


**DEPARTMENT OF HOMELAND SECURITY
BOARD FOR CORRECTION OF MILITARY RECORDS**

Application for the Correction of
the Coast Guard Record of:

BCMR Docket No. 2005-118

XXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXX

FINAL DECISION


This proceeding was conducted according to the provisions of section 1552 of title 10 and section 425 of title 14 of the United States Code. The Chair docketed the applicant's request for correction on June 29, 2005.

This final decision, dated April 5, 2006, is signed by the three duly appointed members who were designated to serve as the Board in this case.

APPLICANT'S REQUEST AND ALLEGATIONS

The applicant asked the Board to correct her record to show that on October 19, 2004, she enlisted in the Coast Guard in pay grade E-3 (seaman; SN), instead of pay grade E-2 (seaman apprentice; SA). She alleged that she did not know and her recruiter never told her that she could enlist as an E-3 because she had already earned 62 college credits and an Associate of Arts degree. She alleged that her recruiter "led [her] to believe that the highest grade I could graduate basic training at was E-2."

In support of her allegations, the applicant submitted a copy of her college transcript. The transcript shows that she received an Associate of Arts degree from xxxxxx College on December 20, 2003, after accumulating 62 credits with a 3.9 grade point average.

SUMMARY OF THE RECORD

On October 12, 2004, one week before she enlisted, the applicant and her recruiter signed a form CG-3301G, which states that under the Recruiting Manual,

candidates with at least 30 hours of college credit may be enlisted in pay grade E-2 and that candidates with at least 60 hours of college credit may be enlisted in pay grade E-3. The form indicates that the candidate and recruiter should initial the program/pay grade that is being offered, but none of the blocks are initialed.

On October 19, 2004, the applicant enlisted in the Coast Guard in pay grade E-2.

VIEWS OF THE COAST GUARD

On October 25, 2006, the Judge Advocate General of the Coast Guard recommended that the Board grant the applicant's request based on a memorandum on the case prepared by the Coast Guard Personnel Command (CGPC). CGPC stated that the amendment to allow enlistment at pay grade E-3 for candidates with at least 60 credit hours was a "pen-and-ink change" to the Recruiting Manual prior to the applicant's enlistment. CGPC stated that "[o]ur review of [the applicant's] situation revealed that her recruiter cited an out-of-date recruiting manual during her enlistment processing. Subsequently, [the applicant] was not offered an enlistment at pay grade E-3, for which she was entitled." CGPC recommended that the Board grant relief.

APPLICANT'S RESPONSE TO THE VIEWS OF THE COAST GUARD

On March 6, 2006, the applicant informed the Board that she had no objection to the Coast Guard's recommendation for relief.

FINDINGS AND CONCLUSIONS

The Board makes the following findings and conclusions on the basis of the applicant's military record and submissions, the Coast Guard's submissions, and applicable law:

1. The Board has jurisdiction over this matter pursuant to the provisions of 10 U.S.C. § 1552. The application was timely.
2. The Coast Guard has stated that prior to the applicant's enlistment on October 19, 2004, a "pen-and-ink" amendment to Article 2.G.4.b.4.a. of the Recruiting Manual permitted candidates for enlistment who had satisfactorily completed at least 60 semester hours of college education to be enlisted in pay grade E-3. The applicant's college transcript shows that at the time she enlisted, she had satisfactorily completed 62 credit hours and had earned an Associate of Arts degree.
3. The Coast Guard has stated that because the applicant had earned at least 60 credit hours when she enlisted she was entitled to enlist as an E-3. The Coast Guard

has admitted that the applicant's recruiter erred by following an out-of-date edition of the Recruiting Manual when enlisting her as an E-2.

4. Accordingly, the applicant's request should be granted.

[ORDER AND SIGNATURES ON FOLLOWING PAGE]

ORDER

The application of xxxxxxxxxxxxxxxxxxxx, USCG, for correction of her military record is granted.

Her record shall be corrected to show that on October 19, 2004, she enlisted in the Coast Guard in pay grade E-3, instead of E-2.

The Coast Guard shall pay her any amount she may be due as a result of this correction.

