



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

██████████
Docket No. 6675-22
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO FORMER MEMBER ██████████, USN,
XXX-XX-██████████

Ref: (a) Title 10 U.S.C. § 1552
(b) MILPERSMAN 5010140

Encl: (1) DD Form 149 w/attachment
(2) DD Form 1966
(3) ██████████ Diploma
(4) Report of Medical Examination, 7 Jul 83
(5) DD Form 4/1, 8 Jul 83
(6) DD Form 214, 12 Mar 90
(7) Advisory Opinion by NPC (PERS-312), 18 Nov 22

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 that his naval record be corrected to reflect Home of Record (HOR) as ██████████, ██████████ vice ██████████, ██████████.

2. A three-member panel of the Board, sitting in executive session, considered Petitioner's application on 4 January 2023. The names and votes of the panel members will be furnished upon request. Petitioner allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of the Board. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies, to include reference (b). The Board also considered, enclosure (7), an advisory opinion (AO) by Navy Personnel Command (PERS-312) which was provided to Petitioner for comment. Although Petitioner was afforded an opportunity to submit a rebuttal, Petitioner did not do so.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. Petitioner contends that his DD Form 214 (Certificate of Release or Discharge from Active Duty) erroneously listed Iowa as his home state of record. He states that he enlisted in ██████████ while working for his uncle and later went back to ██████████ which was his home state. He contends

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that he requested to change his home state to ████████ in 1990 and it was granted but “they” didn’t make “record of it.” He claims that “they” sent him this change but over the past 32 years it has been lost. He additionally claims that he is a veteran of ████████ and is eligible to receive tuition benefits for himself and his daughter. Enclosure (1).

b. Petitioner was born in ██████████, ████████ on ██████████, and graduated from ██████████ on 25 May 1979. Enclosures (2) and (3).

c. On 8 July 1983 Petitioner signed DD Form 1966 (Application for Enlistment) certifying the information provided was “true, complete, and correct to the best of my knowledge and belief.” The DD Form 1966 reflects the following: Block 3 (Current Address) as ██████████, ████████; Block 4 (Home of Record) as ██████████, ██████████, ████████; Block 16 (Driver’s License) as ████████; Block 22 (Name and Location of School) as ██████████, ████████ and ██████████, ██████████, ████████; and Block 27 (Employment History) as ██████████, ████████ (3/83-5/83), ██████████, ████████ (5/82-8/82), and ██████████, ████████ (5/81 to 8/81). Enclosure (2).

d. On 7 July 1983 Petitioner completed Report of Medical Examination form reflecting Block 4 (Home Address) as ██████████, ████████. Enclosure (4).

e. On 8 July 1983 Petitioner enlisted in the Naval Reserve for a term of 6 years of which 4 years was an active duty obligation. The DD Form 4 (Enlistment/Reenlistment Document) reflects Block 5 (Home of Record) as ██████████, ████████ and Block 6 (Place of Enlistment) as ██████████, ████████. Enclosure (5).

f. Petitioner’s entered active duty on 16 April 1984 and discharged on 12 March 1990. Petitioner’s DD Form 214 indicates Block 7.a. (Place of Entry into Active Duty) as ██████████, ████████ and Block 7.b. (Home of Record) as ██████████, ████████. Enclosure (6).

g. As part of the Board’s review, Navy Personnel Command (PERS-312) reviewed Petitioner’s request and provided the Board with an AO. The AO stated in pertinent part:

“SNV’s Record of Military Processing – Armed Forces of the United States (DD Form 1966) Section 1, list HOR as ██████████ and Enlistment/Reenlistment Document Armed Forces of the United States (DD Form 4/1) Section A, list HOR as ██████████, ████████.”

The AO concluded, “[t]he member’s OMPF does not contain any evidence of an error, recommend disapproval.” Enclosure (7).

MAJORITY CONCLUSION

Upon careful review and consideration of all of the evidence of record, the Board Majority determined that Petitioner’s application warrants relief.

In this regard, the majority concluded Petitioner met the eligibility criteria to elect ██████████ as his HOR and believed that Petitioner did not clearly understand selecting his HOR as ██████████ had

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when he elected his uncle's address during his temporary time working in Iowa. The Board found that had Petitioner received proper guidance, he would have elected the correct location for his HOR at time of enlistment. Therefore, the Board agreed under these circumstances, relief if warranted.

MAJORITY RECOMMENDATION

In view of the foregoing, the Board Majority recommends the following corrective action:

Petitioner's enlistment documents (DD Form 4, Enlistment/Reenlistment Document and DD Form 1966, Application for Enlistment) dated 8 July 1983, and DD 214 ending on 12 March 1990 are amended to reflect HOR as "[REDACTED]" vice "[REDACTED]"

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

MINORITY CONCLUSION

Upon review and consideration of all the evidence of record, the Board Minority concluded Petitioner's request does not warrant favorable action and substantially concurred with the comments contained in the advisory opinion, enclosure (7). The minority noted that Petitioner does not meet the criteria to change his HOR in accordance with reference (b),¹ as he did not have a break in service. Additionally, the annotation of Iowa as the HOR is on several of Petitioner's enlistment documents, thereby not appearing to be an error.

MINORITY RECOMMENDATION

In view of the foregoing, the Board Minority recommends that no corrective action be taken on 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. The foregoing action of the Board is submitted for your review and action.

2/24/2023

[REDACTED]

¹ Reference (b), correction to the HOR may be authorized when, there is a bona fide error with the place originally named at time of current entry into the Service was not in fact the actual home or a break in service that exceeds one full day.

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From: Assistant General Counsel (Manpower and Reserve Affairs)

Reviewed and Approved Board Majority Recommendation (Grant Relief)

Reviewed and Approved Board Minority and AO Recommendation (Deny Relief)

4/21/2023

