SBP costs are increased to reflect COLADJ increases to to retired pay. Refer to Article 18.F.10.

18.F.7.i. Interest Charges

An interest charge of six percent compounded annually will be charged for delinquencies in the payment of SBP costs. At the time of death of a retiree, any delinquency, plus interest, will be collected from the annuitant's benefits prior to payment of any annuity.

18.F.8. Amount of Annuities

18.F.8.a. Spouse, Child(ren), or Former Spouse

The monthly annuity payable to a surviving widow(er), former spouse, or dependent child(ren) shall be an amount equal to:

1. 55 percent of the base amount (as adjusted by COLADJ increases) if the beneficiary is a spouse or former spouse under 62 years of age, or if the beneficiary is a dependent child(ren).

2. 35 percent of the base amount if the beneficiary is a spouse or former spouse and is age 62 or over upon becoming entitled to an annuity.

18.F.8.b. Second Tier Conversion Protection

Social security offset procedures will be used to compute the annuities of qualified spouse beneficiaries who are age 62 or over, if such procedure would result in a larger SBP annuity. Qualified spouse beneficiaries include those who were receiving an annuity under the Plan on 01 October 1985, as well as the spouse beneficiary of any person who on 01 October 1985 was either: (1) entitled to retired pay (had at least 20 years active service, but had not applied for retirement); or (2) eligible for reserve retired pay under Chapter 67 of Title 10, U.S.C., for the fact of being under 60 years of age. Spouse beneficiaries who qualify will have the monthly amount payable under the two tier (55/35 percent) system compared to the amount that would be payable under the social security offset procedure. If the annuity payable under the social security offset procedure is greater, the annuity will be paid in that manner.

18.F.8.c. Reduction for DIC

SBP annuities to a spouse or former spouse will be reduced if the spouse/former spouse is entitled to VA Dependency and Indemnity Compensation (DIC). DIC is not

payable until the first day of the month after the month of death, so an SBP annuity shall not be reduced in the month of the member's death. When a spouse's annuity is reduced due to entitlement to DIC, a refund of SBP costs will be made, provided the DIC claim is submitted within one year of the member's death. The SBP cost refund is based on the difference between (1) the costs actually incurred and (2) the costs that would have been incurred in order to provide the recalculated annuity payable after reduction. If the spouse beneficiary is not age 62 upon becoming entitled to DIC and the social security offset procedure is not yet applicable, the annuity will be recalculated in the month after the spouse becomes age 62. No additional refund will be made as a result of this recomputation, regardless of the benefit amount payable or the amount of SBP costs not previously refunded.

18.F.8.d. Insurable Interest Person

An annuity provided an insurable interest person shall be 55 percent of the retired pay after reduction of SBP costs from the base amount.

18.F.8.e. Cost Of Living Adjustments (COLADJ)

Whenever COLADJ increases occur to retired pay, similar increases shall be applied to the monthly annuity payable under the SBP. When there are no offsets for social security or DIC, the full amount of the annuity shall be Consumer Price Index (CPI) adjusted and increased by that dollar amount.

18.F.8.f. Supplemental SBP Coverage

Under supplemental SBP, a member may purchase a supplemental annuity for his/her spouse at age 62. Refer to article 18.F.14.

18.F.9. Payment of Annuity

18.F.9.a. Effective Date

Effective as of the day after a retired participant dies, a monthly annuity shall be paid to the covered survivor.

18.F.9.b. Termination Date

Annuities terminate on the first day of the month in which eligibility is lost. A widow(er) or former spouse shall receive the annuity so long as they live or until remarriage, if such remarriage occurs before the widow(er) or former spouse reaches age 55. If remarriage is terminated by death, annulment, or divorce, payment of the annuity will resume effective on the first day of the month of termination of the remarriage, provided the widow(er) is notentitled to an annuity under this Plan based upon the second marriage (to another military spouse). In such event, the widow(er) or former spouse may not

receive both annuities under this Plan, but must notify PPC by signed letter which annuity is elected. In all cases, the widow(er) or former spouse must notify PPC by signed letter when remarriage occurs or is terminated.

18.F.9.c. Eligibility of Widow(er)

Following the death of a retiree, if the widow(er) is eligible for DIC in a greater amount than would have been paid as an annuity under the Survivor Benefit Plan, there is no entitlement under the Survivor Benefit Plan. If DIC is a lesser amount, the widow(er) may be paid an annuity equal to the difference between DIC and such annuity. The spouse's DIC entitlement for this purpose shall not include any amount attributable to child entitlement or paid for aid and attendance.

18.F.9.d. Annuity Payments

If an annuity is not payable because of the provisions of paragraph c. above, all costs previously withheld from the retiree's pay shall be refunded to the widow(er) provided the claim for DIC is submitted within one year of the retiree's death.

18.F.9.e. Termination of Payments

Annuities terminated because of DIC entitlement may be reinstated if the DIC entitlement ceases (e.g., remarriage after age 55) provided SBP costs refunded to the widow(er) under paragraph d. above are repaid by the widow(er) to the Coast Guard.

18.F.9.f. Waiver of Military Retired Pay

If, upon the death of the retiree, there is a waiver of military retired pay in effect for the purpose of increasing civil service retired pay, an annuity under the SBP shall not be paid, unless the retiree notified the Civil Service Commission that he/she did not desire any spouse surviving him/her to receive an annuity under Title 5 U.S.C., 8341(b) of at least the amount of coverage provided under the SBP.

18.F.9.g. SBP as Income

Except as provided in paragraph c. of this section, an annuity under the SBP is in addition to any entitlement under any provision of law and shall be considered as income under laws administered by the Department of Veterans Affairs. Annuities under the SBP are not assignable, nor subject to execution, levy, attachment, garnishment, or other legal process.

18.F.10. Cost of Living Adjustment (COLADJ)

When a COLADJ is applied to retired pay, the SBP cost, annuity, and base amount all increase. For example, assuming a $1000.00 base amount.

$1000.00 base amount x 55%	= $ 550.00 monthly annuity
$1000.00 x 6.5% cost factor	= $ 65.00 monthly cost

3.1% COLADJ INCREASE

$1000.00 + 3.1%	= $1031.00 base amount
$1031.00 x 55%	= $ 567.00 monthly annuity

$65.00 previous cost + 3.1%	= $ 67.02 monthly cost

18.F.11. Miscellaneous

18.F.11.a. Taxability of Cost to a Retiree

SBP costs reduce a retiree's gross income for federal income tax purposes.

18.F.11.b. Taxability of Benefits Payable to a Survivor Annuitant

Amounts payable to a survivor annuitant, including any refunds for cost of coverage as outlined in ☛ Article 18.F.9.d., are included in gross income for federal income tax purposes. The value of the survivor annuity shall not, in most cases, be included as part of the estate tax.

18.F.11.c. Mental Incompetence

Whenever a member is determined to be mentally incompetent by medical officers of the Uniformed Services or of the Department of Veterans Affairs, or is adjudged mentally incompetent by a court of competent jurisdiction, and because of such mental incompetence is incapable of making an SBP election within the time limitations prescribed by the Plan, Commandant (G-WPM) may make the appropriate election on behalf of such member.

18.F.11.d. Annuities as a Supplement to DIC

If there is no indication that DIC will be awarded following a retiree's death, payment of SBP annuities otherwise due shall immediately commence. Widow(er)s will be asked to sign a statement on their SBP application for annuity, **HRSIC** Form 1884, indicating that the Coast Guard will be able to recoup any possible overpayment resulting from a subsequent entitlement to DIC. The purpose of this statement and signature is to permit the Coast Guard to begin immediate SBP annuity payments without waiting for an entitlement or denial statement from the VA concerning DIC.

18.F.11.e. Correction of Administrative Deficiencies

Commandant (G-WPM) may correct or revoke an SBP election when it is considered necessary to correct an administrative error. Except when procured by fraud, a correction under this article is final and conclusive on all officers of the United States.

18.F.11.f. Suspension of SBP Participation by Retirees Who are Rated 100 Percent Disabled by the Department of Veterans Affairs

A military retiree who has been rated as 100 percent disabled by the Department of Veterans Affairs continuously for ten or more years, or if for a lesser period, not less than five years from the last separation from the service, may discontinue SBP participation. This provision also allows a retiree to resume SBP participation if the VA disability is reduced from 100 percent at a later date.

18.F.12. Reserve Component Survivor Benefit Plan (RC-SBP)

18.F.12.a. General

1. Public Law 95-397, effective 01 October 1978, extended eligibility for coverage under the Survivor Benefit Plan (SBP) to members and former members of the Reserve components who have 20 or more years of qualifying service and have not reached age 60, the age at which they will be eligible for retired pay. Prior to enactment of P.L. 95-397, retired reservists could elect SBP coverage but only immediately before becoming eligible for retired pay (age 60). **This does not exempt members from the statutory requirement (10 USC 1448) to make their election within 90 days of receiving their notice of completion of 20 years satisfactory service. Members declining to make a selection must wait until age 60 or an announced open season.**

2. **Discontinuance of SBP participation on Second Anniversary. An SBP participant may choose to voluntarily discontinue RCSBP participation during a one-year period which begins on the second anniversary of the date of commencement of retired pay. The premium terminates on the effective date of election which is the first day of the month following the date of receipt of the request. Any premium deducted for periods on or after such effective date are refunded and the member notified of the final action concerning termination of coverage.**

18.F.12.b. Election Options

Upon completion of twenty years of satisfactory service for retirement, reservists are provided a comprehensive packet explaining RC-SBP. Reservists have three options:

1. Option A. This option is chosen by a reservist who is undecided about a RC-SBP election upon completing 20 years service, and defers that decision until reaching age 60. If the retired reservist dies before age 60 and has chosen option A, no annuity under RC-SBP will go to the spouse. An election under this option states:

   I decline to make an election at this time. (I will remain eligible to make an election for coverage at age 60).

2. Option B. Choosing this option allows an SBP annuity to flow to the widow(er) should the reservist die before reaching age 60. The annuity will not begin, however, until the date on which the reservist would have been age 60. An election under this option states:

   I elect to provide an annuity beginning on the 60th anniversary of my birth should I die before that date, or on the day after the date of death should I die on or after my 60th birthday.

3. Option C. This option allows a SBP annuity to begin being paid to the survivor upon the death of the reservist whether before or after the reservist's 60th birthday. An election under this option states:

   I elect to provide an immediate annuity beginning on the day after date of my death, whether before or after my 60th birthday.

18.F.12.c. Costs

RC-SBP premiums are deducted from a reservist's retired pay when the member begins drawing retired pay at age 60. Costs are similar to those quoted in article 18.F.7, but vary somewhat depending upon the option chosen. If a retired reservist enters SBP at age 60 having deferred that decision (option A above), costs are identical to those explained in article 18.F.7. Because options B and C allow coverage at an earlier age, costs are slightly higher. Costs for coverage under option C are the highest. A comprehensive set of cost tables covering all options is maintained at the **Human Resources Service and Information Center**.

18.F.12.d. Annuities

The annuity paid to survivors of reservists is as described in article 18.F.8. However, if the reservist elected pre-age 60 RC-SBP coverage under option B or C, the annuity will be a reduced annuity. The SBP base amount will be reduced by the pre-age 60 RC-SBP cost before being multiplied by 55/35 percent.

18.F.12.e. Beneficiaries' Medical, Dental, Commissary, and Exchange Benefits

Dependents of reservists who die after age 60 are entitled to medical care and military benefits. If a reservist dies before age 60, dependents will only be entitled to medical care and military benefits **when the member would have turned 60 years of age,** if the reservist elected RC-SBP option B or C. **The widow/widower of a Retired Awaiting Pay (RET-2) member is entitled to a Commisary Privilege Card.**

18.F.13 Former spouse

18.F.13.a. Discussion

Public Law 97-252 permitted members retiring on or after 08 September 1982 to voluntarily elect SBP coverage on behalf of a former spouse. Previously, members who were unmarried or had no dependent child(ren) on retirement could elect

coverage for a former spouse as an insurable interest person if it could be shown that the former spouse had a financial interest in the continuance of the life of the member. Public Law 99-145 placed former spouse coverage under spouse coverage at the same costs and benefits effective 01 March 1986. Public Law 101-189, 29 November 1989, gave courts the authority to mandate that military members provide SBP coverage to a former spouse in the case of divorce, dissolution, or annulment.

18.F.13.b. Elections

There are five types of former spouse elections that may be made.

1. A voluntary election made by the member without entering into an agreement with the former spouse. If the member is married, his/her current spouse shall be notified that the member has made a former spouse election and that such election precludes the current spouse from being covered under SBP.

2. A voluntary election made pursuant to a written agreement between the member and former spouse, and such agreement has been incorporated in a court order.

3. A voluntary election made pursuant to a written agreement between the member and former spouse, and such agreement has not been incorporated in a court order.

4. A deemed election in which a member entered into a voluntary agreement, which has been incorporated or ratified or approved by a court order, and the member fails or refuses to make the election.

5. A deemed election in which the member did not enter into a written agreement with the former spouse, but the court order mandates that the member provide SBP coverage for the former spouse.

18.F.13.c. Special Provisions

1. In some cases, former spouse/child(ren) coverage may be changed to coverage for a spouse/child(ren) acquired after retirement. If the former spouse election was made pursuant to a written agreement or court order between the member and former spouse, the member must provide appropriate evidence of the former spouse's consent or court order to the change. The consent of the former spouse is not required if the member voluntarily elected former spouse coverage without a written agreement.

2. A former spouse shall be notified by the Human Resources Service and Information Center when a member changes from former spouse coverage to coverage for a spouse/child(ren).

18.F.14. Supplemental Survivor Benefit Plan (SSBP)

18.F.14.a. General

1. Public Law 101-189 of 29 November 1989, as amended, established a Supplemental Survivor Benefit Plan (SSBP). Under SSBP, a retiree may elect additional coverage to keep the SBP spousal annuity from decreasing at age 62 as detailed in article 18.F.8.a. SSBP is a totally optional coverage.

2. Only members who elect full SBP coverage for their spouse may elect SSBP coverage. Full retired pay must be elected as the SBP base amount before SSBP can be elected.

18.F.14.b. SSBP Annuity Amounts

An SSBP annuity is an amount equal to 5, 10, 15, or 20 percent of the base amount, according to the level of SSBP elected. The SSBP annuity is added to the SBP annuity when the SBP annuity is reduced to 35 percent because the spouse or former spouse beneficiary is age 62 or older. For example, if a member purchases a ten percent SSBP annuity, at age 62, his/her spouse will be entitled to a total SBP/SSBP annuity equal to 45 percent of the member's base amount.

18.F.14.c. SSBP Costs

1. SSBP costs are in addition to SBP costs. SSBP costs, like SBP costs, are a percentage of the SBP base amount. SSBP cost factors depend on:

   a. The age of the member on the birthday nearest the date of retirement; and

   b. Whether the member is a regular or a reserve.

2. SSBP cost factors for the spouse of a regular Coast Guard member, or a post age 60 reserve member, are shown in the table below. The factor shown is for five percent of coverage. For example, if a retiree wishes to provide a 50 percent annuity for his 62-year old spouse, in lieu of the standard 35 percent annuity, the retiree would purchase three units of coverage. If such a retiree is 45 years old, and his/her SBP base amount is $1,500.00, the SSBP cost would be:

   $1,500.00 x (.0124 x 3) = $55.80 per month

SSBP Premium Rates - Regular Spouse Coverage

Age at Election	Premium Rate	Age at Election	Premium Rate
37	.0096	50	.0153
38	0098	51	.0159
39	.0101	52	.0166
40	.0106	53	.0175
41	.0110	54	.0184
42	.0111	55	0194
43	.0113	56	.0204
44	.0118	57	.0214
45	.0124	58	.0225
46	.0130	59	.0237
47	.0137	60	.0237
48	.0141	61	.0260
49	.0147	62	.0273

NOTE: Cost factors for ages other than those shown above can be obtained from the Pay and Personnel Center.

3. SSBP cost factors for a reserve Coast Guard member who elects RC-SBP option C (Refer to Article 18.F.12.b(3)) are shown below. The cost factor shown is for five percent of coverage.

Age at Election	Premium Rate	Age at Election	Premium Rate
35	.0363	48	.0298
36	.0359	49	.0294
37	.0352	50	.0289
38	.0349	51	.0286
39	.0344	52	.0283
40	.0338	53	.0281
41	.0335	54	.0279
42	.0317	55	.0276
43	.0308	56	.0273
44	.0307	57	.0270
45	.0307	58	.0267
46	.0305	59	.0262
47	.0303		

4. SSBP cost factors for a reserve member who elected RC-SBP option B (Refer to Article 18.F.12.b(2)) are shown below. The cost factor shown is for 5 percent of coverage.

