



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

██████████
Docket No: 6989-22

Ref: Signature date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER ██████████,
USN, ██████████

Ref: (a) 10 U.S.C. § 1552
(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

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 that his service dates in his discharge record be corrected. Enclosure (1) applies.

2. The Board, consisting of ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 30 November 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, to include the references.

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 enlisted in the Navy Reserve, on 10 October 1961, and was ordered to commence voluntary active duty on 23 August 1962. He was later released from active duty on 20 August 1964. At the time of his discharge, he was issued an Armed Forces of the United States Report of Transfer or Discharge (DD Form 214) which stated that his "Date of Entry" was "23 Aug 64" as specified in block 19.c of the DD Form 214.

c. Petitioner contends his date of entry is erroneous since it is not possible for his entry to have occurred after his discharge. He did not specify a reason for the delay in addressing this error but states he needs a valid discharge record.

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USN, [REDACTED]

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concluded that Petitioner's request warrants favorable action in the form of relief. The Board reviewed the application under the guidance in the references and determined it was in the interest of justice to waive the statute of limitations to permit correction of the error in Petitioner's record.

The Board concluded that Petitioner's date of entry on his DD Form 214 is erroneous. Observing the counseling entry which identified his having been ordered to commence active duty on 23 August 1962, vice 1964 as reflected in his current DD Form 214, the Board found that the correct Date of Entry should be "23 Aug 62" in block 19.c of his DD Form 214. Accordingly, the Board determined that it is in the interest of justice to grant the requested relief.

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

RECOMMENDATION:

That Petitioner be issued a Correction to Certificate of Release or Discharge from Active Duty (DD Form 215) indicating that year for his "Date of Entry" in block 19.c should read "23 Aug 62."

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 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.

12/19/2022

[REDACTED]

Executive Director

[REDACTED]