DEPARTMENT OF TRANSPORTATION
BOARD FOR CORRECTION OF MILITARY RECORDS

Application for the Correction of
the Coast Guard Record of:

BCMR Docket No. 2002-036

Zzzz, Xxx X., xxxxxxxxxxx
aka **Xxxx, Xxx X.,** xxxxxxx, SC3c(R) (former)

FINAL DECISION

ANDREWS, Deputy Chair:

This proceeding was conducted under the provisions of section 1552 of title 10 and section 425 of title 14 of the United States Code. The case was docketed on January 9, 2002, upon the Board's receipt of the applicant's completed application and military records.

This final decision, dated September 26, 2002, is signed by the three duly appointed members who were designated to serve as the Board in this case.

APPLICANT'S REQUEST AND ALELGATIONS

The applicant, Xxx X. Zzzz, alleged that he served in the Coast Guard Reserve during World War II under an erroneous name, Xxx X. Xxxx. He asked the Board to change the name on his discharge form from Xxx X. Xxxx to Xxx X. Zzzz. The applicant stated that his true last name was and is Zzzz.

The applicant also asked the Board to upgrade the character of his May 29, 1946, discharge from "under honorable conditions" to honorable. He alleged that he should have received an honorable discharge, but his discharge was characterized as "under honorable conditions" without sufficient cause. He alleged that he performed "good honorable duty." He further alleged that he accepted the "under honorable conditions" discharge—which resulted from his once returning to his ship from shore leave less than 30 minutes late—because fighting it would have involved "lengthy due process."

SUMMARY OF THE RECORD CONCERNING THE APPLICANT'S IDENTITY

Military Record

On January 24, 1945, Xxx Xxx Xxxx enlisted in the Coast Guard Reserve, signing that name to all of his enlistment documents. His enlistment papers show that he was born in xxxxxxxxxx, New York, on February xx, 1927, to Ffffffff and Ggggg Xxxx. Because he was a minor, his father had to sign a consent form to allow him to enlist, and the signature indicates that his father's name was Ggggg Xxxx.

The name Zzzz never appears in the military record of Xxx Xxx Xxxx, who was discharged "under honorable conditions" on May 29, 1946. The military record also contains a photograph of Xxx Xxx Xxxx at the time of his enlistment.

Applicant's Submissions

In support of his allegations, the applicant submitted a photocopy of a New York State Certificate of Birth for Xxx Zzzz, with no middle name or initial provided. The certificate was issued on March xx, 1927, and it shows the same town and date of birth that appear in the military record of Xxx Xxx Xxxx. The name of the father on the birth certificate is Ggggg Zzzz, and the name of the mother on the birth certificate is Xxxxx Eeeee Zzzz. In response to the advisory opinion of the Chief Counsel of the Coast Guard concerning his request (which is attached to this Final Decision below), the applicant also submitted a copy of this same birth certificate with a signed stamp from the New Jersey Board of Veterans Services certifying that it is "a true and exact copy of the original document (or a certified copy issued by a public custodian [unreadable word]) that I have personally examined."

The applicant also submitted photocopies of several documents and identity cards from New Jersey State administrative, police, and veterans departments showing his name as either Xxxxx Zzzz or Xxxxx X. Zzzz. One such document shows that in xxxx, he received a "xxxxxxxxxx Award" for being one of the "xxxxxxxxxxxxxxxxxx." One of the identity cards bears the applicant's photograph, which strongly resembles the photograph of Xxx Xxx Xxxx in the military record.[1] In addition, the applicant's

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[1] In a telephone conversation with the Deputy Chair of the Board on September 16, 2002, Mr. Zzzz explained that when he was a child, many Americans mistook his Italian surname Zzzz for Yyyy or Xxxx, and his family gradually adopted the latter name. His older brothers enlisted under the name Xxxx, and his older brothers and father worked for the Pennsylvania Railroad under the name Xxxx. When he enlisted, he used the last name Xxxx because his brothers had. He explained that he received his middle name, Xxx, when he was confirmed as a child. He stated that his mother's maiden name was Eeeee Xxxxx. Eeeee was "Americanized" to Ffffffff, and her maiden name was reversed on his birth certificate. He stated that he reverted to using his real last name, Zzzz, when he married in 19xx because his wife preferred it.

signature of "Xxx X. Zzzz" on his application form is very similar to the signatures in the military record of Xxx Xxx Xxxx.