Age at Election	Premium Rate	Age at Election	Premium Rate
35	.0373	48	.0302
36	.0368	49	.0297
37	.0361	50	.0292
38	.0357	51	.0288
39	.0351	52	.0285
40	.0345	53	.0282
41	.0342	54	.0280
42	.0323	55	.0277
43	.0313	56	.0274
44	.0312	57	.0270
45	.0311	58	.0267
46	.0309	59	.0262
47	.0307		

5. SSBP Premiums: COLA's, Suspensions, Refunds, and Deposits.

   a. SSBP premiums, once established, are increased in the same manner as SBP premiums are increased as described in Article 18.F.10.

   b. SSBP premiums will be suspended whenever SBP premiums are suspended.

   c. No refund of SSBP premiums will be made except under provisions of Article 18.F.7.g. and 18.F.11.f.

   d. The provisions of Article 18.F.7.f. concerning deposits required when the member is not entitled to retired pay, also apply to SSBP premiums.

18.F.14.d. Miscellaneous SSBP Provisions.

1. SSBP Elections Upon Remarriage. A member who marries or remarries after retiring may irrevocably elect, within one year of such marriage, to provide an SSBP annuity for the new spouse provided the member provides SBP coverage for that spouse at the maximum level.

2. Effect of Eligibility to Compute SBP Annuity Amount Using the Social Security Offset. A person may not elect SSBP if that person's spouse or former spouse beneficiary will be eligible to compute their annuity under the social security offset provisions as described in Article 18.F.8.b, unless the member irrevocably waives the right to compute an SBP annuity under the social security offset method. Such waiver must be made in writing.

3. Former Spouse Elections.

   a. A retiree, upon electing to provide an SBP annuity to a former spouse at the time of retirement, may concurrently elect to provide an SSBP annuity for that former spouse.

   b. A retiree may submit an election to provide an SSBP annuity to a former spouse after retirement. Such election may be made whether or not an SSBP annuity had been elected for any spouse or former spouse coverage previously applicable to that person.

   c. Deemed elections shall operate under the same rules as deemed election for SBP (Refer to Article 18.F.13.b.) except that no election for SSBP may be required by court order.

4. Elections: Duration of Effectiveness and Beneficiaries. An election to provide an SSBP annuity remains effective as long as SBP coverage remains effective for that spouse or former spouse. Once effective, no election for SSBP may be revoked. A spouse or former spouse beneficiary who is not eligible to receive an SBP annuity is not eligible to receive an SSBP annuity except when entitlement to the SBP annuity is lost as described in Article 18.F.8.c., due to entitlement to Dependency and Indemnity Compensation (DIC).

5. Discontinuance of SSBP Coverage. The provisions of SBP in Article 18.F.11.f. concerning persons with service-connected disabilities apply equally to SSBP participation.

6. Administrative Corrections and Elections. The provisions of Article 18.F.11.e., alowing correction of elections due to administrative error, and the provisions of Article 18.F.11.c., concerning elections to be made to Commandant (G-WPM) on behalf of mentally incompetent persons, also apply to SSBP elections.

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19.A Administration of Public Health Service (PHS) Officers Detailed to the Coast Guard

19.A.1. Status of PHS Officers Detailed to the U.S. Coast Guard

19.A.1.a. Coast Guard Health Care

Coast Guard health care is managed by the Office of Health and Safety. As part of that responsibility, a significant amount of direct care and management is provided by PHS officers serving in the Coast Guard. Their status and administration are outlined in this chapter, in the Memorandum of Understanding between the two Services and in the PHS Commissioned Corps Personnel Manual (CCPM).

19.A.1.b. PHS Officers Detailed to the Coast Guard

PHS officers detailed to the Coast Guard will be managed as regular Coast Guard officers except where specific written instructions provide for different administrative procedures.

19.A.1.c. Legal Precedents

A number of legal precedents and citations which apply to all PHS officers in the Coast Guard detail are documented in Exhibit 19.A.1.

19.A.1.d. Indoctrination Course

All newly-detailed PHS officers will attend a six day indoctrination given at the Coast Guard Reserve Training Center in Yorktown, Virginia. This program is intended to familiarize them with Coast Guard policies, procedures, and customs. The program is offered several times each year; the actual frequency depends on the level of recruiting taking place at any given time. Once PHS officers report to their assigned duty station, local commands shall provide briefings on:

1. All unit orders and instructions.

2. The chain of command structure relevant to that unit.

19.A.1.e. Uniforms

PHS officers shall wear the uniform of the day for Coast Guard officers as prescribed in Coast Guard regulations at the unit to which they are assigned. PHS devices shall be worn, as appropriate, in place of the Coast Guard devices on the cap, sleeves, and shoulder boards.

19.A.1.f. Official Correspondence

All official correspondence, including that directly between the officer and PHS Headquarters, shall comply with Coast Guard policy on correspondence as covered in the Coast Guard Correspondence Manual, COMDTINST M5216.4 (series).

19.A.2 Grades of PHS Officers

19.A.2.a. PHS Grades

The grades of PHS Officers correspond with the grades of the Coast Guard as follows:

Public Health Service Grade	Coast Guard Grade	Pay Grade
Surgeon General	Vice Admiral	O-9
Deputy/Assistant Surgeon General	Rear Admiral	O-8
Assistant Surgeon General	Rear Admiral (lower half)	O-7
Director Grade	Captain	O-6
Senior Grade	Commander	O-5
Full Grade	Lieutenant Commander	O-4
Senior Assistant Grade	Lieutenant	O-3
Assistant Grade	Lieutenant(Junior Grade)	O-2
Junior Assistant Grade	Ensign	O-1

19.A.2.b. Corresponding Coast Guard Grade

PHS officers detailed to the Coast Guard shall use the corresponding Coast Guard grade, for purposes of identification, address, and official correspondence.

19.A.3 PHS Officer Leave and Leave Records

19.A.3.a. Authority to Grant Leave

District commanders, commanding officers of maintenance and logistics commands, and unit commanding officers may grant any amount of leave to which a PHS officer is entitled. However, in no case, shall leave be granted which would result in more than a

entitled. However, in no case, shall leave be granted which would result in more than a-15-day negative leave balance at the beginning of the calendar year in which the officer will be separated.

19.A.3.b. Requesting Leave

Annual leave must be requested and approved on Leave Authorization, form CG-2519, for record purposes.

19.A.3.c. Accrual of Leave

Accrual of leave is the same as for all Coast Guard personnel as provided elsewhere in this manual, except PHS officers' leave year corresponds to the calendar year.

19.A.3.d. Recording Leave

The official leave record is the responsibility of the local command, recorded in the officer's local personnel file. Both an annual and a cumulative leave record shall be maintained. Leave will be credited, and records verified, on a calendar year instead of a fiscal year basis. Therefore, on 31 December each year, the responsible reporting official utilizing form CG-9537A, PHS Official Leave Record (Exhibit 19.A.2), shall:

1. Enter leave earned for the current year at the rate of 2½ days per month. Reduce credit as necessary in order that the new balance not exceed 60 days.

2. Verify entries on leave record for the year, enter statement in "Remarks" block: "Verified Correct" and sign.

3. Open a new annual record to show the number of days brought forward on 1 January.

4. A sample form for recording leave and a leave balance memo to be issued every October are shown in Exhibits 19.A.2. and 19.A.3. A copy of this memo will be placed in the Officer's Personal Record.

19.A.3.e. Certification of Leave

Retain the original annual record, forward a copy to Command (G-WKH) and provide a copy to the officer at the end of each leave year (31 December).

19.A.3.f. Transfer to Another Coast Guard Unit

On change of station to another Coast Guard unit, the transferring command certifies and includes the original leave record with appropriate orders and service record. A copy of the certified leave record will be forwarded at transfer, by the command, to **Commandant (G-WKH).** Records will be carried by the officer to the new unit.

19.A.3.g. Transfer to an Activity Outside the Coast Guard

On change of station to an activity outside the Coast Guard, certify and send the original leave records to **Commandant (G-WKH)** within 10 days for transmittal to the new station. If leave en route has been granted, include a copy of the authorization.

19.A.3.h. Release From Active Duty

Within 10 days certify and forward the original leave records of officers released from active duty to **Commandant (G-WKH)**. The certification on the record should state that the document is correct and proper for payment. Lump sum leave payment will then be made by the Compensation Branch, Division of Commissioned Personnel, USPHS, upon written request from the officer.

19.A.4. Performance Evaluations of PHS Commissioned Officers

19.A.4.a. Preparation and Submission

The Commissioned Officers' Effectiveness Report (COER), PHS Form 838, and accompanying PHS Manual Circular instructions shall be used in reporting on all PHS officers. Exceptions to those instructions are contained in this paragraph and/or with the annual mailing by **Commandant (G-WKH).**

19.A.4.b. Equally Important as OERs

PHS COERs are equally important as Officer Evaluation Reports used for Coast Guard officers with respect to personnel actions such as promotion, assimilation (integration), and retention. In addition, COERs are used as guides to assignments and as a basis for recommendations for paying or withholding physician and dentist contractual special pays. Complete, fully documented reports, submitted on time, are critical for managing an officer's career. The PHS COER system is a separate, distinct evaluation system that should not be compared to the Coast Guard OES.

1. Submission and Times.

   a. Annually as of 30 June, on every PHS officer independent of the time the officer has been on board. Blank forms and current instructions are distributed by **Commandant (G-WKH)** each year. An original COER will be forwarded to **Commandant with (G-WKH)** and one copy to **Commander (CGPC-opm-2)** via the chain of command and the cognizant MLC(k) (Refer to ☛ Article 19.A.4.b.(2)(d)).

   b. At transfer on permanent change of station orders.

c. At change of supervisor (reporting officer).

d. At the request of Commandant (G-WK) when an officer is considered for assimilation into the regular corps, retirement, promotion, etc. Both the request report and a copy of the incoming request shall be transmitted to Commander (CGPC-opm-2). Special reports for promotion and assimilation purposes cannot be substituted for annual reports, even though the actual marks and remarks on the two closely-timed reports may be identical.

e. A Special Report may be initiated at any time by the officer's supervisor (reporting officer) to document performance problems, deficiencies etc. Blank forms for these unscheduled reports are available from Commander (CGPC-opm-2).

f. When a COER is due, the reported-on officer will complete section I of PHS Form 838 and submit it to the officer's supervisor (reporting officer). Care should be taken to ensure that section I is accurately completed.

g. The supervisor (reporting officer) will complete Sections II through IV and ensure completion of Section V, Item 1. If the report was not discussed with the officer rated, due to that officer not being available, an appropriate notation shall be made under Section V, Item 1, stating the reason. To avoid confusion or misrepresentation, reporting officers are strongly encouraged to circle the letter grade as well as fill in the blank. Comments are required to support marks of A or E and are strongly encouraged for marks of B or D. Comments, in general, are always helpful as they tend to clarify the reporting officer's intentions.

2. Reporting and Reviewing Officers.

a. The reporting officer is the immediate supervisor of the officer being reported on. This is either the commanding officer, the executive officer, the division chief, the senior medical officer, or the senior dental officer. Whenever possible, the reporting officer should be a PHS officer who has direct supervisory responsibilities for the officer.

b. As with any effective evaluation system, guidance and counseling must occur throughout the year. Problems should be dealt with as they occur, not for the first and only time at an annual evaluation.

c. The reviewing officer is the Chief, Office of Health and Safety (G-WK). The central collection point, referred to in the PHS annual instructions, is Commander (CGPC-opm-2). In cases where a PHS officer's Coast Guard line officer supervisor is junior, the COER shall be reviewed at the local command or district level, as needed, by an officer equal or senior in rank to the officer being evaluated.

d. PHS COERs for all PHS officers, except those assigned to Commandant (G-WK), shall be routed via the chain of command to the respective MLC. The Chief, Health and Safety Division, MLC(k) is responsible for the timely handling and submission of these endorsements. Timely processing of the COER is essential for the administrative processing of personnel actions including promotion, assimilation, payment of special contracts, etc.

3. Adverse Reports.

a. Any report which contains adverse marks or comments shall be submitted to the officer reported on for that officer's comment.

b. No material relating to the COER shall be placed in an officer's record without that officer's knowledge. The officer receiving an adverse report must note acceptance or rejection in section V, item 1 and append comments in writing or state in writing the desire not to comment. The original signed by the officer reported on and endorsed by the reporting officer shall be attached to the COER.

c. If the officer reported on has been detached, the adverse report shall be forwarded directly to that officer and not via the new commanding officer.

19.A.4.c. Mailing COERs

COERs and all correspondence pertaining thereto shall be included in an envelope marked "Commissioned Officer Effectiveness Report-For Official Use Only" and mailed to Commander (CGPC-opm-2).

19.A.5. Other Reports and Endorsements

19.A.5.a. Endorsements on Orders

Unless otherwise directed, endorsements on orders are needed only for PCS arrivals and departures. Information required on this endorsement includes dates and time of departure/arrival, date assigned to/released from Government quarters, and any leave en route taken. A copy should be mailed to Commander (CGPC-opm-2) **and Commandant (G-WKH).**

19.A.5.b. Other Guidance

Guidance on other specific reports such as flight hours, training requests, outside employment requests, etc. are contained in relevant sections of this chapter.

19.A.6. Assignments with the Coast Guard

19.A.6.a. Professional Categories

Medical, dental, pharmacist, scientist, and physical therapist are the principal professional categories of PHS officers presently detailed to duty with the Coast Guard. A very small number of health services, nurses, and sanitation officers are also represented.

19.A.6.b. Assignments

PHS officers detailed to Coast Guard units are on full-time assignments. All assignments and transfers are at the direction of the Commandant following standard Coast Guard guidelines with respect to tour length, etc. A PHS officer Assignment Panel meets annually to consider the entire detail. All PHS officer vacancies are published in the annual shopping list. Members of the detail are required to submit Coast Guard Assignment Data Form, form CG-3698A, annually by 01 September.

19.A.6.c. Orders/Travel Claims

Initial assignments and final assignment with the Coast Guard will be under PHS orders and travel will be reimbursed to the officer directly by PHS. Ultimately, the Coast Guard reimburses PHS in the same way as all other costs of the detail. These travel claims must be submitted via Commander (CGPC-opm-2) for processing by PHS. All other orders will be by the Coast Guard and reimbursement will be paid by the Coast Guard.

19.A.7. Assignment to Aviation Duties

19.A.7.a. Definitions and Designations

1. Flight Surgeon Trainee (FST):

   a. An officer assigned to a Duty Involving Flight Operations (DIFOPS) billet and who is a graduate of either the U. S. Air Force Force Primary Flight Surgeons Course or the U. S. Army Course in Aerospace Medicine. Commander (CGPC-opm) designates an officer as an FST upon submission of a copy of the certificate of successful completion of such training.

   b. A FST can become eligible for designation as Flight Surgeon after one year in a DIFOPS billet provided the following requirements are met:

      - The FST must complete 48 hours of flight time in Coast Guard aircraft, and

- The FST should develop an appreciation for the mental sharpness and physical stamina required of the aircrewmen in their hanger deck duties. To this end the FST will observe at least a portion of each of the following aircraft maintenance procedures:
- - Engine removal;
- - Quality Assurance check after engine installation;
- - Generator change;
- - Radar maintenance or repair;
- - Corrosion control activities;
- - Refueling; and
- - Crew preflight and postflight routines.
- These observations should be noted in the FST's flight log book.

c. The FST should be encouraged to learn the missions, SAR roles, crew designations, and endurance of each type of Coast Guard aircraft. Flight time in aircraft not normally located at the air station to which the FST is assigned is desirable, within the constraints of cost and time, to round out the FST's familiarity with the Coast Guard aviation community.

d. The FST must also complete the same semi- annual and annual requirements imposed on Flight Surgeons as outlined in Chapter 4 of the Air Operations Manual, COMDTINST M3710.1 (series).

2. Flight Surgeon (FS):

a. A graduate of the six month course at the Naval Aerospace Medical Institute (NAMI), an officer previously designated as an FS by another Armed Service, or an FST who has completed the requisite number of hours of flight time. Commandant (G-WKH-1) will verify the flight hours and past experience of officers previously designated as an FS by another Armed Service before such officers can be designated as a Coast Guard FS by Commander (CGPC-opm).

b. Commander (CGPC-opm) designates an officer as a FS upon receipt of certification of completion of the required flight time in Coast Guard aircraft subsequent to the FST designation and to successful completion of underwater egress training. Commandant (G-WK) will provide the initial set of FS insignia to officers so designated by Commander (CGPC-opm).

