



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

[REDACTED]
Docket No: 5708-22

Ref: Signature date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER [REDACTED],
USN, (RET) XXX-XX [REDACTED]

Ref: (a) 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/ enclosures

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board) requesting correction of his date of birth on his discharge record. Enclosure (1) applies.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 14 October 2022, and, pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. Although Petitioner's application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider the case on its merits.

b. Petitioner entered military service through an appointment in the U.S. [REDACTED]. His commissioning physical on 24 March 1960 reflected a DOB of [REDACTED]; subsequently, he was commissioned on 8 June 1960. His official military personnel file (OMPF) did not contain a copy of his birth certificate.

c. The same DOB of "[REDACTED]" was reflected in Petitioner's OMPF records in: his National Agency Check Request of 13 November 1962; his student academic transcripts during post-graduate courses in 1974; his Certificate of Personnel Security Investigation for his final Top Secret clearance of 3 December 1979; and, his personal data provided with his request for voluntary retirement in 1982.

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d. Upon his release from active duty, Petitioner was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) which, in block 5, identified his DOB as "[REDACTED]"

e. The "[REDACTED]" DOB was entered into Petitioner's OMPF on his officer biography sheets from 24 September 1969 and 27 February 1978.

f. Petitioner contends that the DOB entered in his record of discharge is incorrect and should read "[REDACTED]" vice "[REDACTED]". In support of his contentions, he provided a copy of his State of [REDACTED] Birth Certificate issued on [REDACTED] and reflecting a DBO of [REDACTED]. He also provided a copy of his Department of Defense retired identification card likewise reflecting his DOB as "[REDACTED]"

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concluded that the Petitioner's request warrants favorable action.

The Board carefully examined evidence of Petitioner's DOB throughout his service records together with the evidence he submitted in support of his contentions and determined that the date of "[REDACTED]" entered into block 5 of his DD Form 214 was clearly erroneous at the time it was entered into his discharge record. Accordingly, the Board determined that Petitioner's request merits relief.

In view of the foregoing, the Board finds the existence of an error warranting the following corrective action.

RECOMMENDATION:

That Petitioner be issued a Correction to DD Form 214/214-1, Certificate of Uniformed Service (DD Form 215) indicating in block 5 that his date of birth is [REDACTED]

That documentation of this correction be filed in his record alongside his DD Form 214.

That no further changes be made to Petitioner's record.

A copy of this report of proceedings be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)), and

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having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

11/3/2022

[REDACTED]

Executive Director

Signed by: [REDACTED]