Views of the Coast Guard

The views of the Coast Guard with respect to the requested name change are attached to this Final Decision below.

Applicable Law

Personnel Bulletin No. 57-44, which was in effect from April 6, 1944, to May 26, 1948, provided instructions on completing a member's discharge papers. No specific instruction is provided regarding a member's name. Under current regulations in COMDTINST M1900.4D, the DD form 214 is supposed to show the member's legal name at the time of his discharge.

SUMMARY OF THE RECORD CONCERNING THE CHARACTER OF DISCHARGE

Military Record

Xxx Xxx Xxxx enlisted in the Reserve for three years on January 24, 1945. Upon completing basic training in May 1945, he was assigned to the *U.S.S. Xxxxx* as a seaman second class. On October 23, 1945, he was taken to "deck court" for being absent without leave (AWOL) "on or about 18 October, 1945 until 0330, 18 Oct. 1945." He pled guilty and was sentenced to perform an extra 12 hours of police duties and to lose $12 of pay per month for two months.

On January 5, 1946, Mr. Xxxx was transferred to the repair base at Constitution Wharf. On January 30, 1946, he was transferred to the *U.S.S. Xxxxxxx*. On March 19, 1946, he was advanced to seaman first class, and on March 29, 1946, he was transferred to the *U.S.S. Xxxxxxxxxxxxxxxx*. On April 16, 1946, he was advanced to the rating ship's cook third class (SC3c).

On May 29, 1946, Mr. Xxxx was discharged "under honorable conditions" for the convenience of the government. During his time in service, he had received the American Area Campaign Ribbon, the European-African-Middle Eastern Area Campaign Ribbon, and the World War II Victory Ribbon. He had also received one conduct mark of 1.5 (on a 4.0 scale) for the period during which he was AWOL from the *Xxxxx*. His eleven other conduct marks are all 4.0s. His proficiency in rating (PIR) marks were primarily 3.0s, with two 3.5s in the spring before his discharge and a 1.5 for the period during which he was AWOL from the *Xxxxx*. A Termination of Service form in his

record indicates that his final average PIR mark was 2.85 and his final average conduct mark was 3.79.

Views of the Coast Guard

The views of the Coast Guard with respect to the requested upgrade of the character of discharge are attached to this final decision below.

Applicable Law

During World War II, the Coast Guard functioned under the auspices of the Navy, pursuant to 14 U.S.C. §§ 1, 3. However, the applicant was discharged from the Coast Guard in 1946, after it had reverted to the Department of the Treasury and operated under its own rules. Executive Order No. 9666, December 28, 1945.

Article 583 of the 1940 Regulations for the United States Coast Guard states that "[t]he Commandant, without recourse to a board, may direct the discharge of an enlisted man under honorable conditions for the convenience of the government."

Article 584(4) of the 1940 Regulations provided that honorable discharges were awarded under any of five conditions: expiration of enlistment; convenience of the government; hardship; minority (age); and disability not the result of own misconduct. A general discharge could be awarded "for the same [five] reasons as an honorable discharge and issued to individuals whose conduct and performance of duty have been satisfactory but not sufficiently deserving or meritorious to warrant an honorable discharge."

Personnel Bulletin No. 4-46, issued on January 10, 1946, provided that a member discharged for the convenience of the government after April 6, 1944, would receive an honorable discharge if he was "never convicted by a General Court Marital or more than once by a Summary Court Martial" and had a final average PIR mark of at least 3.0 and a final average conduct mark of at least 3.25. The bulletin does not mention deck courts.

Prior to this time, under Article 4592 of the 1934 Personnel Instructions, members discharged for the convenience of the government could receive an honorable discharge with a final average PIR mark of "not less than 2.75" and a final average conduct mark of at least 3.0 if they were "[n]ever convicted by general Coast Guard court or more than once by a summary Coast Guard court, or more than twice by a Coast Guard deck court."

On June 12, 1946, the Commandant issued ALCOAST (P) 101, which cancelled the new, higher PIR mark requirement for an honorable discharge in Personnel Bulletin No. 4.-46. The ALCOAST stated the following:

> Effective immediately [PIR] mark for honorable discharge will be [2.75] instead of [3.0]. Make changes in PB No. 4-46 … . This change retroactive to 6 April 1944. Any individual discharged on or subsequent to 6 April 1944 with discharge under honorable conditions … solely because [PIR] mark was below [3.0] but mark [2.75] or above may forward his certificate of discharge to [Headquarters] with request that he be issued an honorable discharge form … . The matter will be given the widest publicity.