3. Aviation Medical Officer (AMO):

a. An officer who has not yet been assigned to a DIFOPS billet and who is a graduate of the U. S. Air Force Primary Flight Surgeon Course, the U. S. Army Primary Course in Aerospace Medicine, or the four week Aviation Medical course at NAMI. Commander (CGPC-opm) designates an officer as an AMO upon submission of a copy of the certificate of successful completion of such training.

b. A former FST who, while assigned to a DIFOPS billet, either failed to acquire the requisite number of flight hours specified in (1)(b) above or who failed underwater egress training. In these cases, Commander (CGPC-opm) redesignates the FST as an AMO.

c. An AMO who is assigned to a DIFOPS billet within five years of successful completion of training, as specified in (3)(a) above, may apply to Commander (CGPC-opm) for designation as an FST. This officer may then be eligible for subsequent designation as FS in accordance with the requirements of (1)(b) and (2)(b) above.

4. Aviation Career Incentive Pay.

a. Aviation Career Incentive Pay (ACIP) is made for the frequent and regular performance of operational flying duty within a specified billet, in accordance with Public Health Service Commissioned Corps Personnel Manual, CC22.3, r.3, and the Management and Administration of Aviation Incentive Pay, COMDTINST M7220.3 (series).

b. ACIP is not continuous or automatic. Flight hour reports must be submitted monthly, even if no hours are flown, to the Public Health Service (DCP) Compensation Branch, copy to Commander (CGPC-opm-2). The hours must be certified by the command. A sample format for this report is included as Exhibit 19.A.4.

19.A.8. Attendance at Professional Meetings, Short-Term Courses of Instruction, and Long Term Training

19.A.8.a. Short-term Training

PHS officers serving full-time with the Coast Guard may attend short-term and refresher courses, conferences, seminars, workshops, and similar sessions of a technical, scientific, or professional nature. Such training may be authorized at Government expense where it is applicable and beneficial to the Coast Guard and the individual.

19.A.8.b. Training Requests

Training requests shall be submitted in accordance with the standard Coast Guard procedure. PHS officers may also apply for attendance at conferences and seminars other than those providing specific instructional sessions by submitting letter requests as outlined in Chapter 13 of the Medical Manual, COMDTINST M6000.1 (series) to Commandant (G-WKH-1) via the chain of command.

19.A.8.c. Long-term Training

Long-term training, currently limited to medical and dental residencies, is addressed in the Training and Education Manual, COMDINST M1500.10 (series), articles 3-B-15.c. and d. Applications must be submitted anually prior to 15 May. Selection Boards are held annually in August/September. Officers need to be aware of the two-for-one service obligation in accordance with the Training and Education Manual with respect to active duty obligation incurred prior to participation in training programs.

19.A.9. Outside Employment of PHS Officers

19.A.9.a. General Restrictions

Outside employment, within the meaning of this article, is any work or service performed by a PHS officer other than the officer's assigned duties. This includes employment, self-employment, and other services, whether or not paid for. PHS officers must refrain from outside employment of the following types:

1. Work which violates Federal or State statutes or local ordinances, executive orders, or regulations to which the officer is subject. This includes any activity where dual compensation may be involved, especially Medicare, CHAMPUS, CHAMPVA, and other Federally funded health care programs.

2. Work or interests involving a real or apparent conflict of interest, even though not in violation of any specific provision of statute.

3. Work identifying the Coast Guard, the Public Health Service, or the officer in an official capacity with any organization commercializing products relating to work conducted by the Coast Guard, the Public Health Service, or with any commercial advertising matter, or work performed under such circumstances as to give the impression that it is an official act or represents an official point of view.

4. Work that takes the officer's time and attention during official working hours.

5. Work in which the officer makes use of official facilities not available to the general public.

6. Work of such extent or nature as to impair the officer's efficiency in discharging official responsibilities.

7. Work which brings discredit, criticism, or embarrassment to the Coast Guard or the Public Health Service.

19.A.9.b. Approval of Outside Employment

Each PHS officer is held personally responsible for refraining from prohibited types of outside employment. Administrative approval from Commandant (G-WK), via the chain of command and the cognizant MLC(k), must be obtained before engaging in outside employment and a copy of such approval must be made part of the officer's Coast Guard file kept in Commander (CGPC-opm-2), as well as at PHS Headquarters. Willful failure to request approval for outside employment is grounds for disciplinary action. Requests to practice medicine or dentistry in a hospital, clinic, or private practice will certify that:

1. Applicant holds a valid State license for the State in which employment is to be performed.

2. Applicant has medical protective insurance purchased by the hospital, clinic, or personally.

19.A.9.c. Report Required (RCS K-13005)

A semiannual report is required from each officer for whom outside employment has been approved. The report is due 1 January and 30 June, and upon termination of employment. The following information shall be submitted in letter format, to Commandant (G-WK), copy to Commander (CGPC-opm-2), via the chain of command and the cognizant MLC(k):

1. Place of employment and address.

2. Position held.

3. Total hours involved in outside employment per week.

4. Length of time in present position.

19.A.9.d. Forwarding of Materials

A copy of all of the materials cited above will be forwarded to the Public Health Service via Commander (CGPC-opm-2) for inclusion in the officer's official personnel files.

19.A.9.e. PHS Regulations

PHS regulations also apply, unless otherwise stipulated (refer to Standards of Conduct, PHS CCPM CC26.1).

19.A.10. Prohibited Activities for PHS Officers

19.A.10.a. Statue or Administrative Policy

While not a comprehensive listing, activities which are prohibited by statute or administrative policy of the Department of Transportation, Coast Guard, and Public Health Service are contained in the following:

1. Title 49, Part 99, of the Code of Federal Regulations. (Refer to COMDTINST 5370.2 (series).)

2. Standards of Conduct, PHS CCPM CC26.1.

3. Chapter 15, Part 2, CG Regulations, COMDTINST M5000.3 (series).

4. Sections 8.N, 16.C, and 16.D, Personnel Manual. When in doubt as to the propriety of any law, rule, ethical principle or activity, advice should be sought from nearest designated ethics official.

19.A.11. Termination of Duty with the Coast Guard Detail

19.A.11.a. Release from Coast Guard

PHS officers detailed to the Coast Guard may request release from the Coast Guard detail by resignation, retirement, or reassignment outside the Coast Guard.

1. Retirement with less than 30 years of service requires PHS approval. Submit requests for voluntary retirement after 20 years but less than 30 years of service via the chain of command to Commander (CGPC-opm-2) on PHS Form 1373 in time to be received by PHS as follows:

Date Due	PHS First Available Retirement Date	Last Date Officer May Retire
January 15	April 01	October 01
May 15	August 01	February 01
September 15	December 01	June 01

2. Submit requests for resignation in writing via the chain of command to Commander (CGPC-opm-2). These must be received by PHS 30 days prior to the last day the officer will be physically at final duty station.

3. Requests for release from Coast Guard Detail for reassignment within a PHS activity, detail to a different agency, or for an inter-Service transfer must be in writing to Commander (CGPC-opm-2), via the chain of command. Program (CG) release must be obtained by PHS from Commander (CGPC-opm-2) who will obtain Commandant (G-WK) concurrence.

19.A.11.b. Additional Information

Additional information regarding resignation or retirement is available in the PHS pamphlets on these subjects, the CCPM, and from Commander (CGPC-opm-2) or PHS-DCP directly.

19.A.12. Miscellaneous

PHS officers detailed to the Coast Guard are subject in several respects to PHS rules and regulations. Resources for information and answering questions will include the Commissioned Corps Personal Manual, the Memorandum of Understanding (MOU) between Coast Guard and PHS, and other references. Questions may be addressed through Commander (CGPC-opm-2) for resolution.

LEGAL PRECEDENTS AND CITATIONS

1. 42 U.S.C. 215 (a) states, in part, "Officers detailed for duty with the Coast Guard shall be subject to the laws for the government of the Service to which detailed.

2. 10 U.S.C. 802 (8) (Art. 2, UCMJ) clearly indicates the applicability of the UCMJ to PHS officers when assigned to the Armed Forces.

3. In U.S. v. Braud**,** 11 USCMA 192 (1960), the United States Court of Military Appeals answered a certified question of the General Counsel of the Treasury Department, requesting a determination whether a Coast Guard special court-martial on which a Public Health Service officer served as president, while on duty with the Coast Guard, was legally constituted. The answer was affirmative. In the course of reaching this holding, the court indicated that it considered that a PHS commissioned officer detailed to active duty with the Coast Guard is subject to military law and has military status equivalent to commissioned officers of the Coast Guard.

4. Chapter CC26, Personnel Instruction 1, of the PHS Commissioned Corps Personnel Manual, holds PHS commissioned officers responsible for adhering to the (CCPM) Department of Health and Human Services Standards of Conduct Regulations.

5. Title 49, Part 99, of the Code of Federal Regulations entitled, "Employee Responsibilities and Conduct" applies to PHS commissioned officers detailed to active duty with the Coast Guard in the same way that it applies to active duty members of the Coast Guard.

DEPARTMENT OF
TRANSPORTATION
U.S. COAST GUARD
CG-9537A (9-95)

PHS OFFICER LEAVE RECORD

Name:	(Last)	(First)	(MI)	Date:
	|	|	|	|

Social Security Number	Rank	Authenticated By:	Date:
	|	|	|

Leave Taken: (Inclusive Dates)

From:	To:	Kind	Credited Date	Balance	Station	Signature

Remarks:

Local Reproduction Authorized

SAMPLE MEMO TO OFFICER ON ANNUAL LEAVE VERIFICATION

Subj: LEAVE BALANCE AS OF 01 OCTOBER 19___

To: Chief, Military Personnel
From: _____, USPHS

1. Annual verification of your leave balance reflects the following:

   a. Leave balance as of 01 January 19___:
   b. Leave earned since 01 January 19___:
   c. Leave taken since 01 January 19___:
   d. Ending leave balance as of 01 October 19___:

2. If the balance does not coincide with your records, please contact _____ at _____. Leave in excess of 60 days as of 31 December 19___ will be lost.

By direction

Copy: Officer's Personal Record

Commanding Officer
U.S. Coast Guard
Tel:
Air Station _____

From: Commanding Officer, Coast Guard Air Station _____
To: U.S. Public Health Service
Compensation Branch, DCP
Parklawn Building, Room 4-50
5600 Fishers Lane
Bethesda, MD 20857

Subj: PHS OFFICER'S STATEMENT OF FLIGHT TIME

1. The following is a summary of the flight hours for _(Name)_____(SSN)_____, USPHS, for the month of _____, 19____.

	DAY	TIME	A/C
TOTAL:			

Copy: Commander, (CGPC-opm-2)

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20.A. Substance and Alcohol Abuse

20.A.1. Policy and Goals

20.A.1.a. Policy

Substance and alcohol abuse undermine morale, mission performance, safety, and health. They will not be tolerated within the Coast Guard. Thus, drug and alcohol screening is mandated by law, (10 USC 1090), to identify, treat, and rehabilitate members of the Armed Forces who are dependent on drugs or alcohol. Furthermore, the possession, use, or distribution of a controlled substance as defined in the ☞ Uniform Code of Military Justice (UCMJ), Article 112a, and (10 USC 912a), constitutes a serious breach of discipline. Effective leadership at all levels is necessary to curb **substance** and alcohol abuse in the Coast Guard. Each command must be prepared to identify and eliminate **substance** and alcohol abuse.

20.A.1.b. Goal

The goal of the **substance** and alcohol abuse program is to enable the Coast Guard to accomplish its missions unhampered by the effects of **substance** and alcohol abuse.

20.A.1.c. Objectives

The objectives of the **substance** and alcohol abuse **prevention** programs are to:

1. Reduce the incidence of **substance** and alcohol abuse by Coast Guard members;

2. Detect and separate from the Coast Guard those members who abuse, traffic in, or unlawfully possess drugs; and

3. Facilitate the identification, treatment, and rehabilitation **of** members **who are found to be chemically** dependent on **drugs or** alcohol **prior to** discharge **from the Coast Guard.**

20.A.2. Definitions

20.A.2.a. General

These definitions apply in the **substance** and alcohol abuse programs. They do not change definitions in statutes, regulations, or directives concerned with personnel administration, medical care, or with the determination of misconduct and criminal or civil convictions for personal acts or omissions.

20.A.2.b. Alcohol Abuse

A general term for the misuse of alcohol which interferes with the user's health, safety, job performance, family life, or other required social adaptation. "Alcohol abuse" also applies to a medical diagnosis made by a physician, clinical psychologist, or a DoD or civilian equivalent Counseling and Assistance Center (CAAC) counselor. The ☞ Health Promotions Manual, COMDTINST M6200.1 (series), or the Diagnostic and Statistical Manual of the American Psychiatric Association (DSM-IV) contain the criteria to establish a diagnosis of Alcohol Abuse (305.0). The medical diagnosis is primarily used to determine the appropriate level of treatment.

20.A.2.c. Alcohol Dependence

A chronic disease, sometimes referred to as alcoholism, characterized by repetitive, compulsive ingestion of alcohol which interferes with the user's health, safety, job performance, family life, or other required social adaptation. This disease process may involve increasing tolerance for alcohol. An alcohol-dependent person may experience withdrawal symptoms when he or she stops drinking. The term alcohol dependence also applies to a medical diagnosis made by a physician or clinical psychologist. The ☞ **Health Promotions** Manual, COMDTINST M6200.1 (series), Ch 2, or DSM-IV contains the criteria to establish a diagnosis of Alcohol Dependence (303.9). The medical diagnosis is primarily used to determine the appropriate level of treatment.

20.A.2.d. Alcohol Incident

1. Any behavior, in which alcohol is determined, **by the commanding officer**, to be a significant or causative factor, that results in the member's loss of ability to perform assigned duties, brings discredit upon the Uniformed Services, or is a violation of the Uniform Code of Military Justice, Federal, State, or local laws. The member need not be found guilty at court-martial, in a civilian court, or be awarded non-judicial punishment for the behavior to be considered an alcohol incident.

2. **<u>The member must actually consume alcohol for an alcohol incident to have occurred.</u> Simply being present where alcohol is consumed does not constitute an alcohol incident. The member may be counseled on appropriate behavior or may be held jointly responsible for any damage or untoward behavior associated with the group. Purchasing alcohol for use by minors is not an alcohol incident, but does represent a serious breach of discipline and subjects the member to civil or military (UCMJ) penalties.**

20.A.2.e. Alcohol Screening

An evaluation by a physician **who has attended Addiction Orientation for Health Care Provider (AOHCP) training or who has equivalent training regarding substance abuse and chemical dependency,** clinical psychologist, or a DoD or civilian equivalent CAAC counselor to determine the nature and extent of alcohol abuse. An evaluation by a Collateral Duty Alcohol Representative (CDAR) does not satisfy the screening requirement contained in this Manual.

20.A.2.f. Commanding Officer

As used in this chapter, "commanding officer" includes **commanders, commanding officers, and** officers-in-charge.

20.A.2.g. Drugs

Controlled substances as defined in ☞ UCMJ (10 USC 912a), Article 112a.

20.A.2.h. Drug (Substance) Abuse

The use of a drug or **substance** for other than its intended legal use. **(See ☞ Article 20.A.2.k.)**

20.A.2.i. Drug Abuse Paraphernalia

Equipment, products, and materials of any kind that are used for trafficking, supplying, injecting, ingesting, inhaling, or otherwise introducing into the human body any drug **or substance** in order to abuse that drug **or substance**.

20.A.2.j. Drug Dependence

A chronic disease characterized by the repetitive, compulsive use of drugs which interferes with the user's health, safety, job performance, family life, or other required social adaptation. This disease process may involve the increasing need for drugs. A drug-dependent **individual** may experience withdrawal symptoms when he or she stops taking drugs. "Drug dependence" also applies to a medical diagnosis made by a physician or clinical psychologist. The criteria to establish a diagnosis of Drug Dependence (304.X) can be found in the DSM-IV. The medical diagnosis is primarily used to determine the appropriate level of treatment.

