

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

Application for Correction
of Coast Guard Record of:

BCMR Docket
No. 2000-049

FINAL DECISION

████████ Chairman:

This is a proceeding under the provisions of section 1552 of title 10 and section 425 of title 14 of the United States Code. It was docketed on January 11, 2000, upon the Board's receipt of the applicant's complete application for correction.

This final decision, dated November 9, 2000, is signed by the three duly appointed members who were designated to serve as the Board in this case.

RELIEF REQUESTED

The applicant, a seaman apprentice (SN; pay grade E-2), asked that he be advanced to pay grade E-3 as of the date of his enlistment. Prior to his enlistment in the Coast Guard he was promoted to Eagle Scout in the Boy Scouts of America.

According to ALCOAST 057/99, dated August 16, 1999, the Coast Guard was authorized "to recruit applicants who became Eagle Scouts . . . as E-3's vice E-2's." According to evidence submitted with his application, the applicant became an Eagle Scout on April 1, 1996.

VIEWS OF THE COAST GUARD

On July 13, 2000, the Board received an advisory opinion from the Chief Counsel of the Coast Guard recommending that the applicant be granted enlistment at the pay grade of E-3, in lieu of E-2, pursuant to ALCOAST 057/99.

According to the Chief Counsel, the applicant enlisted on August 24, 1999, at pay grade E-2, due to his status as an Eagle Scout. On August 16, 1999, before the applicant enlisted, ALCOAST 057/99 authorized enlistment of Eagle Scouts at pay

grade E-3.

The Chief Counsel said that ALCOAST 124/99 was issued on October 4, 1999, providing guidance for the changes announced on ALCOAST 057/99. According to the Chief Counsel, "ALCOAST 124/99 made the initiative to authorize enlistment at paygrade E-3 effective 17 August 1999."

APPLICANT'S RESPONSE TO COAST GUARD VIEWS

On August 2, 2000, the Board received the applicant's response to the Coast Guard's advisory opinion. He agreed with it, except that he said he enlisted on August 17 rather than August 24, 1999.

FINDINGS AND CONCLUSIONS

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

1. The BCMR has jurisdiction of the case pursuant to section 1552 of title 10, United States Code. The application was timely.
2. The applicant became an Eagle Scout on April 1, 1996. On August 16, 1999, ALCOAST 057/99 was released. It included a provision authorizing the enlistment of Eagle Scouts at pay grade E-3.
3. The applicant enlisted after the date of issuance of this ALCOAST.
4. According to ALCOAST 124/99, the applicant was authorized to enlist at pay grade E-3 effective August 17, 1999.
5. Accordingly, the applicant's record should be corrected to show that he enlisted at pay grade E-3 effective August 17, 1999.
6. Relief should be granted to the applicant.

ORDER

The military record of changing his grade as of the date of enlistment to pay grade E-3. USCG is corrected by