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 concerning this matter pursuant to 10 U.S.C. § 1552.

2. An application to the Board must be filed within three years after the applicant discovers the alleged error in his record. 10 U.S.C. § 1552. The applicant apparently signed and received his discharge papers with the name Xxx Xxx Xxxx and an "under honorable conditions" character of discharge in 1946. Thus, his application was untimely by more than 50 years.

3. Pursuant to 10 U.S.C. § 1552, the Board may waive the three-year statute of limitations if it is in the interest of justice to do so. To determine whether it is in the interest of justice to waive the statute of limitations, the Board should consider the reason for the applicant's delay and conduct a cursory review of the merits of the case. *Allen v. Card*, 799 F. Supp. 158, 164 (D.D.C. 1992). Although the applicant did not explain why he did not apply sooner for the requested corrections, a cursory review of the record indicates that the applicant served in and was discharged from the Coast Guard Reserve under an erroneous name and that his character of discharge was unjust. Therefore, the Board finds that it is in the interest of justice to waive the statute of limitations in this case.

4. The Chief Counsel of the Coast Guard recommended that the Board deny the requested name change for lack of proof. He stated that "at a minimum," a certified copy of a birth certificate might be considered sufficient evidence of the applicant's legal name at the time of his enlistment. In response, the applicant has submitted a certified copy of the birth certificate of Xxx Zzzz. On it, the place and date of birth and the father's first name are the same as those provided by Xxx Xxx Xxxx upon his enlistment. Moreover, the photographs and signatures of Xxx Xxx Xxxx and Xxx Xxx Zzzz are

strikingly similar even though more than 50 years have passed. Therefore, the applicant, Mr. Zzzz, has proved to the Board's satisfaction that he is in fact the Xxx Xxx Xxxx who served in the Coast Guard Reserve from January 24, 1945, to May 29, 1946. Moreover, the Board concludes that, although the applicant enlisted and served in the Reserve with the last name Xxxx, his legal name at that time was Zzzz.

5. The applicant has proved that his military record contains an error in that his last name should be Zzzz instead of Xxxx. Although he himself caused this error, there is no evidence in the record that he intended to defraud the government by serving under the name Xxxx instead of his legal name. The record indicates that his family was using the name Xxxx at the time, and his father consented to his enlistment under the name Xxxx.

6. Although the applicant caused the error and waited more than 50 years to correct the error, the Board finds that it is in the interest of justice to correct his discharge papers to reflect his legal name. The applicant has a compelling interest in correcting the record for posterity and his family's sake.

7. Under Personnel Bulletin No. 4-46, issued on January 10, 1946, a member discharged for the convenience of the government on May 29, 1946, whose final average PIR mark was less than 3.0 or whose final average conduct mark was less than 3.25 would not receive an honorable discharge. Because the applicant had once been AWOL for a short period, he had received both conduct and PIR marks of 1.5, and that one low PIR mark brought his final average down to 2.85, disqualifying him for an honorable discharge. However, on June 12, 1946, the Commandant issued ALCOAST (P) 101, canceling the higher PIR mark requirement for an honorable discharge in Personnel Bulletin No. 4-46 and retroactively permitting honorable discharges for members discharged for the convenience of the government with final average PIR marks of at least 2.75. Therefore, the Board finds that the applicant's discharge "under honorable conditions" is erroneous and unjust.

8. Accordingly, relief should be granted.

ORDER

The application for correction of the military record of former SC3c Xxx Xxx Xxxx, xxxxxxxxxxxxxxxxxx, USCGR, is granted.

His military record shall be corrected to show that he received an honorable discharge from the Coast Guard Reserve and that at the time of his discharge his last name was Zzzz instead of Xxxx. The Coast Guard shall issue him papers showing that he was honorably discharged with the name Zzzz, instead of Xxxx. The Coast Guard need not

correct the applicant's last name on every page of his military record, but copies of the corrected discharge papers and of this final decision shall be placed in his military record.