20.A.2.k. Drug Incident

1. Any of the following conduct constitutes a drug incident **as determined by the commanding officer**:
   a. Intentional use of drugs;
   b. Wrongful possession of drugs;
   c. Trafficking (distribution, importing, exporting, or introduction into a military facility) of drugs;
   d. The intentional use of other substances, such as inhalants, glue, and cleaning agents, or over-the-counter (OTC), or prescription medications to obtain a "high," contrary to their intended use; or,
   e. A civil or military conviction for wrongful use, possession, or trafficking of drugs, **unless rebutted by other evidence**.
2. The member need not be found guilty at court-martial, in a civilian court, or be awarded NJP for the conduct to be considered a drug incident.
3. If the conduct occurs without the member's knowledge, awareness, or reasonable suspicion or is medically authorized, it does not constitute a drug incident.

20.A.2.l. Random Testing

Statistics of, pertaining to, or characterizing a method of statistical sample selection in which all possible samples have equal probability of selection. For further definition, **refer to** ☞ **Article 20.C.2.b.**

20.A.2.m. Urinalysis

The entire procedure involved in obtaining urine samples under controlled conditions, maintaining a chain of custody on each sample, and scientifically analyzing the samples to detect the presence of drugs.

20.A.3. Training and Education

20.A.3.a. Substance Abuse-Free Environment (SAFE)

Training on the dangers of substance abuse and ways to detect substance abuse problems of members and their families is essential to the effective pursuit of the goal of a substance abuse free Coast Guard. All members must be familiar with Coast Guard **substance** and alcohol abuse policies.

20.A.3.b. Accession Training

All members entering the Coast Guard, recruits, officer candidates, direct commission officers, and cadets shall have the Commandant's policies on **substance** and alcohol abuse explained to them during their initial training, documented by appropriate Administrative Remarks (CG-3307) entry in each member's Personnel Data Record.

20.A.3.c. Supervisors

Supervisors shall undergo instruction in identifying early **substance** and alcohol abuse symptoms, including emphasis on their responsibilities to document and provide referral and/or treatment for **substance** and alcohol abusers. **Supervisor training is required once during a member's career, to be given at the first unit to which assigned as a supervisor, as outlined in the** ☞ **Health Promotions Manual, COMDTINST M6200.1 (series).**

20.A.3.d. Unit Training

Units shall conduct **annual** training on the physical and psychological effects of **substance** and alcohol abuse, the resources available to help overcome abuse problems, and Coast Guard policy contained in this chapter.

20.A.3.e. Family Advocacy Specialist (FAS)

A civilian human services professional with specific training in domestic violence, child abuse and neglect, suicide, rape, sexual assault, and special needs. FASs are located Coast Guard–wide. Family advocacy **specialists** shall provide information on detecting and responding to **substance** and alcohol abuse in the family environment and the resources available when professional help is needed.

20.A.3.f. Health Promotion Manager

Health Promotion Managers shall provide general awareness training when visiting Coast Guard units to assist CDARs in meeting the requirements of ☞ Article 20.A.3.d.

20.A.4. Driving Under the Influence of Intoxicants

20.A.4.a. Policy

Driving privileges on Coast Guard installations are subject to suspension **or restriction** when a member is charged with or convicted of driving under the influence of intoxicants (DUI).

20.A.4.b. Definition

As used in this article, includes either one of the following.

1. Operating a motor vehicle while "Under the Influence," meaning any intoxication which is sufficient to impair the rational and full exercise of the mental or physical faculties. The substance that caused the intoxication is immaterial; or

2. Operating a motor vehicle while intoxicated to the extent that it is a violation of the law in the jurisdiction where the vehicle is operated.

20.A.4.c. Awareness Training

If driving privileges are suspended on a Coast Guard installation, in accordance with the procedures contained in this article, completion of an alcohol safety awareness program (Navy Alcohol and Drug Safety Awareness Program or its equivalent) is mandatory before those driving privileges are reinstated. Commands that desire to implement an expanded driving safety program or an alcohol awareness program may use a variety of government and private resources. Training resources include the National Clearinghouse for Alcohol and Drug Information, local government agencies, and private organizations such as Mothers Against Drunk Driving (MADD) and Students Against Driving Drunk (SADD). These resources are available in most locations to support motor vehicle safety and alcohol awareness programs.

20.A.4.d. Restriction of Driving Privileges

The procedures in this article apply to all drivers who have driving privileges on Coast Guard installations including, but not limited to, military personnel, dependents, and military retirees.

1. Commanding Officers may impose preliminary **restrictions** of driving privileges when a person has been lawfully apprehended by civil or military authorities for DUI.

   a. When preliminary suspensions are imposed, the Commanding Officer, or his/her designee, shall hold an informal hearing to determine the validity of the apprehension. If the hearing officer is convinced that the apprehension was invalid, the **restriction** should be terminated; if he/she is not convinced, it shall remain in effect.

b. If the preliminary **restriction** is based upon an apprehension in which a Blood Alcohol Content (BAC) test was administered, and the BAC level meets or exceeds the federally mandated level of 0.08%, the **restriction** shall continue for 1 year, irrespective of the ultimate disposition of the underlying charges, unless the disposition of the charges is based upon the invalidity of the BAC test.

2. **Commands shall restrict a member's driving privileges aboard Coast Guard installations for a period of 1 (one) year** after any of the following:

   a. A refusal to submit to a lawfully requested BAC test, irrespective of the ultimate disposition of the underlying intoxicated driving offense. Coast Guard officials (OODs, security personnel, etc.), when requesting a BAC test, should advise the driver that failure to submit to the test will result in an automatic 1-year **restriction** of driving privileges aboard the installation.

   b. A civil or military conviction, nonjudicial punishment, or civil revocation or suspension of driving privileges for DUI. In cases where the Commanding Officer has imposed a preliminary suspension based upon apprehension for DUI, the date that the preliminary **restriction** was imposed should be used to calculate the termination of the final suspension; or

   c. An apprehension based upon a BAC test whose level meets or exceeds 0.08%, irrespective of the ultimate disposition of the underlying charges, unless the disposition of the charges is based upon the invalidity of the BAC test.

3. **Except as required per paragraph 7 below, the restriction shall involve total suspension of driving privileges.**

4. Notification of **restrictions** shall be made in writing and acknowledged in writing by the person whose driving privileges have been **restricted**. A copy of the notification and acknowledgement shall be placed in the Personnel Data Record (PDR) and a copy mailed to Commandant (CGPC-epm-2/CGPC-opm-2) for inclusion in the member's Headquarters PDR. In situations where the facts of the case warrant it (such as previous incidents of DUI or violation of a **restriction** of driving privileges), Commanding Officers shall **restrict** driving privileges for 2 years.

5. **Restrictions** shall apply only to the offender. Family members and others who are non-offenders are still permitted to operate vehicles on the installation. Normally, vehicle registration decals should not be removed.

6. When **restrictions** are imposed, the name of the individual, the period of suspension, and a description of vehicles owned, including vehicle registration decal numbers, shall be furnished to all other Armed Forces facilities in the local area. When a Coast Guard member is transferred to a new duty station, the Commanding Officer shall notify the new Commanding Officer of the **restriction**. The new Commanding Officer will continue any remaining portion of the **restriction** and so notify other Armed Forces facilities in the new local area.

7. In situations where **total** suspension of driving privileges would significantly hamper mission performance or cause unusual personal or family hardship **or safety concerns**, the Commanding Officer may grant restricted driving privileges. When these restricted driving privileges are granted, they shall be clearly specified in writing and acknowledged by the person being granted the privileges. This does not authorize a person to drive on a Coast Guard installation if the person's driver's license is under suspension or revocation by a local, State, Federal, or host country civil court or administrative agency.

8. A person whose driving privileges have been **restricted** may appeal the **restriction** in writing, via the chain of command, to the commander of the appropriate district or maintenance and logistics command. **Restrictions** initiated at Headquarters units may be appealed to Commandant (G-**WP**).

20.A.4.e. Administrative and Disciplinary Actions

1. Commanding Officers are responsible for conducting adequate inquiries into incidents of alleged DUI, and for taking remedial action, if necessary, in accordance with this article.

2. Those personnel who are convicted in the civilian or military courts, receive non-judicial punishment, or have a civil revocation/suspension of driving privileges for DUI or other offenses meeting the definition of an alcohol incident, shall be referred for medical screening per ☞ 20.B.

3. Reports and documentation required when Coast Guard military personnel are involved with a DUI.

   a. Report of Civil Arrest: A report of civil arrest and subsequent civil action is required for all military members in accordance with ☞ Chapter 8.

   b. Notification of **Restriction**: A notification of **restriction** must be made and acknowledged in writing whenever a person's driving privileges are **restricted**. This notification must meet the requirements in ☞ Article 20.A.4.d.4.

   c. Performance Evaluations:

      (1) Enlisted Members: A special Enlisted Performance Evaluation to reflect a civil conviction, a military conviction, or the award of non-judicial punishment for occurrences of DUI is required by ☞ Section 10.B. Alcohol incidents must also be documented in the member's PDR per ☞ Article 20.B.2.

      (2) Officers: Officer Evaluation Reports should reflect occurrences of DUI (☞ Chapter 10). Alcohol incidents involving officers shall be documented by letter with a copy to Commandant (CGPC-opm).

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20.B. Alcohol Abuse Prevention Program

20.B.1. Responsibility

20.B.1.a. General

All officers and senior enlisted members will promote responsible attitudes toward the use of alcoholic beverages, both on and off Coast Guard units. ☞ Coast Guard Regulations Manual, COMDTINST M5000.3 (series), Article 9-2-14, regulates the introduction, possession, sale, or use of alcoholic beverages on board Coast Guard units, vessels, aircraft, and government vehicles assigned to the Coast Guard.

20.B.1.b. Commanding Officers

Commanding officers shall initiate appropriate administrative action as outlined in ☞ Article 20.B.2. Obtain advice in processing administrative actions for alcohol abuse from Commander (CGPC-opm) or (CGPC-epm), as appropriate.

20.B.1.c. Treatment

Commandant (G-WKH-**1**) governs alcohol abuse and dependency treatment, training for persons assigned to the alcohol program (CDARs, DARs, DACs, and program administrators), and providing general awareness education. ☞ **Health Promotions Manual, COMDTINST M6200.1 (series), for guidance.**

20.B.1.d. Driving Under the Influence of Intoxicants

Driving privileges on Coast Guard installations are subject to **restriction** when a member is charged with or convicted of driving under the influence of intoxicants (DUI). **Refer to ☞ Article 20.A.4. for guidance.**

20.B.2. Guidelines on Alcohol Abuse

20.B.2.a. Occurrences before 18 January 1983

Intemperate use of alcohol can result in disciplinary action and administrative separation from the Coast Guard. Disregard all alcohol-related incidents and situations or aftercare failures occurring before 18 January 1983 for the purposes of administrative action. Members diagnosed as alcohol-dependent will always be considered alcohol dependent and shall abstain from alcohol consumption indefinitely.

20.B.2.b. Alcohol Incident

The definition of an alcohol incident (☞ Article 20.A.2.d.) gives commands broad latitude in curbing intemperate alcohol use. A key fact to keep in mind is that **the member must actually consume alcohol for an alcohol incident to have occurred.**

20.B.2.c. Self-Referral to Alcohol Treatment

Self-referral to alcohol treatment, by itself, is not considered an alcohol incident. **The documentation of screening and treatment of members who self-refer shall be handled in accordance with the provisions of ☞ Article 20.B.2.e.**

20.B.2.d. Alcohol-Related Situations

An alcohol-related situation is defined as any situation in which alcohol was involved or present but was not considered a causative factor for a member's undesirable behavior or performance. A member does not have to consume alcohol to meet this criterion, e.g., purchasing alcohol for minors. Commands shall not use the term "alcohol related situations" when a member's behavior clearly meets the criteria of an "alcohol incident." Members involved in alcohol related situations shall be counseled on their use of alcohol and informed of the conduct expected of Coast Guard members. Commanding officers are strongly encouraged to consider whether screening and/or alcohol awareness training such as IMPACT is appropriate. Commanding officers shall document such occurrences with an appropriate Administrative Remarks (CG-3307) entry in the member's Personnel Data Record (PDR). Documentation of alcohol related situations provides commands with significant background information for determining whether any administrative or medical action is necessary.

20.B.2.e. Alcohol Screening

1. Any member who has been involved in an alcohol incident or otherwise shown signs of alcohol abuse shall be screened in accordance with the **procedures outlined in the ☞ Health Promotions Manual, COMDTINST M6200.1 (series), Ch 2.** The results of this alcohol screening shall be recorded and acknowledged on a CG-3307 entry or letter, as appropriate, in the member's PDR with a copy to Commander (CGPC-epm) or (CGPC-opm), as appropriate, and (CGPC-adm-3). The entry shall describe the facts of the incident or risk factors, the results of alcohol screening, the position and organization of the individual conducting the screening, and a statement of the treatment recommended, if any.

2. **Members who self-refer for alcohol abuse. Unless there is an associated alcohol incident, the member may request removal of the screening letter and treatment plan from his or her Personnel Data Record after successfully completing the prescribed aftercare. A permanent record of the screening and treatment will be kept only in the member's Health Record in accordance with the ☞ Health Promotions Manual, COMDTINST M6200.1 (series).**

20.B.2.f. Members E-2 and Below With More Than Two Years Of Coast Guard Service

Following one alcohol incident, enlisted members who have not advanced beyond pay grade E-2 and have more than two years of Coast Guard service shall normally be separated by reason of unsuitability due to alcohol abuse under ☞ Article 12.B.16. In cases in which the commanding officer believes an exceptional situation warrants consideration for retention, **the commanding officer shall** send a letter requesting retention and treatment (when recommended), including the screening results, treatment plan, and commanding

officer's recommendation concerning treatment via the chain of command to Commander (CGPC-epm) who shall consult with Commandant (G-WKH) and direct the appropriate action regarding retention. The command recommendation will be submitted as a cover letter to the required discharge package described in ☞ Article 12.B.16.j. If Commander (CGPC-epm) directs retention, commanding officers will ensure that the following counseling is conducted and that it is recorded and acknowledged a by a CG-3307 entry in the member's PDR.

1. The member shall be counseled on Coast Guard policy on alcohol abuse contained in this article.

2. The member shall be advised that another alcohol incident, at any future time in the member's career, will normally result in discharge.

20.B.2.g. First Alcohol Incident

The first time a member is involved in an alcohol incident, except those described in Article 20.B.2.f., the commanding officer shall ensure this counseling is conducted; for enlisted members recorded on a CG-3307 entry in the member's PDR; acknowledged by the member; and a copy sent to Commander (CGPC-epm) and (CGPC-adm-3). For officers the record of counseling shall be by letter with copy to Commander (CGPC-opm) and (CGPC-adm-3). This entry is in addition to that required by ☞ Article 20.B.2.e.

1. The member shall be counseled on Coast Guard policy on alcohol abuse contained in this article.

2. Officers and chief warrant officers shall be advised that an additional alcohol incident will result in their being processed for separation under ☞ Chapter12.A of this manual. Enlisted members will be advised an additional incident normally will result in discharge **and**, a statement shall be made that the member has been involved in his or her first alcohol incident and a subsequent incident normally will result in separation action.

3. **If the incident involves underage consumption, the CG-3307 shall also state the circumstances of the incident and whether the consumption affected the member's ability to perform assigned duties or brought discredit upon the Uniformed Services (See ☞ Article 20.B.2.j.).**

20.B.2.h. Second Alcohol Incident

1. Officers will be processed for separation following a second alcohol incident.

   a. Regular commissioned officers shall be processed in accordance with ☞ Articles **12.A.11., 12.A.12., or** 12.A.15., **depending upon length of commissioned service.**

   b. Reserve officers on extended active duty shall be processed in accordance with ☞ Article 12.A.9. Reserve officers on SADT, TEMAC, and IADT shall be processed by Commandant (G-WTR) in accordance with ☞ Article 12.A.9, pursuant to the **Reserve Policy Manual, COMDTINST M1001.28 (series)**.

   c. Chief warrant officers shall be processed in accordance with ☞ Article 12.A.21.

2. Enlisted members involved in a second alcohol incident will normally be processed for separation in accordance with ☞ Article 12.B.16.

   a. **Commanding Officers retain the authority to request retention of those enlisted members who they believe warrant such exception. However, retention of enlisted members following a second alcohol incident should not be considered a routine action**. In those cases when a commanding officer feels that **mitigating circumstances** or an exceptional situation warrants consideration for retention, a letter request for retention and treatment, including the medical screening results, treatment plan, and commanding officer's recommendation concerning treatment shall be forwarded via the chain of command to Commander (CGPC-epm) who shall consult with Commandant (G-WKH) and direct the appropriate action regarding retention. The command recommendation for retention will be submitted as a cover letter to the required discharge package.

   b. For those enlisted members entitled to an Administrative Discharge Board **(ADB), a** discharge package **including** everything short of convening a Board, **shall be forwarded to Commander (CGPC-epm). If Commander (CGPC-epm) concurs with proceeding with the Command's decisions, the package is returned to the Command and an ADB is convened unless the member declines.** If retained, the member will again be counseled and the counseling will be documented as in ☞ Article 20.B.2.g., except that the member will be advised that another alcohol incident will result in discharge. **(☞ Administrative Separation Board Manual, COMDTINST M1910.2 (series))**

   c. Only after **serious consideration,** will enlisted members described in ☞ Article 20.B.2.f., be retained beyond a second alcohol incident. These members have already received one exceptional retention and have belied the faith placed in them.

