

DEPARTMENT OF HOMELAND SECURITY
BOARD FOR CORRECTION OF MILITARY RECORDS

**Application for Correction of
The Coast Guard Record of:**

BCMR Docket No. 2024-184


ETN3/E-4 (Former)

FINAL DECISION

This proceeding was conducted according to the provisions of 10 U.S.C. §1552 and 14 U.S.C. §2507. The Chair docketed the case after receiving the completed application on September 10, 2024, and assigned the case to a staff attorney to prepare the decision in accordance with 33 C.F.R. § 52.61(c).

This final decision, dated August 7, 2025 is approved and signed by the three (3) duly appointed members who were designated to serve as the Board in this case.

APPLICANT’S REQUEST AND ALLEGATIONS

Applicant requests two corrections to his DD Form 214.¹ Specifically, he asserts that his enlistment date and date of birth are incorrect. In support of his request for corrections, Applicant submitted a DD Form 149 (one for each requested correction) and several documents, as noted below.

Concerning the request to correct his enlistment date, Applicant states that he delayed entry into the USCG because he was attending to the illness of a family member. In support of this claim, Applicant asserts that he was receiving payments from the USCG during the delay period. As evidence, Applicant provided a letter from an individual familiar with his claim, an email from a VA counselor, suggesting to provide proof of payments received as evidence of active duty, and the death certificate of the family member to whom he was attending.

¹ Although the Applicant references his “DD 214,” during this period, the Coast Guard’s form was technically titled, “DD Form 214CG”. The form is referred to throughout this Opinion as a DD Form 214.

Concerning the request to correct his birthdate, Applicant submitted a photocopy of his current driver's license.²

SUMMARY OF THE RECORD

Enlistment Date

Applicant's DD Form 214 states that he enlisted in the United States Coast Guard on May 27, 1975 (block 15). The record includes the following documents, each reflecting the Applicant's enlistment date as noted:

- A. Form CG-3307 (Rev. 3-71), dated March 26, 1975, from a USCG Recruiting Office, with the following entry,

27 MAY 75: ORIG ENL USCG as SR for a period of 4 years and immediately transferred to TRACEN, Alameda, Ca. for recruit training. NO PRIOR MILITARY SERVICE. [...]
- B. Form CG-3307 (Rev. 3-67), listing Applicant's Marks, with Applicant's "Date of Enlistment" as May 27, 1975.
- C. Memo dated October 17, 1975, confirming that corrections to Applicant's enlisted records were completed. In particular, Applicant's enlistment date is listed as May 27, 1975, with reference to his Enlistment Contract, dated January 29, 1975.

Date of Birth

Applicant's DD Form 214, block 4, shows Applicant's date of birth as "[REDACTED]" (hereinafter, "DATE 1"). The record includes Applicant's "Application for Armed Forces Identification Card, DD2CG," dated June 30, 1975, with Applicant's signature. In it, Applicant's birthdate is clearly entered as [REDACTED] (hereinafter, "DATE 2"). The same document reflects that Applicant was later issued military identification with DATE 2 as his birthdate. Further, Applicant submitted his current driver's license that matches DATE 2.

VIEWS OF THE COAST GUARD

On March 7, 2025, the Judge Advocate (JA) of the Coast Guard submitted an advisory opinion recommending the Board grant partial relief in accordance with a memorandum submitted by the Commanding Officer of the Coast Guard Personnel Service Center (CG PSC).

CG PSC specifically found the application untimely, but considered Applicant's claim concerning his date of birth, merited correction. PSC found documentation in Applicant's record that matched the requested date of birth, confirming the DD Form 214 listed an erroneous birthdate. As to Applicant's request to correct his enlistment date, PSC noted that there was no documentation in the record, nor any submitted by Applicant, to support the claim that Applicant's enlistment date was May 1, 1975.

² The driver's license was current as of the date the Applicant submitted the instant application.

APPLICANT'S RESPONSE TO THE VIEWS OF THE COAST GUARD

On June 12, 2025, the Chair of the BCMR sent the Coast Guard's Opinion to the Applicant and invited a response within thirty days. No response was received.

APPLICABLE REGULATIONS

The Coast Guard's instructions for completing the DD Form 214 provide, in pertinent part,

3. Instructions for Completing Blocks.

Block 4. Date of birth. Enter the year, month, and day: e.g., 48 09 15.

Block 15. Date Entered Active Duty This Period. Enter the date of entry on the current period of active duty or active duty for training.

COMDTINST 1900.4A (May 1975).