L. L. Sutter

Nilza F. Velazquez

Blane A. Workie

U.S. Department of Transportation
United States Coast Guard

Memorandum

Subject: ADVISORY OPINION IN CGBCMR DOCKET NO. 2002-036 (ZZZZZ)

Date: 5420/3

From: Chief Counsel, U.S. Coast Guard

Reply to Attn. Of: G-LMJ x7-0116

To: Chairman, Board for Correction of Military Records (C-60)

Ref: (a) Applicant's DD Form 149 filed 18 June 2001

1. Adopting the analysis of Commander, Coast Guard Personnel Command (enclosure 1), I request that you accept that analysis and the following additional comments as the Coast Guard's advisory opinion recommending partial relief.

2. Summary of Facts: See Matters of Record in enclosure (1).

3. Summary of Analysis**:** For the reasons discussed in enclosure (1), the Coast Guard has no objection to upgrading the Applicant's discharge characterization to indicate that the Applicant received an Honorable discharge for the convenience of the government. With respect to the Applicant's other request – that his discharge certificate be corrected to reflect his legal name – the Coast Guard recommends denying relief based on untimeliness and lack of merit.

4. Analysis of the Case

   a. This Application Should be Dismissed for Untimeliness

      1. Under 10 U.S.C. § 1552(b) and 33 C.F.R.§ 52.22, an application must be filed within three years of the date that the alleged error or injustice was, or should have been, discovered. If there had been an error regarding Applicant's last name as it appears throughout his military record, including on his enlistment and discharge certificates, Applicant should have been aware of that error, at the latest, when he received his discharge certificate in 1946.

      2. If an application is untimely, the applicant must set forth in the application a reason why its acceptance is in the interest of justice. In addition, the Board must deny relief unless the applicant provides sufficient evidence to warrant a finding that it would be in the interest of justice

to excuse the failure to file timely. In making that determination, the Board should consider the reasons (or lack of reasons) for delay and a cursory review of the potential merits of the claim. See Dickson v. Secretary of Defense, 68 F.3d 1396 (D.C. Cir. 1995). Applicant has submitted no reason why this Application should be accepted now and, as discussed infra, Applicant has failed to offer substantial evidence that the Coast Guard committed either an error or injustice in this case. Therefore, the BCMR should dismiss this case.

b. Applicant's Contention of Error

1. **Contention**: Applicant requests that his discharge certificate be corrected to reflect "Xxx Xxx Zzzz" vice "Xxx X. Xxxx." Applicant asserts that "Xxx Xxx Zzzz" is his legal name and has provided various documents to support that assertion.

2. **Analysis**: The Coast Guard rejects Applicant's allegation of error for several reasons. First, Applicant asserts that "Xxx Xxx Zzzz" is his **lega**l name. The Coast Guard does not dispute that fact based on the documents that Applicant has provided in the name "Xxx Xxx Zzzz" – most significantly is an uncertified State of New York certificate of birth and a New Jersey driver's license. Clearly, "Xxx Xxx Zzzz" is the Applicant's legal name. However, as stated in enclosure (1), the Coast Guard does not amend service records to reflect changes in name that occurred after a member has left the service. To do so, would be inconsistent with COMDTINST M1900.4D which states "[t]he DD form 214 provides the member and the service with a concise record of a period of service with the Armed Forces **at the time of the member's separation or discharge**." (Emphasis added). Indeed, the overwhelming evidence contained in the Applicant's service record establishes that Applicant's name throughout his military service was "Xxx X. Xxxx" and, even if it wasn't his legal name,[2] the evidence is clear that the Applicant had assumed that name. For example, the Applicant signed his "enlistment contract" and "Application for Enlistment" as "Xxx X. Xxxx." Even more notable, is the fact that the Applicant's parents names are included in those documents as "Fffffff Xxxx" and "Ggggg Xxxx." And, in the "Application for Enlistment," the Applicant's father, in giving his parental consent for his son, the Applicant, to enlist in the U.S. Coast Guard, fills in and signs his name "Ggggg Xxxx."

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[2] The only evidence suggesting that "Xxx X. Xxxx" was not Applicant's legal name at the time of his Coast Guard enlistment is an uncertified birth certificate that the Applicant submitted with his Application. At a minimum, the Coast Guard may consider a certified birth certificate issued before the date of Applicant's enlistment in the U.S. Coast Guard as sufficient evidence that the Applicant's legal name was "Xxx Xxx Zzzz" at the time of his enlistment.