20.B.2.i. Third Alcohol Incident

Enlisted members involved in a third alcohol incident shall be processed for separation from the Service **under ☞ Article 12.B.16. Cases requiring Administrative Discharge Boards because of the character of discharge contemplated or because the member has served eight or more years, will be processed under ☞ Articles 12.B.31. and 12.B.32.**

20.B.2.j. Underage Consumption of Alcohol

1. Underage drinking is considered an alcohol incident. Should an incident occur, the CDAR shall counsel the member **and initiate an alcohol screening as detailed in the ☞ Health Promotions Manual, COMDTINST M6200.1 (series). If this is not the member's first incident**, discharge proceedings shall commence as described in ☞ Article 20.B.2.g. **and 20.B.2.h.**

2. **A member who receives an alcohol incident solely for underage drinking and did not use or abuse alcohol to such an extent that he or she was unable to perform prescribed duties or brought discredit upon the Uniformed Services may, after 3 years, predicated on positive performance, request via the chain of**

command that Commander (CGPC) remove the alcohol incident from his or her record. Removal requires that the member has had no further alcohol incidents in that 3-year period.

20.B.2.k. Unsuccessful Treatment

1. Members refusing to undergo the treatment the commanding officer and competent medical authority deem necessary, failing to complete this treatment, or violating an alcohol rehabilitation aftercare plan normally are processed for separation.

2. **Members that self refer for an alcohol screening that are identified as alcohol dependent, as defined in the Diagnostic and Statistical Manual of Mental Disorders ((303.9) DSM IV), must attend and successfully complete an appropriate treatment program for chemical dependency. Because self-referred members are not identified as the result of an alcohol incident they are granted consideration for self-referring should a relapse occur during the aftercare phase of their treatment plan. The relapse will be documented as their first alcohol incident and a new aftercare program will be reinstated effective the date the relapse was identified. Should the self-referred member fail to complete the second aftercare plan they will be processed for separation per ☞ Chapter 12.**

3. In cases whose circumstances warrant consideration for retention, the member's commanding officer will so request by letter to Commander (CGPC-epm-1) or (CGPC-opm-1), **detailing the circumstances of the treatment failure and include supporting documentation provided by competent medical authority (Qualified physician or psychologist as outlined in the ☞ Health Promotions Manual, COMDTINST M6200.1 (series)).** This letter will be submitted as a cover letter to the required discharge package. Commandant (G-WKH) will make a retention recommendation to Commander (CGPC-epm-1) or (CGPC-opm-1) based on **Commandant (G-WKH)'s assessment of** the member's potential for recovery.

20.B.2.l. Alcohol-Dependent Members

Members diagnosed as alcohol-dependent must abstain from alcohol use to maintain sobriety. When commanding officers become aware that a recovering alcohol-dependent member, after successful completion of an aftercare program, is again consuming alcohol, he or she will refer the member for alcohol screening to include consultation with a medical officer. An aftercare plan will be reinstituted in accordance with the ☞ **Health Promotions Manual, COMDTINST M6200.1 (series)**. This counseling, referral, aftercare program, and other pertinent information shall be recorded and acknowledged on a CG-3307 entry in the member's PDR for enlisted members or a letter for officers. The commanding officer, after reviewing the information pertinent to the case, will recommend separation, retention, or further **treatment** to Commander (CGPC-opm) or (CGPC-epm). A second episode **(an occurrence of alcohol consumption without an associated incident)** after completing any aftercare program by members who have been diagnosed as alcohol-dependent will result in separation from the Coast Guard.

20.B.2.m. VA Treatment Eligibility

Commanding officers shall ensure that members diagnosed as chemically dependent by competent medical authority are offered rehabilitation treatment before discharge if they are amenable to the treatment. **Members that decline rehabilitation treatment**, shall sign a CG-3307 entry indicating they waive their right to benefits under the Department of Veterans Affairs program for treatment of chemical dependency.

20.B.2.n. Preexisting Condition

Under the ☞ Medical Manual, COMDTINST M6000.1 (series), Section 3-D, members diagnosed with alcohol abuse or alcohol dependence within six months of enlistment are not physically qualified for enlistment. If appropriate, unit commanders shall recommend discharge under ☞ Article 12.B.16. **The Coast Guard is not obligated to offer treatment prior to separation to individuals' diagnosed with conditions that existed prior to enlistment (EPTE). Commands' should not offer treatment to members with conditions that EPTE if said treatment will delay separation beyond 180 days of active Coast Guard service.**

20.B.3. Treatment

20.B.3.a. Authority

Identifying alcohol abuse and responding to conduct or performance problems related to alcohol use are the command's responsibility. Final retention or separation authority rests with Commander (CGPC-epm-1) or (CGPC-opm-1) or Commander (CGPC) for those members with eight or more years service and subject to an Administrative Discharge Board. Treatment of alcohol abuse or dependency is a medical responsibility. Final treatment authority rests with Commandant (G-WKH). **However, this does not override Commander (CGPC) authority to separate members from the Service.**

20.B.3.b. Action

Commanding officers shall seek appropriate treatment for members who have abused alcohol or been diagnosed as alcohol dependent.

1. Officer candidates selected from a civilian source and enlisted recruits, including prior service entrants, who have less than 180 days active Coast Guard service and who are diagnosed by qualified personnel as alcohol dependent or alcohol abusers (DSM-IV Code 303.9 or 305.0) will be administratively separated from the Service by reason of Convenience of the Government. Cadets will be processed in accordance with guidance promulgated by the Superintendent, Coast Guard Academy. In all other situations, personnel in a training status will be handled in accordance with the other provisions of this article.

2. Members shall be treated for alcohol abuse or dependency as prescribed by competent medical authority. **Members with diagnosis other than alcohol dependent shall not have** their scheduled separation or release to inactive duty delayed for the sole purpose of completing alcohol treatment. Members attending **an inpatient or outpatient program for chemical dependency** will be allowed, with their consent, to complete that phase of the treatment and then be separated or released.

20.B.3.c. Treatment Request

Commanding officers shall request alcohol rehabilitation treatment in accordance with the ☞ **Health Promotions Manual, COMDTINST M6200.1 (series).**

20.B.3.d. Advising a Member

The commanding officer shall give members this written advice before treatment:

1. The Coast Guard expects every member to maintain satisfactory conduct and performance.

2. Successfully completing a treatment program after one alcohol incident will allow the member to continue a career in the Coast Guard. Members refusing to undergo treatment, failing to complete treatment, or violating an alcohol rehabilitation aftercare plan normally will be separated from the Coast Guard.

3. Members returning from rehabilitative alcohol treatment are expected to undergo periodic evaluations in accordance with the ☞ **Health Promotions** Manual, COMDTINST M6200.1 (series).

4. Ordinarily, members return to their assigned duty station on completing in-patient treatment.

20.B.3.e. Reassignment Limitations

Members receiving in-patient alcohol treatment normally will not be assigned to restricted duty and many other overseas assignment areas until the entire treatment period, in-patient phase and aftercare phase, is completed. Members who have received alcohol treatment must have a medical evaluation before such assignment to ensure that treatment has been adequate. Members who receive treatment while permanently assigned to restricted duty billets and many other overseas assignment areas should be evaluated to determine whether early transfer is appropriate.

20.B.3.f. Pending Disciplinary Action

Commanding officers shall ensure that all UCMJ disciplinary action has been completed before the member enters in-patient treatment.

20.B.3.g. Security Clearances

Following an alcohol incident, commanding officers shall review the member's security clearance and access to classified material **to determine whether the member's clearance should be suspended. Commanding officers shall also ensure notifications required by the ☞ Coast Guard Military Personnel Security Program, COMDTINST M5500.12 (series), are made**.

20.B.3.h. Required Personnel Data Record (PDR) Entries

When a member completes rehabilitative alcohol treatment, his or her commanding officer shall ensure that a record of the completion is recorded and acknowledged on a CG-3307 entry in the enlisted member's PDR with a copy to Commander (CGPC-epm) and (CGPC-adm-3), or by a letter to the officer involved with a copy to Commander (CGPC-opm) and (CGPC-adm-3). This record of completion will also include a description of the aftercare plan required by the ☞ **Health Promotions Manual, COMDTINST M6200.1 (series). For cases in which members self-refer for treatment, refer to ☞ Article 20.B.2.e. concerning documentation procedures.**

20.B.3.i. Members Awaiting Treatment

While awaiting the commencement of the recommended level of treatment, the member shall participate in an appropriate form of pre-treatment available locally. For example, a member awaiting in-patient treatment not scheduled to start for several weeks shall participate in awareness training or out-patient treatment, if available. These individuals shall meet regularly with the CDAR and attend an appropriate 12-step support group while awaiting the start of the recommended level of treatment. ☞ **Health Promotions Manual, COMDTINST M6200.1 (series).**

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20.C. Substance Abuse Prevention Program

20.C.1. Responsibility

20.C.1.a. General

Intentional use of illegal drugs **including ingestion of hemp oil or products made with hemp oil** is misconduct that will not be tolerated in the Coast Guard. Coast Guard members are expected not only to comply with the law and not use illegal drugs, but also, as members of a law enforcement agency, to maintain a life-style which neither condones **substance** abuse by others nor exposes the service member to accidental intake of illegal drugs**. Units shall conduct random urinalysis tests throughout the fiscal year on a consistent basis. (See ☞ Article 20.A.2.k. for definition of a drug incident.)**

20.C.1.b. Commandant

Chief, Policy and Standards Division, Commandant (G-WPM-1) is responsible for administering and monitoring the Coast Guard Military Drug Testing Program. Units should first contact their major command urinalysis coordinators for information before contacting Commandant (G-WPM-1).

20.C.1.c. Major Commands

Every Coast Guard unit is under the cognizance of one of the major commands listed in ☞ Exhibit 20.C.1 for purposes of yearly allocations, supplies, and program administration. Units that fall under these commands must use their major command's Base Area Code (BAC). Questions concerning which major command is in charge of any particular unit may be directed to Commandant (G-WPM-1).

20.C.1.d. Commanding Officers

Commanding officers are responsible for ensuring their unit's compliance with the Coast Guard's Drug Abuse Program. Commanding officers shall investigate all incidents or circumstances in which the use or possession of drugs appears to be a factor, and take appropriate administrative and disciplinary action.

20.C.1.e. Urinalysis Coordinators and Observers

1. **Urinalysis coordinators and observers shall be designated in writing by the commanding officer in their command administration list. The coordinator shall be responsible for maintenance and administration of the command urinalysis program including the training of alternate coordinators and observers and the shipment of uncompromised specimens to the assigned testing laboratory. Urinalysis coordinators shall supervise all specimen collections and make all urinalysis ledger entries.**

2. **Commands are encouraged to use an alternate coordinator to assist in urinalysis procedures. An alternate provides additional confirmation that proper procedures are followed, which is critical in a court-martial or administrative proceeding. Although there is no limit on the number of alternate coordinators, commands shall use discretion in appointing them. Normally, only one alternate coordinator should have access to the urinalysis ledger and specimen collection materials.**

3. **Under no circumstances shall the command urinalysis coordinators and observers provide their own samples for inclusion in the same batch when conducting urinalysis. If the command requires the coordinators and observers to be tested (.e.g, unit sweep), an alternate coordinator or coordinator from another command shall be used. Limit access to the urinalysis ledger and specimen collection materials to the commanding officer, executive officer, primary urinalysis coordinator, and alternate urinalysis coordinator(s) when such access is necessary.**

4. **Observers shall be of the same gender as the members providing specimens. Using senior personnel as observer avoids intimidation, adds credibility, and shows leadership support for drug testing program. Also, observers may be required to testify at an administrative hearing or at a court-martial. This is often too much of a responsibility to place on junior enlisted members.**

5. **Do not send letters of designation for coordinators and observers to Commandant (G-WPM-1).**

20.C.1.f. Advice

Commander (CGPC-epm-1) or (CGPC-opm-1) can provide advice in processing administrative actions regarding drug abuse cases. Questions concerning interpretation of test results should be referred to the screening laboratory.

20.C.2. Urinalysis

20.C.2.a. General

Urinalysis is a means to deter and detect drug abuse and may be conducted under the following circumstances. Refer to the ☞ Military Rules of Evidence, Part III, of the Manual for Courts- Martial (series).

1. Administrative Inspections. The primary purposes of administrative inspections are to determine and maintain the unit's security, military fitness, and good order and discipline. Inspections using urinalysis are permitted under Military Rule of Evidence 313. The consent of the member is not required to collect a specimen under an administrative inspection. The scope of the inspection may include all personnel of the unit or only a part of the unit; e.g., a duty section, a division, the occupants of a building, etc., provided that part of the unit includes enough members so the inspection could not be viewed as focusing on a particular individual or small group of individuals. Reservists serving on ADSW-AC or ADSW-RC at an active service

unit are subject to the same random selection for administrative inspections as their active service counterparts. Selecting individuals for an administrative inspection is not permissible unless they are selected by a truly random selection system. An administrative inspection shall not be a subterfuge for conducting a search with less than probable cause.

2. Consent. Urinalysis may be conducted at any time and for any reason if the member voluntarily consents to the procedure. Obtain such consent in writing. Prior to requesting consent, the member should be advised that he or she may decline to provide a specimen. ☞ Military Rule of Evidence 314(e).

3. Probable Cause. A member may be ordered to submit a urine specimen if there is probable cause to believe the member has used an illegal drug recently and a urinalysis test will produce evidence of such offense. A search authorization must first be obtained pursuant to Military Rules of Evidence 312, 315, and 316. ☞ **Section 7.C.,** Military Justice Manual, COMDTINST M5810.1 (series).

4. Valid Medical Purpose. Urinalysis may be directed by qualified medical personnel for diagnostic or treatment purposes to preserve a member's health. ☞ Military Rule of Evidence 312(f). Follow-up tests to confirm a diagnosis or to monitor a condition are included in this category. Urinalysis directed by a commanding officer does not fall within this subsection.

5. Evaluation Testing**.** Evaluation testing may be conducted when a member's urine specimen is reported as confirmed positive for the presence of drugs, but the commanding officer, having evaluated all the available information, remains doubtful whether the member has used drugs wrongfully. The commanding officer may order evaluation testing to be conducted for a period of two to six months' duration within which no more than 16 specimens may be taken; e.g., two specimens per week for eight weeks; one specimen per week for 16 weeks; or up to 16 total specimens collected over a six-month period at irregular intervals. When a commanding officer orders evaluation testing, the original positive urinalysis result may still be used as a basis for disciplinary action under the UCMJ, administrative separation, and characterization of discharge depending on the basis for ordering the original test; e.g., probable cause, administrative inspection, consent or competence-for-duty test **(☞ Article 20.C.2.a.8.)**. The results of the evaluation testing may be used as a basis for administrative separation. Positive test results from evaluation testing may not be used for disciplinary action under the UCMJ, nor may such results be used to characterize a discharge in separation proceedings. However, while undergoing evaluation testing, members remain subject to command-ordered testing conducted on other lawful grounds, such as administrative inspections. Depending on the basis for such other testing, the positive results from that testing may be used for any purpose, including disciplinary action under the UCMJ, administrative separation, and characterization of discharge in administrative separation proceedings.

6. Urinalysis Conducted in Conjunction with Training**.** Personnel undergoing training are subject to administrative inspections using urinalysis. Therefore, all personnel will be subject to random testing throughout their assignment at a Coast Guard training command. In addition, training commands will conduct accession testing as follows:

   a. Cadets, Officer Candidates, and Direct Commission Officers. Cadets, Officer candidates and direct commission officers will be tested within three days after reporting to the Coast Guard Academy.

   b. Recruits**.** Recruits will be tested within three days after reporting to Training Center Cape May, NJ.

   c. School students are subject to random testing at the training command in the same manner as permanent members. The average number of students estimated on board will be used in computing annual testing allocations. "C" School students will not be computed in this total, **but remain subject to random testing**.