FINDINGS AND CONCLUSIONS

The Board makes the following findings and conclusions based on 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 or injustice.³ The Applicant received his DD Form 214 on or about April 29, 1977. Based on the showing made, a preponderance of the evidence shows that the applicant knew or should have known of the alleged error in his record on that date. Consequently, the deadline for filing would have been April 29, 1980. The instant application is untimely.

3. The Board may excuse the untimeliness of an application if it is in the interest of justice to do so.⁴ In *Allen v. Card*, 799 F. Supp. 158 (D.D.C. 1992), the court stated that the Board should not deny an application for untimeliness without "analyz[ing] both the reasons for the delay and the potential merits of the claim based on a cursory review"⁵ to determine whether the interest of justice supports a waiver of the statute of limitations. The court noted that "the longer the delay has been and the weaker the reasons are for the delay, the more compelling the merits would need to be to justify a full review."⁶ Although the applicant in this case delayed filing the application, the evidence of record reveals a significant, prejudicial error in his record as to one of the claims

³ 10 U.S.C. § 1552(b) and 33 C.F.R. § 52.22.

⁴ 10 U.S.C. § 1552(b).

⁵ *Allen v. Card*, 799 F. Supp. 158, 164 (D.D.C. 1992).

⁶ *Id.* at 164, 165; *see also Dickson v. Secretary of Defense*, 68 F.3d 1396 (D.C. Cir. 1995).

made, as explained below, and so the Board finds that it is in the interest of justice to excuse the untimeliness of the application with respect to that one claim.

4. Applicant's claim that his date of birth is entered incorrectly on his DD Form 214, has merit.

a. Applicant's DD Form 214, block 4, states that his date of birth is DATE 1.

b. Applicant submitted materials, including a photocopy of his driver's license, to prove that his date of birth is, in fact, DATE 2.

c. Applicant's record includes his "Application for Armed Forces Identification Card, DD2CG," dated June 30, 1975, in which Applicant's birthdate is clearly entered as DATE 2.

d. The record, reviewed in its entirety, demonstrates the existence of an error in Applicant's DD Form 214, in which his date of birth is incorrectly listed. The record reflects that the month and day of his birthdate were incorrectly entered. It appears that the numbers for the day and month had been mistakenly transposed in his record, thereby causing the error.

e. Accordingly, it is the Opinion of the Board that Applicant's record should be corrected, and a DD Form 215 issue to correct only Applicant's date of birth, from DATE 1 to DATE 2.

5. As to Applicant's request to change his enlistment date into the USCG, the record does not support a finding that such a change is warranted.

a. Block 15 of Applicant's DD Form 214 states that he entered active duty service on May 27, 1975.

b. The record includes a Form CG-3307 for Administrative Remarks of the USCG Recruiting Office, stating Applicant originally enlisted in the USCG on May 27, 1975, for "a period of 4 years and immediately transferred to TRACEN, Alameda, Ca. for recruit training. NO PRIOR MILITARY SERVICE."

c. The record further includes documentation confirming corrections to Applicant's enlisted record, requested at the time of service, stating Applicant's enlistment date as May 27, 1975.

d. No documentation in Applicant's service record establishes an enlistment date of May 1, 1975.⁷

⁷ It would appear that Applicant's request to backdate his enlistment was made to entitle him to certain wartime benefits. Notably, Applicant states, "Starting service on 75 May 01, I will have over 1-day of wartime service, and be eligible for a pension...." There is no indication in the record or submitted with the application, that Applicant

e. Although Applicant states that he delayed entry into the USCG to care for a family member who was ill, the issue for correction is the Applicant's date of entry, not the reason for which he purportedly may have taken a delay. Applicant's submitted materials do not establish that he served on active duty either on May 1, 1975, or at any time prior to May 27, 1975.

f. Accordingly, on the showing made, the request to change Applicant's enlistment date from May 27, 1975, to May 1, 1975, is without merit and should be denied.

[ORDER AND SIGNATURE ON NEXT PAGE]

engaged in any active duty service during any portion of the Vietnam War. In fact, Applicant's request appears on its face to request credit for service not performed.

ORDER

The application of former ETN3, [REDACTED] USCG, for correction of his military record, is granted, in part, and denied, in part.

Applicant's request for issuance of a DD Form 214 or 215, correcting the date of birth on his DD Form 214, is GRANTED.

The United States Coast Guard shall issue a DD Form 214 or 215 to Applicant, changing his date of birth from "[REDACTED]", to "[REDACTED]".

Applicant's request to change block 15, the date of enlistment, on his DD Form 214, is DENIED.

August 13, 2025