5. Recommendation: With respect to Applicant's request to have his discharge certificate reissued in the name "Xxx Xxx Zzzz", the Coast Guard recommends that the Board dismiss this case with prejudice based on the three-year time bar. In the alternative, the Coast Guard recommends that the Board deny relief for lack of proof. As for the Applicant's other request regarding his discharge characterization, the Coast Guard recommends that the Applicant's discharge characterization be changed to reflect that the Applicant received an Honorable discharge for the convenience of the government.

G. T. VACHON
By direction

Encl: (1) CGPC ltr dtd 11 June 2002
(2) Applicant's Service Record

U.S. Department of Transportation
United States Coast Guard

Commander
United States Coast Guard
Personnel Command

2100 Second Street, S.W.
Washington, DC 20593-0001
Staff Symbol: CGPC-adm-2
Phone: (202) 267-6969
FAX: (202) 267-4381

5420

From: Commander, Coast Guard Personnel Command
To: Commandant (G-LMJ)

Subj: PROGRAM INPUT ON CGBCMR APPLICATION (ZZZZZ)

Ref: (a) CGBCMR Application 2002-036

1. Comments on the application contained in reference (a) are attached as enclosure (1).

2. I recommend relief be granted.

D. A. DiIULIO
Acting

Encl: (1) Comments concerning CGBCMR Application 2002-032

Enclosure 1 - CGBCMR 2002-036

RELIEF REQUESTED BY APPLICANT:

1. The applicant requests "a discharge paper in my legal name of Xxx Xxx Zzzz not Xxx X. Xxxx." Applicant also requests his Under Honorable Conditions discharge be upgraded to Honorable.

APPLICANT'S STATED BASIS FOR RELIEF:

1. The applicant states he received an Under Honorable Conditions discharge due to being "late under half an hour."

MATTERS OF RECORD:

1. The application is not timely.

2. January 24, 1945: Per Form NCG 2500 (Enlistment Contract) applicant enlisted in the Coast Guard Regular Reserves for a period of 3 years. This form was endorsed by applicant in the name of Xxx Xxx Xxxx.

3. January 24, 1945: Per Form NAVCG-2599 (Report of Change in Personnel), upon enlistment, applicant was transferred to Coast Guard Training Station, Manhattan Beach, Brooklyn, NY for assignment to duty. Applicant's name on this form was Xxx Xxx Xxxx.

4. May 12, 1945: Per Form NAVCG-2599, applicant reported to the USS XXXXXXX (PF-xx) for assignment to duty. Applicant's name on this form was Xxx X. Xxxx.

5. October 23, 1945: Per Form NAVCG-2599 dated October 25, 1945, applicant was awarded a "deck court" for "Absent without leave from proper authority on or about 18 October, 1945 until 0330, 18 Oct., 1945." Per this form, applicant's absence was proven through his own plea. Applicant was awarded "extra police duties for a period of twelve hours, and to lose twelve dollars per month of his pay for a period of two months."

6. May 21, 1946: Per NAVCG-2599, applicant was transferred to DCGO, 3rd Naval District, New York City, NY for "further transfer to CG SupCenter for Discharge." The authority listed for this action was "Commandant's Circular Letter, 12-46."

7. May 27, 1946: Per letter to Commandant (PEA-AD), SUBJ: Xxxx, Xxx X. (xxx-xxx) SC3c; discharge of, applicant was to be discharged "under authority of Personnel Bulletin 94-45, Alcoast 57-46 and CGRS (Coast Guard Receiving Station) Ellis Island,

NY/L dated 24 May, 1946, file 73-783-701-531."

8. May 29, 1946: Per Form NAVCG-553 (Notice of Separation from the U.S. Naval Service-Coast Guard), applicant was discharged with an "Under Honorable Conditions" discharge. Applicant endorsed this form with the signature of Xxx X. Xxxx.

9. May 29, 1946: Per Form NAVCG 2500-C (Termination of Service, United States Coast Guard), applicant was discharged with an "Under Honorable Conditions" discharge for the "Convenience of the Government" by the authority of "PB 94-45" and "Alcoast 57-46." Applicant's final average Proficiency in Rating score was 2.85 and conduct score was 3.79. Applicant endorsed this form with the signature of Xxx X. Xxxx.