7. Urinalysis of Prior Service Members Upon Return to Active Duty**.** All personnel who report to active duty, either active duty or selected reserve, and who have a break in service of more than six months will be tested within three days of arrival at their first duty station. For those personnel with a break in service of six months or less, testing upon arrival at their first duty station shall be at the discretion of the unit's commanding officer.

8. Competence-for-Duty Tests. The purpose for this test is to determine whether a member is fit for duty. A commanding officer should order a urinalysis test of a specific member when the member has been involved in a mishap or when there is reasonable suspicion (see below) of drug abuse and a urinalysis test has not been conducted on a consensual or probable cause basis. Competence-for-duty urinalysis tests shall be ordered by a member's commanding officer. The authority to order a competence-for-duty urinalysis test may be delegated to an executive officer or command duty officer. Results obtained from competence-for-duty urinalysis testing may be used to refer a member for administrative discharge action. However, results may not be used against the member in any disciplinary action under the UCMJ, nor may they be used on the issue of characterization of discharge in separation proceedings. Subject to the Military Rules of Evidence, results may be used for impeachment or rebuttal in any court-martial proceeding.

   a. After Mishaps**.** Urine specimens, along with blood or breath specimens or both, will be collected from all personnel involved in a mishap in accordance with the ☞ Safety and Environmental Health Manual, COMDTINST M5100.47 (series). Results from after-mishap testing may be used in administrative separation proceedings after Commandant (G-WK) and (G-L) approval in accordance with the COMDTINST M5100.47 (series). A mishap, as defined in COMDTINST M5100.47 (series), is any unplanned, unexpected or undesirable event causing injury, occupational illness, death, or material loss or damage. These urine and blood specimens will normally be tested by the Armed Forces Institute of Pathology.

b. Reasonable Suspicion. Reasonable suspicion is a less demanding standard than probable cause and is defined as something more than a vague suspicion or hunch. Reasonable suspicion requires a minimal level of justification and can arise from information less reliable than that required to show probable cause. Commanding officers should evaluate the totality of the circumstances in determining whether reasonable suspicion exists to believe a member may have used drugs. Unusual behavior or conduct that a commanding officer should consider may include, for example, unauthorized absences, violations of safety requirements, disobedience of direct orders, apprehension or investigation for drug offenses or intoxicated driving, involvement in crimes of violence, reckless operation of equipment, involvement in a serious incident or accident in which unusually careless acts were performed, or other incidents involving serious breaches of discipline. While an instance of unusual behavior or conduct alone is not necessarily sufficient by itself to constitute reasonable suspicion, such behavior or conduct should be considered within the totality of the circumstances.

20.C.2.b. Random Testing and Suggested Procedures

Random testing is a method of statistical specimen selection in which all possible specimens have equal probability of selection. The purpose of random selection is to provide all members the same probability of participation in the drug testing program. Thus, the following suggested means of developing a random selection are recommended. This is not an all-inclusive list and commands may use other methods if they offer the same degree of randomness. Whatever method is selected, it should be used consistently, not shifting from method to method over the year.

1. Computer generated selection: Program the standard workstation to draw, through a random number generation program, the desired number of tests from a listing of all members of the command. The use of DoD Drug Testing Program (DTP) software is authorized and is highly recommended. This software enable the commands to randomly select personnel with features such as importing of service members' data from a database, printing generated bar coded Specimen Custody Document (DD 2624), printing generated bar coded bottle labels, printing of unit ledger and printing mailing labels. It also has a personnel tracking system which permits identification of who shows up for testing, subsequently test random testing no-shows, and recording of laboratory results thereby increasing the efficiency and effectiveness of command urinalysis program. The DoD Drug Testing Program software can be downloaded from http://www.ftdtl.amedd.army.mil/dtphome.

2. Number from a jar: Put pieces of paper numbered zero to nine in a jar. Test the members whose social security number ends with the number that is picked.

3. Selection by organizational level within an OPFAC unit: Select a division, branch, or department from an OPFAC unit, using a computer generated or jar selection method. The entire division, branch or department selected must be tested, from most senior to most junior person.

20.C.2.c. Collecting Urine Specimens

Proper collection of urine sample is the key to a successful urinalysis program. Poor collection procedures, such as samples provided without direct observation or a break in the chain of custody of the samples, can result in dismissed court-martial proceedings. The following procedures must be followed:

1. Have the member report to the coordinator with his/her ID card on hand. If the member does not have his/her military ID card, a current driver's license or other picture ID may be used.

2. The coordinator initiates the Unit Urinalysis Ledger and will record the member's name, rank, test basis, social security number and enters the document/batch and specimen number.

3. Advise the member to note all prescription and over-the-counter drugs they are currently taking. They may refer to dated entries in official health records if the information is recorded. Members also should provide the local health facility that maintains their health record with copies of any prescriptions they receive from another clinic. If the member is taking or has taken any prescription drugs in the last two weeks or has had a dental procedures within the past 72 hours, the coordinator will record in the remarks block of the ledger.

4. The coordinator will initiate the bottle label. Record the date and the member's social security number on the bottle label.

5. The member will verify to the coordinator that the information on the ledger and bottle label is correct.

6. The member will sign the ledger and initial the bottle label documenting his/her name, social security number, batch/document number, rank, and date are correct on the ledger and his/her social security number and date are correct on the label. This will be accomplished prior to the label being affixed to the specimen bottle.

7. The coordinator will remove an empty bottle from the box in front of the member. The coordinator will remove the cap, verify with member and observer that the bottle is clean and that there is no foreign matter in the bottle, and recap the bottle in full view of the member and observer.

8. The coordinator will place the member's ID card in the same slot from which the bottle was removed in step 7.

9. The coordinator then will attach the label to the specimen bottle in full view of the member and observer.

10. The coordinator will give the specimen bottle to the member in the presence of the observer.

11. The observer ensures that he/she has full view of the specimen bottle at all times. The member will maintain custody of the specimen bottle from the time the coordinator gives him/her the bottle until it is filled and capped. If the custody is broken, the member/observer will inform the coordinator and the process will be terminated. The coordinator will void the specimen and destroy the specimen bottle. The member will begin the process again.

12. The observer shall escort the member from the coordinator's table to the head or collection point. Male observers should ensure that male members use only the urinal, and female observers should ensure that the stall door is kept open for female members. The observer must stand in a position to clearly view the urine actually entering the sample bottle. If wide-mouth containers are used for females, the observer shall view the individual pouring the sample from the wide-mouth container into the urine specimen bottle. The individual must provide at least 30 milliliters (just over quarter of a bottle) of urine and then cap the bottle.

    a. If a member claims to be unable to submit a specimen, or submits less than the 30 milliliter minimum, it is permissible to require the member to remain in a controlled area under observation and drink fluids normally consumed during daily activity (e.g. coffee, water, soda) until the member produces a specimen or the balance of an incomplete specimen. The unit coordinator will maintain custody of any incomplete specimen until the member can provide the balance of the specimen in the same bottle. If an incomplete sample is left unattended, discard it; the member must provide a new sample. A member will not be released from duty until a specimen has been properly provided or as directed by the command authority.

    b. If a member refuses to provide a specimen, notify the appropriate command authority. The member's chain of command should direct the member to provide a specimen. If the member then refuses, it will be a violation of a direct order. Violation of a lawful order is subject to disciplinary action under the Uniformed Code of Military Justice. Possible actions include court martial proceedings and processing for separation.

13. The observer shall then accompany the member back to the coordinator's table. Members delivering specimens to coordinators will not be expected to stand in line with urine specimens in public view (in view of personnel other than the observer and coordinator). Members' personal privacy will be maintained to the maximum extent practical.

14. The observer shall not handle the urine specimen bottle unless he or she is also the unit coordinator. This procedure is not recommended unless the unit coordinator maintains positive custody of all specimens while observing (e.g., small unit). The observer will sign the urinalysis ledger, certifying that the urine specimen bottle contains urine provided by the member and was not contaminated or altered in any way.
15. The coordinator shall receive the urine specimen bottle from the member and ensure that it contains a minimum volume of 30 milliliters and is not reopened. The urine specimen bottle holds a maximum of 100 milliliters. Submitting less than the minimum quantity may result in the inability to confirm the preliminary test or preclude retesting.
16. The coordinator will initial the urine specimen bottle label in the member's presence and transcribe the information to DD Form 2624, Urine Specimen Custody Document (USCD). ☞ Exhibit 20.C.3 is an example of a completed USCD. Coordinators may prepare USCD forms and bottle labels in advance; if so, they must verify that the information on the label and the USCD match. Using word processing equipment with the merge feature is encouraged to reduce the possibility of incorrect transcription of numbers. On collecting all specimens, the coordinator shall sign and date block 12(b) of the USCD(s).
17. Tamper-resistant tape is required on all specimens collected. Any substitute tape must be the same width and length as the stock tape. Apply the tape by fixing one end of it near the label; pull the tape directly across the widest part of the cap and down the opposite side of the urine specimen bottle. Either the coordinator or the member in the presence of the coordinator may seal the bottle.

20.C.2.d. Member Located at Other Than Coast Guard Commands

Coast Guard members assigned to a DoD command are subject to the urinalysis program of that Service. If a Coast Guard member's urine specimen is reported positive, **that DoD command should immediately notify the member's cognizant program manager who will, in turn, follow the procedures outlined in ☞ Articles 20.C.3. through 20.C.5.** The Coast Guard is responsible for investigation and determination of a drug incident, as well as any administrative or disciplinary action under the procedures outlined in ☞ Articles 20.C.3. through 20.C.5.

20.C.2.e. Preparation of DD Form 2624, Specimen Custody Document – Drug Testing

The original DD Form 2624 is the only document authorized for use in submission of urine specimens to the laboratory. This form must be completed with extreme care and accuracy. It is a single sheet two-sided document. Two sheets stapled together are not acceptable, and the specimen will not be tested. The most common errors that result in the sample being rejected for testing are: non-matching social security numbers, incomplete social security numbers, and improperly making corrections. **Do not slash zeros**. If some zeros are slashed and others are not, it may be taken as an error and/or an improper correction. The following steps will be followed in filling out the DD Form 2624:

Block 1	Submitting Unit. Enter complete address of submitting unit.
Block 2	Additional Service Information. Enter the unit's major command (see Exhibit 20.C.5). Enter the unit urinalysis coordinator's name and phone number.
Block 3.	Base/Area Code (BAC). Enter unit BAC. Every Coast Guard unit is under the cognizance of a major command for purposes of yearly allocations, supplies and urinalysis program administration. Subordinate units shall use their major command's BAC.
Block 4.	Unit Identification Code. Enter a "T" then followed by unit identification code (Example: T 13420).
Block 5.	Document/Batch Number. Document/batch numbers are assigned locally. This can be any combination of letters and numbers desired by the unit to keep track of their batches.
Block 6.	Date specimen collected (Example: 2000 07 01). Ensure this matches the date on the label.
Block 7.	Specimen Number. Use the number pre-printed on the form. Do not change the number.
Block 8.	Complete SSN. Enter the complete social security number (SSN) of member providing the sample. The SSN must be legible and match the SSN on the bottle label and ledger. Do not overwrite digits. If a mistake is made, line through the mistake, make the correct entry, date, and initial.
Block 9.	Test Basis. Enter appropriate testing premise identifier (Example: IR, IU, PO, etc.) This information can be found in paragraph 20.C.2.h.1.f below.
Block 10.	Test information. Enter "A" for E-4 and below or "B" for E-5 and above.
Block 11.	Leave blank.
Block 12A	Enter date of sample collection.
Block 12B	Type or print the name of urinalysis coordinator and sign above it.
Block 12C	Indicate the mode of conveyance such as "U.S. Postal Service" or Federal Express."
Block 12D	Enter "Transport to TAMC FTDTL."

20.C.2.f. Preparation of Labels for Urine Specimen Bottles

1. Use only black ballpoint pens. Record this information on each gum label:

   a. Date of collection.

   b. Base Area Code/Unit Identification Code (i.e. CG01-75130).

   c. Member's social security number.

   d. Member's initials (submitter's full name is not permitted on the bottle).

   e. Observer's initials.

   f. Coordinator's initials.

2. Affix unit-generated gum labels (address type) directly to each urine specimen bottle. The label may be placed before the bottle is given to the member.

Date: _____	**BAC/UIC:** _____
Member's SSN: _____	**Member's Initial** _____
Observer's Initial _____	**Coordinator's Initial** _____

20.C.2.g. How to make Corrections

1. Only the person making the error can make corrections on the DD Form 2624 or bottle label. Corrections will be made as follows:

   a. Line (draw a single line) through the faulty information.

   b. Write the correct information directly above the faulty information. **Do not write over any number or letter**.

   c. Place initials and date close to the line through.

2. If corrections cannot neatly be made on the DD Form 2624 or the label by the individual who made the error, a memorandum of correction should be used to correct and verify the process.

   a. The memo shall note the faulty information as it now reads and the correct information as it should read.

   b. The memo shall be signed and dated by the coordinator and verified by the commanding officer or his/her representative.

   c. The memo will not be used to make corrections on the Unit Urinalysis Ledger.

   d. The memo shall be sent with the sample to the testing facility.

20.C.2.h. Preparation of Urinalysis Ledger

1. Commands shall maintain a urinalysis ledger documenting all urine specimens collected. **Do not send a copy of the ledger to the laboratory**. Retain the ledger at the command for two years from the date of the last entry. Urinalysis ledgers are Privacy Act material; destroy them by burning, shredding, or pulverizing, as appropriate. ☞ Exhibit 20.C.3 provides a sample urinalysis ledger. The ledger shall contain this identifying information (do not use ditto (") marks):

   a. Name of unit.

   b. Name of urinalysis coordinator and phone number.

   c. Date specimen collected.

   d. Time specimen collected.

   e. Batch number (a unit-derived, four-digit number assigned to each batch of 12 specimens or portion thereof).

   f. Specimen number (same as Block 7 of DD Form 2624 unless the unit will submit more than 12 specimens; a unit predetermined, two-digit sequential number then may be assigned to each individual batch specimen).

g. Testing premise identifier (TPI). The following testing premise codes are the only codes authorized to be used:

INSPECTIONS:	MEDICAL EXAMINATION:
IR – Random Samples	MO – Medical Examination
IU – Unit Sweep	**SEARCH OR SEIZURE:**
IO – Unit Inspection (general)	VO – Consent Testing
FITNESS FOR DUTY:	PO – Probable Cause
CO – Command Directed	**OTHER:**
AO – Mishap Investigation	NO - Entrance testing
RO – Rehabilitation	OO - Evaluation testing

h. Member's social security number (use all digits).

i. Tested member's signature and printed name.

j. Remarks/Medications. Remarks, including any prescription or over-the-counter drugs the member presently takes. Reference to a dated entry in the member's medical record will suffice, if the information has been recorded.

k. Signature and printed name of observer.

l. Privacy Act statement, as included in the urinalysis ledger (☞ Exhibit 20.C.3).

m. Upon a unit's permanent closure, urinalysis ledgers should be sent to the unit that has administrative control over the closed unit, for eventual destruction.

20.C.2.i. Sample Adulteration, Substitution, and Dilution

1. Drug abusers have a variety of methods for cheating on urinalysis. Most of these can be prevented or detected by direct observation, unannounced test times/dates, and use of senior personnel as coordinators and observers.

   a. One method of cheating is adulteration; altering the specimen to mask the drug content. This has been tried by ingesting an acidic substance such as vinegar to increase the rate of excretion from the body. Sometimes substances such as commercial cleaners (ammonia and bleach) have been added to a sample. Direct observation by the observer can prevent adulteration attempts. Also, adulterated specimens should be detected by the coordinator either by the difference in color of the sample or by the sample's cooler temperature.

   b. A second method of cheating is substitution. Drug abusers have attempted to substitute "clean" (drug-free) urine, "mellow yellow," orange soda, tea, apple juice, scotch, and jet fuel for their own urine. Direct observation will help prevent substitution attempts.

c. A third method of cheating is dilution. Drug abusers may attempt to dilute a sample with water after the sample has been provided. Direct observation can prevent water dilution of a sample after it has been given. Close scrutiny shall be given to females who may be able to add water from the toilet bowl to the bottle. Coloring the toilet bowl water can deter this. Another form of dilution is for drug abusers to flush their systems by drinking large amounts of fluids and voiding several times before the test. This can be prevented by having personnel remain in a secure area until they provide their sample. Surprise announcement of the test just prior to beginning collections and requiring personnel to remain in a secure area until providing a sample can help prevent drug abusers from flushing their system.

2. If an observer suspects that a member tampered with his/her specimen at the collection site (i.e. the observer saw him/her put something in the specimen) then the observer must report it to the coordinator who will then secure the specimen and notify the commanding officer or appropriate chain of command. The commanding officer or designee will direct the member to provide another specimen under the "command directed (CO)" premise code. Both specimens will be sent to the screening laboratory for testing.

3. The drug screening laboratory usually is able to detect adulterated or substituted samples. The laboratory will notify the command when a sample is suspected to contain adulterants. If such is the case, the command may request that the laboratory send the specimen to another laboratory for further adulterant testing and the results be forwarded to the requesting command.

4. If a specimen is found to contain adulterants, both the member and his/her observer can be held accountable under the UCMJ (i.e. Article 90: Willfully disobeying a direct order; Article 107: Making a false official statement; and Article 134: False swearing by acknowledging the sample as only urine).

5. An adulterated, substituted, or diluted sample is a good indication that there is a problem in the collection process. When any of these occur, the commanding officer should look closely at the collection procedures employed by the coordinator.

20.C.2.j. Procedures for Steroid Testing

1. If a command has personnel that may be suspected of anabolic steroid use, the following actions should be taken:

   a. Conduct a fitness for duty physical examination by a physician to include the possible use of anabolic steroids.

   b. If the physical examination provides an opinion that use of anabolic steroids could exist, the command should then follow the procedures outlined in paragraph 2 through 4 below:

2. Require the individual to provide a urine sample of 30 ml or more. The preferred collection premise is a Consent evaluation (VO) but if, in the opinion of the command and the medical evaluation, there is probable cause to suspect anabolic steroid use, a Probable cause (PO) test may be conducted.

   a. Collect the sample using the Specimen Custody Document DD Form 2624.

   b. Contact the International Olympic Laboratory at University of California, Los Angeles, to obtain the current screening and confirmation costs. The UCLA contact information is:

University of California, Los Angeles Olympic Analytical Laboratory 2122 Granville Ave. Los Angeles, CA 90025	(310) 825-2635

   Do not send the urinalysis sample without obtaining pre-approval from the UCLA lab.

3. Have comptroller/supply cut a purchase order to pay the service cost. Contact UCLA again and provide the purchase order cost data.

4. **If the UCLA lab requirements are complete, send the sample via overnight delivery. Do not send by regular mail.** The cost of the anabolic steroid analysis is the responsibility of the submitting command and the terms of payment to UCLA should be addressed in a coordinating telephone call.

20.C.2.k. Safe Storage of Specimens

1. Specimens will not be placed in safe storage unless absolutely necessary. Arrangements can be made with the U.S. Postal Service to accept the specimens after duty hours. A box of twelve (12) specimens will fit into most drop boxes.

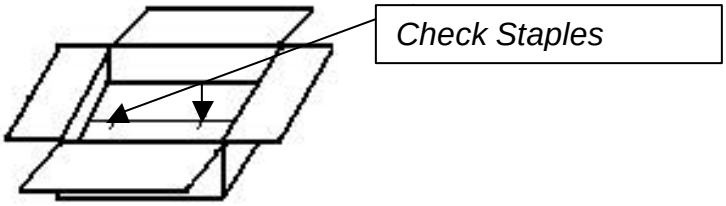
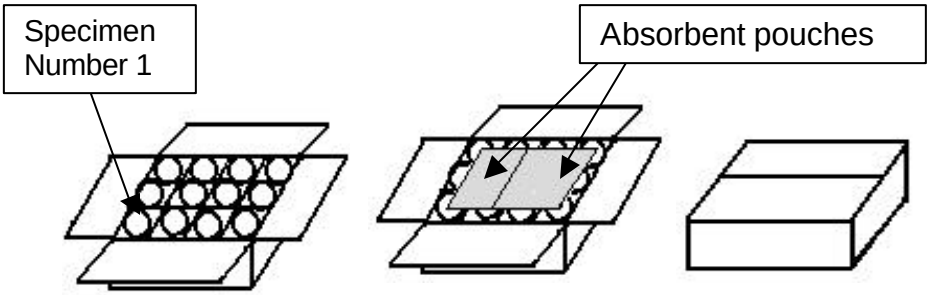
2. If safe storage is required, it must be annotated in Block 12, DD Form 2624. Proper annotation must include building number, room number, and container number as appropriate.

3. The safe storage area will be a restricted access area that requires an access roster. The access roster will show entries placing the specimens into safe storage and their removal.

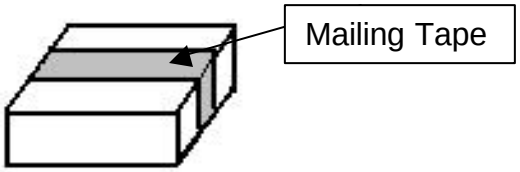
4. The urinalysis coordinator that places the specimens in safe storage will remove the specimens from safe storage.

20.C.2.l. Packing and Mailing Requirements

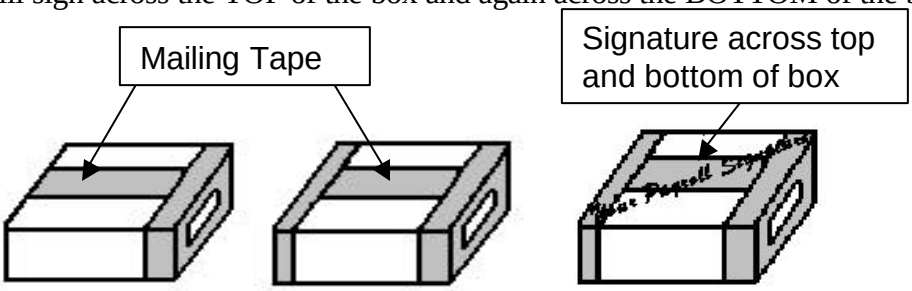
The urinalysis coordinator shall prepare specimens for shipment as follows:

Step 1.	
1.	Check the bottle cap for tightness. If tightening breaks the tamper-resistant tape seal, replace the broken seal with a new one and document it appropriately on the DD Form 2624, Urine Specimen Custody Document (USCD).
2.	Prepare a #10 business envelope as follows for each box of specimens. Annotate four digit Base/Area Code (BAC) on the front of envelope in large print as per example below: **CG01**
3.	Close envelope after enclosing: a. Original copy of DD Form 2624 b. Original(s) of Certificate of Correction (if used) Original of special test request (if required)
Step 2.	
1.	Prepare an individual box of up to 12 specimen bottles as follows: a. Examine the staples inside of the box, under bottle number 5 and number 8; ensure that the staples are flat. If the staples are sticking up, then either flatten them with a hammer or remove them and tape the bottom closed.  b. Ensure all specimens are in the box, then place two absorbent pouches in the box. Close the box (short extensions first). 

c. Seal with adhesive tape (use mailing tape, not scotch tape) around entire length of box covering center of box over crack left by joining lengthwise flaps of box.



d. Seal each end of the box with mailing tape, ensuring that all flaps and seams are covered. After both ends of the box are taped, the urinalysis coordinator will sign across the TOP of the box and again across the BOTTOM of the box.

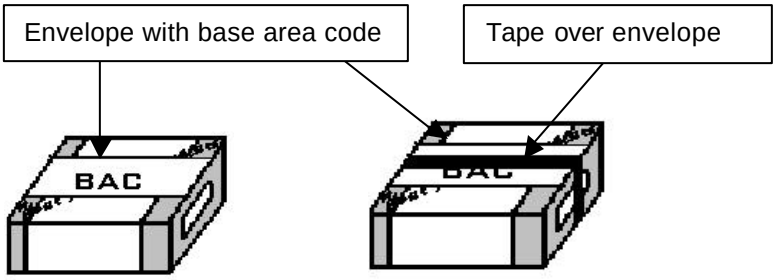


Step 3.

1. After the box of 12 specimen bottles are properly packaged and signed by the Coordinator, continue as follows:

a. Place prepared #10 business envelope on top of box (Original documents enclosed).

b. Tape with 1" fiber strap tape or other suitable tape (not scotch tape).



Step 4.

1. Place box in mail pouch (white plastic leak-proof bag, NSN 6530-01-304-9762) and seal.

2. If more than 2 boxes, then place pouches in a larger shipping box.

Step 5.

1. Prepare large shipping box (with individual specimen boxes inside) if required. There are no specific taping instructions for the larger box.

2. Prepare either the large box or individual small boxes for shipment. Additional wrapping instructions will depend upon the courier utilized.

Step 6.	
1.	Affix a label or write unit address in top left corner of box.
2.	All specimens will be mailed through the U.S. Postal Service, first class mail to the following address: Tripler Army Medical Center FTDTL Bldg. 40, 2nd Floor Tripler AMC, HI 96859-5000 Next to the address, handwrite or stamp, "CLINICAL SPECIMEN – URINE SAMPLE."
3.	On rare occasions, when conducting a urinalysis test for probable cause or reasonable suspicion, and a quick drug testing result is needed, the specimens may be shipped through the U.S. Postal Service Overnight Mail or Federal Express. The actual method of transport will be correctly annotated in Block 12, DD Form 2624. Attached a memorandum requesting the unit be advised of test results immediately via facsimile or Federal Express mail.

20.C.2.m. Laboratory Processing Procedures

The following is provided for general information:

1. Screening Laboratories. Analysis of specimens for the Coast Guard in-service urinalysis drug testing program is performed under a government contract by a private laboratory or DoD facility. Currently, Tripler Army Laboratory performs drug testing for the Coast Guard.

2. Screening Tests. Used in the initial testing of urine specimens to detect various drugs. Screening tests furnish a presumptive positive or presumptive negative result used to determine whether confirmatory tests are warranted. Any specimen presumed positive shall then undergo a confirmatory test.

3. Confirmatory Tests. Urine specimens which test positive for drugs in the screening test will be tested using gas chromatography or mass spectrometry (GC/MS) technology. Whereas a screening test detects only a class of drugs; the GC/MS test detects a specific metabolite of a certain drug. All tests must be positive above the established cutoff level before a specimen is reported positive. A cutoff level has been established for each drug which will ensure the reliability of any finding that the drug is present in the specimen.

4. Laboratory Report. Tripler Laboratory will report confirmed positive test results via Express Mail to the originating command (USCD block 1). Test results will be annotated on a certified copy of the DD Form 2624 Urine Sample Custody Document (USCD) mailed to the laboratory. All other results will be sent via electronic mail to the major command Area Coordinators listed in ☞ Exhibit 20.C.1. Refer questions about test result reports to Tripler Laboratory (808) 433-5176. Allow at least 10 workdays before calling for test results. A positive finding is evidence of drug use. A negative report from the lab does not necessarily mean that the urine specimen is drug free. If the concentration level is below the cutoff for a particular drug, the specimen is reported negative. A specimen containing a drug for which the lab does not test will also be reported as negative. Accordingly, commanding officers should not rely entirely on urinalysis to detect drug abuse at their units.

5. Retests Requested By Member. Commanding officers are not required to obtain a retest from the government contract laboratory when requested to do so by a member. A member, at his or her own expense, may obtain a specimen retest at a DoD- or SAMSHA-certified testing laboratory other than the contract laboratory. All requests must be in writing through the submitting command and accompanied by a $15 cashiers check or money order to cover the cost of preparing and shipping the **specimen**. The request must include the social security number, Laboratory Accession Number, and the complete address of the laboratory where the specimen is to be sent. If a sufficient quantity of urine from the original specimen is available, the government contract laboratory will ship a portion of it directly to the lab selected by the member for this testing. Drug metabolites in urine degrade over time and certain shipping conditions accelerate this degradation. Lower levels of drug metabolites should be expected when these specimens are retested. Therefore, a negative result from another lab does not necessarily mean that a finding of no drug incident will be made. Results of retest must include a quantitation level report.

20.C.3. Drug Incident Investigations

20.C.3.a. General

Commanding officers shall initiate an investigation into a possible drug incident, as defined in ☞ Article 20.A.2, following receipt of a positive confirmed urinalysis result or any other evidence of drug abuse. The absence of a positive confirmed urinalysis result does not preclude taking action based on other evidence. Situations which should be carefully evaluated to determine if drugs are an underlying factor include: civil arrest, habitual association with persons who abuse or traffic in drugs, possession of drug paraphernalia, sudden decreases in job performance, repeated absenteeism or lateness for work, unexplained public or domestic disturbances, and accidents or unexplained circumstances requiring medical care.

20.C.3.b. Supporting Documentation and Expert Witness

1. When necessary, the commanding officer may obtain any of the supporting documents or processes listed below, for legal or administrative action, at no cost. Requests must be made to Tripler Laboratory in memo format and shall include the member's social security number and laboratory accession number. They may be sent by facsimile to (808) 834-3609 or by regular mail."

   a. Nanogram amount for a positive specimen (1 page: generally returned by facsimile)

   b. Commander's packet (about 10 pages: generally returned by facsimile)

   c. Litigation packet (about 55 pages: returned by Federal Express).

   d. Retest a specimen (in-house or private lab).

   e. Retention of positive specimen beyond 1 year.

   f. Analysis of adulterated specimen.

   g. Urine typing.

2. On request, the laboratory will provide an expert witness, in person or through telephonic means, at court-martial proceedings and administrative discharge boards. The command is responsible for the expert's travel expenses. Direct command requests for expert witness testimony to Tripler lab at (808) 433-5176.

20.C.3.c. Legal Rights

Before being questioned in relation to a drug incident, members are entitled to be advised of their rights under Article 31, UCMJ. This applies whether or not disciplinary action under the UCMJ is contemplated.

20.C.3.d. Determining a Drug Incident

In determining whether a drug incident occurred, a commanding officer should consider all the available evidence, including positive confirmed urinalysis test results, any documentation of prescriptions, medical and dental records, service record (PDR), and chain of command recommendations. Evidence relating to the member's performance of duty, conduct, and attitude should be considered only in measuring the credibility of a member's statement(s). If the evidence of a possible drug incident includes a positive urinalysis result, the command should also determine whether the urinalysis was conducted in accordance with this article and whether the collection and chain of custody procedures were properly followed. The commanding officer may delay final determination to pursue any of these options deemed appropriate:

1. Ask the member to consent to a urinalysis test as outlined in ☞ Article 20.C.2.a.

2. Direct the member to participate in a urinalysis evaluation program for a maximum of six months as outlined in ☞ Article 20.C.2.a.

3. Request the laboratory reexamine the original documentation for error.

4. Request the laboratory retest the original specimen. Retesting requires additional urinalysis confirmation documentation and reduces the quantity of urine available for future directed retesting; i.e., in the case of court-martial. This should not be a routine course of action.

20.C.3.e. Preponderance of Evidence Standard

The findings of a drug incident shall be determined by the commanding officer and an Administrative Discharge Board, if the member is entitled to one, using the preponderance of evidence standard. That is, when all evidence is fairly considered, including its reliability and credibility, it is more likely than not the member intentionally ingested drugs. A preponderance of the evidence refers to its quality and persuasiveness, not the number of witnesses or documentation. A member's admission of drug use or a positive confirmed test result, standing alone, may be sufficient to establish intentional use and thus suffice to meet this burden of proof.

20.C.4. Findings of a Drug Incident

If after completing the investigation described in ☞ Article 20.C.3, the commanding officer determines that a drug incident did occur, he or she will take these actions:

1. Administrative Action. Commands will process the member for separation by reason of misconduct under ☞ Articles 12.A.11., 12.A.15., 12.A.21., or 12.B.18., as appropriate. Cases requiring Administrative Discharge Boards because of the character of discharge contemplated or because the member has served a total of eight or more years, will also be processed under ☞ Articles 12.B.31. and 12.B.32., as appropriate.

2. Disciplinary Action. Members who commit drug offenses are subject to disciplinary action under the UCMJ in addition to any required administrative discharge action.

3. Eligibility for Medical Treatment. Members who have been identified as drug-dependent will be offered treatment prior to discharge. If accepted, immediately on completing this treatment, the member will be discharged from the Service. Treatment will be coordinated through the applicable Maintenance and Logistics Command and may be either in-patient or out-patient treatment. A diagnosis of drug/chemical dependency must be made by a qualified medical officer/physician having a background in substance abuse and chemical dependency or a certified substance abuse screening facility, i.e. a U.S. Navy Counseling and Assistant Center (CAAC). The member may undergo treatment at either a Veterans Administration or civilian facility closer to his or her home. However, the applicable Maintenance and Logistics Command working in concert with medical and screening authorities will determine the treatment type and location. Members diagnosed as drug/chemically dependent who refuse treatment will be required to sign a CG-3307 acknowledging that they waive their right to benefits under the Department of Veterans Affairs for treatment for chemical dependency.