10. It was determined, after a thorough search with the Coast Guard Historian's office at Coast Guard Headquarters and with the National Archives, that no copy of the Commandant's Circular Letter, 12-46, Coast Guard Personnel Bulletin 94-45 or Alcoast message 57-46 is available for review. It is believed that any of these resources could indicate the separation procedures of member's at the conclusion of World War II.

11. Per the most closely dated (1953) and available Coast Guard Personnel Manual (PERSMAN) after applicant's separation, Article 12-B-16 states "During war or national emergency, enlisted Reserve and retired personnel serving on active duty will be released from active duty only in accordance with instructions issued by the Commandant."

12. Per the PERSMAN of 1953 Article 12-B-6 "The Commandant may authorize or direct the discharge of enlisted personnel for the convenience of the Government for any of the following reasons: (a) General demobilization or by order applicable to all cases of a class of personnel specified in the order." This Article continues in subparagraph (j) "An individual discharged for the convenience of the Government shall be given an honorable discharge (DD Form 256 CG) if during his current enlistment or extension thereof, he has not been convicted by a General Courts-Martial or more than once by a Special Courts-Martial and his minimum final average marks are 2.75 in proficiency in rating and 3.25 in conduct. Individuals not qualifying for an honorable discharge will be given a general discharge."

13. Per Article 12-B-3b of the PERSMAN an individual who received a General Discharge for the convenience of the Government is given this discharge "for the same reasons as an honorable discharge and issued to individuals whose conduct and performance of duty have been satisfactory but not sufficiently deserving or meritorious to warrant an honorable discharge. It is also given for the additional reasons of inaptitude and unsuitability."

14. At the time applicant was released from active duty, his legal name was Xxx Xxx Xxxx. His legal name appears on his discharge certificate.

15. The appropriate manual, which described the process for completing a discharge certificate at the time the applicant was separated, is not available. However, the current Coast Guard DD-214 (Certificate of Release or Discharge from Active Duty) instruction, COMDTINST M1900.4D, states "The DD form 214 provides the member and the service with a *concise* record of a period of service with the Armed Forces at the time of the member's separation or discharge."

16. May 29, 1946: Per letter to Mrs. Ffffffff Xxxx (applicant's mother), applicant "Xxx X. Xxxx," was "issued this date a certificate of discharge under honorable conditions from the United States Coast Guard Reserve."

CONCLUSIONS:

1. The Coast Guard does not normally re-issue records to reflect changes in name (the most common involving the name change of female former members who marry), unless required to change obvious typing errors. It is possible in the Applicant's case that a simple clerical error committed at the start of his enlistment went uncorrected through no fault of his own. However, his record throughout his enlistment process and final separation clearly indicates that he enlisted and represented himself as Xxx Xxx Xxxx. Without exception, every document in applicant's military record shows his name as Xxx Xxx Xxxx, including documents requiring his signature. There is no evidence that the applicant questioned or attempted to correct his name during his enlistment, so at this time, the documentation provided by the Applicant is insufficient to consider granting this request. The Coast Guard may consider issuing discharge documents under the name of Xxx Xxx Zzzz if more information and documentation can be provided. At a minimum, the Coast Guard requests submission of a <u>certified</u> copy of the Applicant's birth certificate, with an explanation from him about how he was enlisted under an incorrect last name and why it was not corrected during his enlistment. Statements from family members or other third parties familiar with the circumstances of the Applicant's enlistment should also be submitted, along with any other documentation that would provide evidence that the spelling of Applicant's name was a clerical error.

2. The appropriateness of applicant's discharge characterization is not possible to determine due to the length of time (56 years) since applicant's separation and the Coast Guard's inability to locate and review a record of the regulatory authority under which the applicant was separated. When applicant's entire record, including his one disciplinary incident, is taken into consideration, and coupled with the separation policies known to be in effect at least since the 1953 Personnel Manual, the Coast Guard Personnel Command would not object to upgrading applicant's discharge to an Honorable discharge for the Convenience of the Government.

RECOMMENDATION:

1. Applicant's name should remain as it appears in his military record and on his

original discharge certificate. However, the documentation applicant provided with this application that indicates he is currently known as Xxx Xxx Zzzz shall be included in his official military record. The Applicant may submit further documentation as discussed above for reconsideration of his request to be issued a certificate of discharge under the name Xxx Xxx Zzzz.

2. Applicant's discharge characterization should be upgraded to indicate he received an Honorable discharge for the convenience of the Government.