20.C.5. Findings of No Drug Incident

1. In cases in which the commanding officer determines the urinalysis result attributed to a particular member resulted from administrative error; faulty chain of custody, evidence of tampering, or that drug use was not wrongful; e.g., prescribed medication or unknowing ingestion, the commanding officer will make a finding of no drug incident and close the investigation. In addition, these actions shall be taken:

   a. Screening and/or Counseling. A determination shall be made whether psychiatric, medical, or drug dependency screening (e.g., cases of abuse or overdose of prescription or over-the-counter medications) is warranted. At a minimum, the member's commanding officer shall review with the member the previous training they received on the subject of drug abuse. The commanding officer also shall discuss the member's current awareness of the Commandant's policy on drug abuse, the physical and psychological dangers of drug abuse, and

the sources of self-help available to maintain a lifestyle free of involvement with and exposure to drugs. If retraining is considered necessary in these areas, arrangements will be made for the member's participation in awareness training.

b. Letter Report. Commanding officers shall notify Commandant (G-WPM-1) by letter of all cases involving positive urinalysis test results in which they make a finding of no drug incident. This letter shall indicate the drug(s) identified in the specimen and the reason for the no drug incident determination. The member should not be identified by name, social security number, or any other means since the information will be used for statistical purposes only.

2. **If subsequent to making a determination that a drug incident occurred, a commanding officer is made aware of new information and determines that, in fact, no drug incident occurred, he or she retains the authority to withdraw a recommendation for discharge until such date on which that discharge is effected.**

20.C.6. Exhibits

EXHIBIT 20.C.1 List of Major Commands

Every Coast Guard unit is under the cognizance of one of the major commands listed below for purposes of yearly allocations, supplies, and program administration. Units that fall under these commands must use their major command's Base Area Code (BAC). Questions concerning which major command is in charge of any particular unit may be directed to Commandant (G-WPM-1).

BAC/UIC	MAJOR COMMANDS
CG01-47000	ISC BOSTON MA
CG05-75130	MLC ATLANTIC
CG07-46900	ISC MIAMI FLA
CG02-46700	ISC ST LOUIS
CG08-47710	ISC NEW ORLEANS LA
CG09-46800	ISC CLEVELAND OH
CG11-75160	MLC PACIFIC ALAMEDA CA
CG13-71113	CCGDTHIRTEEN SEATTLE WA
CG14-47810	ISC HONOLULU HI
CG17-47700	ISC KETCHIKAN
CG17-46000	ISC KODIAK
CG38-52500	COGARD ENGINEERING LOGISTICS CENTER BALT MD
CG40-50100	COGARD AR&SC ELIZABETH CITY NC
CG50-52400	COGARD TISCOM ALEXANDRIA VA
CG53-47400	COGARD HRSIC TOPEKA KS
CG60-60100	COGARD ACADEMY NEW LONDON CT
CG71-62100	COGARD INST OKLAHOMA CITY OK
CG74-61200	COGARD TRACEN PETALUMA CA
CG75-63100	COGARD TRACEN YORKTOWN VA
CG76-65100	COGARD ATC MOBILE AL
CG77-67100	COGARD TRACEN CAPE MAY NJ
CG78-61300	COGARD AVTECHTRACEN ELIZABETH CITY NC
CG80-31800	COGARD YARD BALT MD
CG81-51100	COGARD R AND DC GROTON CT
CG98-47850	COGARD HQ SUPT CMD

EXHIBIT 20.C.2. Urinalysis Supplies

Urinalysis supplies and materials must be stored in a locked container at all times, with access limited to the commanding officer, executive officer, and primary urinalysis coordinator. Additional supply funding will be provided only to those major commands listed in Exhibit 20.C.1 exceeding 300 allocations. Unit funds are otherwise sufficient. Below contains supply order information.

URINALYSIS SUPPLIES INFORMATION

ITEM	STOCK #
Shipping Box and 12 Bottles	6640-00-165-5778
Wide Mouth Bottles	6530-01-048-0855
Mailing Pouch-White	6530-01-304-9762
Absorbent Pads	6530-01-304-9754
Envelope Packing Lists	8105-00-857-2247
Tape, Gummed Kraft	8135-00-598-6097
Tape, Tamper Resistant	6640-01-204-2654
Tape, Pressure Pack Nylon	7510-00-290-8035
Gloves, Rubber	6515-00-339-7860
Label, Pressure Sensitive	7530-01-204-9751
Retractable Ball Point Pens	7520-00-935-7135
FORMS: (Available in CG Jetforms)	
(DD Form 2624, Specimen Custody Document - Drug Testing)[Order using DD-1348 lstrip, available in pads of 50]	0102-LF-016-7600
Unit Urinalysis Ledger	

EXHIBIT 20.C.3. Sample Urinalysis Ledger

1. NAME OF UNIT:	2. NAME OF UNIT COORDINATOR & PHONE NUMBER:	3. DATE SPECIMEN COLLECTED

4. TIME	5. BATCH NUMBER	6. SPECIMEN NUMBER	7. TPI	8. MEMBER'S COMPLETE SSN	9. MEMBER'S SIGNATURE AND PRINTED NAME	10. REMARKS/MEDICATIONS	11. OBSERVER'S SIGNATURE AND PRINTED NAME
					---		---
					---		---
					---		---
					---		---
					---		---
					---		---
					---		---
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					---		---
					---		---

12. PRIVACY ACT STATEMENT: IN ACCORDANCE WITH 5 USC 552a(e)(3). THE FOLLOWING INFORMATION IS PROVIDED TO YOU WHEN SUPPLYING INFORMATION TO THE U.S. COAST GUARD:

A. AUTHORITY WHICH AUTHORIZED THE SOLICITATION OF THIS INFORMATION: 21 USC 1102

B. PRINCIPAL PURPOSE(S) FOR WHICH INFORMATION IS INTENDED TO BE USED: ADMINISTRATION OF THE COAST GUARD DRUG URINALYSIS TESTING PROGRAM.

C. THE ROUTINE USES WHICH MAY BE MADE OF THE INFORMATION: FOR PURPOSES OF IDENTIFYING THE MEMBERS WHO PROVIDE URINE SAMPLES AND FOR ADMINISTRATIVE AND DISCIPLINARY PURPOSES, AS APPROPRIATE.

D. WHETHER OR NOT DISCLOSURE OF SUCH INFORMATION IS MANDATORY OR VOLUNTARY (REQUIRED BY LAW OR OPTIONAL) AND THE EFFECTS ON THE INDIVIDUAL, IF ANY, OF NOT PROVIDING ALL OR ANY PART OF THE REQUESTED INFORMATION: MANDATORY. FAILURE TO PROVIDE INFORMATION MAY RESULT IN ADMINISTRATIVE OR DISCIPLINARY ACTION.

EXHIBIT 20.C.4 Urinalysis Checklist

1. Did you check the inside of the bottle (empty and clean)?
2. Is the specimen that you have provided your specimen that has not been altered in any way?
3. Is your social security number on the label? Is it correct? Did you initial the label?
4. Did you verify that the batch number and specimen number on the label match those on the ledger?
5. Did you verify that the social security number and name on the ledger are correct? Did you sign the ledger?
6. Did you give a list of medications you are taking or notify the coordinator that medication is recorded in your health record?

In the space by your specimen number, write "yes" if the answer to all the questions is yes. If not, write "no", and then annotate the discrepancy in the space provided.

1. _____ _____
2. _____ _____
3. _____ _____
4. _____ _____
5. _____ _____
6. _____ _____
7. _____ _____
8. _____ _____
9. _____ _____
10. _____ _____
11. _____ _____
12. _____ _____

EXHIBIT 20.C.5. Sample of DD Form 2624

Sample of DD Form 2624, Specimen Custody Document – Drug Testing (Front)

SPECIMEN CUSTODY DOCUMENT – DRUG TESTING

A. LABORATORY CONDUCTING DRUG TESTING

1. SUBMITTING UNIT
USCGC CHINCOTEAGUE (WPB 1320)
C/O CG GROUP
SOUTH BROAD STREET
MOBILE, AL 36615-1390

2. ADDITIONAL SERVICE INFORMATION *(Second Echelon)*
CCGDEIGHT NEW ORLEANS, LA

NAME OF UNIT COORDINATOR:
PHONE #:

B. BATCH NUMBER

C. REPORT OF RESULT (DTG Serial No.)

3. BASE/AREA CODE: C G 0 8

4. UNIT IDENTIFICATION CODE: T 1 3 4 2 0

5. DOCUMENT/BATCH NUMBER: C T 0 1

6. DATE SPECIMEN COLLECTED (YYYY) (MM) (DD): 1 9 9 9 1 0 0 2

7. SPECIMEN NUMBER	8. COMPLETE SSN	9. TEST BASIS	10. TEST INFORMATION	11. PRESCREEN THC	COC		D. DRUGS TESTED E. DISC CODE	F. ASSESSION NUMBER	G. RESULT
(1)	001 – 41 - 6953	IR	A						
(2)	000 – 58 - 9362	PO	B						
(3)	000 – 25 – 9076	IR	A						
(4)	123 – 45 – 6789	OO	A						
(5)	000 – 86 – 0987	IR	B						
(6)	– –								
(7)	– –								
(8)									
(9)									
(10									
(11									
(12									

H. CE b
(1) S

Dd F

Sample of DD Form 2624, Specimen Custody Document – Drug Testing (Back)

12. CHAIN OF CUSTODY

DATE (YYMMDD) a.	RELEASED BY b.	RECEIVED BY c.	PURPOSE OF CHANGE/REMARKS d.
(1) 991002	SIGNATURE *John J Jones* NAME JOHN J. JONES	SIGNATURE NAME US POSTAL SERVICE	TRANSPORT TO TAMC FTDPL
(2)	SIGNATURE NAME	SIGNATURE NAME	
(3)	SIGNATURE NAME	SIGNATURE NAME	
(4)	SIGNATURE NAME	SIGNATURE NAME	
(5)	SIGNATURE NAME	SIGNATURE NAME	
(6)	SIGNATURE NAME	SIGNATURE NAME	
(7)	SIGNATURE NAME	SIGNATURE NAME	
(8)	SIGNATURE NAME	SIGNATURE NAME	
(9)	SIGNATURE NAME	SIGNATURE NAME	
(10)	SIGNATURE NAME	SIGNATURE NAME	

INSTRUCTIONS

BLOCK		USA	USN/MC	USAF
1	SUBMITTING UNIT	Message address of unit submitting samples		
2	ADDITIONAL SERVICE INFORMATION (SECOND ECHELON)	Do Not Use	Message address of second echelon commander to whom submitting unit reports adminisratively	Optional. May be used to identify the base POC
3	BASE/ AREA CODE	Service Code Area	Leave Blank. For Future Use	Four-character Base Identification Code (Ex., F123 Comprises the first four characters of the full 10-character Base Identification Number (BIDN)
4	UNIT IDENTIFICATION CODE	Unit Identification Code (UIC or RUC) of Unit submitting urine sample.		Do not use
5	DOCUMENTATION/ BATCH NUMBER	Do not use	Enter the locally assigned batch number. Each batch of 12 samples, or portion thereof, shall be assigned	3-digit batch number common to all specimens in the shipment (EX., 501). Comprises the middle part of
6	DATE SPECIMEN COLLECTED	Enter the four-digit year, two digit month, and two-digit day that samples were collected by submitting unit.		
7	SPECIMEN NUMBER	Use number pre-printed on form To itemize bottle.		Enter 3-digit sequential specimen number (last 3 characters of full BIDN).
8	COMPLETE SSN	Full SSN of person from whom sample obtained.		
9	TEST BASIS	Indicate the testing premise to conduct the collection.		
10	TEST INFORMATION	Military: A = E1– E4; B = E5– O10 Civilian only: C = TDP Aviation; D = TDP Guard/Police; E = TDP PRP, F = TD ADAPCP Staff: G = other TDP N = other nonmilitary	Leave blank	Entry required only if additional testing is requested: F = Full Panel; S = Steroids O = Other Drugs Provide Clarification in attached message
11	PRESCREEN	If screened (field tested) prior to submission and found positive, indicate P for positive or N for negative for drug(s) pre-screened. Leave blank if not screened prior to submission to lab.		Not used

12. CHAIN OF CUSTODY (LINE (1)).
a. DATE – Date of collection/shipment.
b. RELEASED BY – Signature and printed or typewr itten name of the urinalysis coordinator having custody of the samples.
c. RECEIVED BY – Use only if physical change of custody is occurring prior to shipment. Otherwise leave blank.
d. PURPOSE OF CHANGE/REMARK – Specify the mode of accountable transportation/s ystem utilized to ship specimens to the lab.

NOTE: If/when custody of specimens changes other than for shipment (unless hand carried to lab), Each chain of custody requires line number signature in the (b) RELEASED BY and (c) RECEIEVED BY blocks to document change in custody with comment block (d). If a continuation sheet is necessary, it must contain information/signature blocks (a), (d)

13. DAMAGE TO SHIPPING CONTAINE R/DISCREPANCIES

rm 2624, FEB 93 – Page 2 *U.S. GPO: 1993-300-727/90354

EXHIBIT 20.C.6. Drug Cut-off Level

		THC	Cocaine	AMPS	PCP
Screen		50	150	500	25
CG/MS		15	100	500	25
	MOR	**COD**	**6MAM**	**LSD**	**BARBS**
Screen	2000	N/A	N/A	500 pg/ml	200
GC/MS	4000	2000	10	200 pg/ml	200

EXHIBIT 20.C.7. Tripler Laboratory Discrepancy Codes

DISCREPENCY CODES							
1.	SPECIMEN			3.	FORM (continued)		
	X	SA	Specimen appears to be adulterated		T	FG	Date Specimen is Collected is missing
	T	SB	Specimen appears to be adulterated		T	FH	Date Specimen is Collected does not agree
	X	SC	Quantity not sufficient to test		X	GB	SSN on DD Form 2624 missing / illegible / incomplete
	T	SZ	Specimen: Other		X	FU	SSN overwritten on DD Form 2624
2.	LABEL				X	FI	SSN not forensically corrected
	X	LD	Label over label		X	GS	Civilian code in Block 9
	T	LE	Base / Area Code is missing		X	GD	Code in Block 10 not A or B
	T	MC	Base / Area Code is not correct		X	GJ	Block 10 not forensically corrected
	T	LF	Date missing		X	GQ	Service member's name received on DD Form 2624
	T	LG	Date specimen collected is not correct		T	GZ	Form: Other
	T	LJ	Service member's initials missing on bottle label	4.	PACKAGE		
	T	LK	Absence of two sets of initials on bottle label		X	PA	Shipping container received with no or broken seal
	X	LM	No SSN on bottle label		X	PB	Tampering
	X	LN	SSN on bottle does not match SSN on DD Form 2624		T	PZ	Package: Other
	X	MB	SSN is incomplete / illegible		T	PD	No signature on package
	X	LS	SSN not forensically corrected – OVERWRITTEN	5.	BOTTLE		
	X	LT	SSN not forensically corrected		X	BC	Specimen leaked in shipment, quantity not sufficient to test
	T	LZ	Label: Other		X	BD	Bottle received with broken seal and no explanation
3.	FORM				X	BE	Bottle received without seal and no explanation
	T	FK	Form other than DD Form 2624 received		X	BF	Bottle received double taped and no explanation
	X	FL	No DD Form 2624 received		X	BG	Bottle with broken chain of custody
	X	FQ	DD Form 2624 Chain of Custody entries are not original		X	BI	Bottle damaged, not tested
	X	FN	DD Form 2624 does not have Chain of Custody entries		X	BP	Unauthorized specimen container
	X	FM	DD Form 2624 received separately from bottle		X	BQ	Service member's name received on bottle
	X	FR	DD Form 2624 on two pieces of paper w/o identifiers		T	BZ	Bottle: Other
	X	GG	DD Form 2624 listed specimen, no bottle received	6.	OTHER		
	X	FP	Specimen bottle present, not recorded on DD Form 2624		X	OA	Laboratory Accident
	T	FA	Base / Area Code missing		X	OB	Service member's name received on "Other"
	T	FB	Base / Area Code does not agree		X	OD	Untestable Discrepency with no other code assigned
	T	FC	Base / Area Code is not correct		X	OF	Security Violation in the FTDTL storage room
	T	FD	Unit Identification Code is missing / incorrect		X	OG	Technical difficulties
	T	FF	Document / Batch number is missing				

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