

IN THE CASE OF: [REDACTED]

BOARD DATE: 14 February 2025

DOCKET NUMBER: AR20240006441

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show a different date of birth (DOB).

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 effective 31 August 1964
- State [REDACTED] Certificate of Official Copy
- State [REDACTED] Certification of Vital Record
- State [REDACTED] Driver License

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.
2. The applicant states he wishes to have the DOB corrected on his DD Form 214 to reflect 1945, not 1944, as currently stated. He would like a DD Form 215 (Correction to DD Form 214) issued with the correction.
3. The applicant provides:
 - a. His DD Form 214 for his active service from 1 September 1961 to 31 August 1964.
 - b. The below listed documents which list his year of birth as 1945, the date requested.
 - State [REDACTED] Certificate of Official Copy
 - State [REDACTED] Certification of Vital Record
 - State [REDACTED] Driver License

4. A review of the applicant's service record shows:

a. He enlisted in the Regular Army (RA) on 1 September 1961. His DD Form 4 (Enlistment Record – Armed Forces of the United States) shows in Block 15 (Date of Birth) [REDACTED] a date different from that requested.

b. His DD Form 373 (Consent, Declaration of Parent or Legal Guardian) shows his year of birth as [REDACTED] the date identified on his DD Form 4.

c. His DA Form 20 (Enlisted Qualification Record) shows in Block 3 (Date of Birth) [REDACTED] It also shows the applicant served in Korea from 2 May 1962 through 23 March 1963.

d. He was honorably released from active duty on 31 August 1964. His DD Form 214 shows he completed 3 years of active service. It also shows in Block 6 (Date of Birth) [REDACTED] the contested year of birth.

5. A review of the applicant's record confirms he is eligible for an award that is not recorded on his DD Form 214. The entry will be added to his DD Form 214 as administrative corrections and will not be considered by the Board.

6. By regulation, the purpose of the DD Form 214 is to provide the individual with documentary evidence of active military service and to furnish a vital record for interested government agencies. The information entered thereon reflects the conditions as they existed at the time of separation. All available records will be used as a basis for the preparation of DD Form 214a (Worksheet), including DA Form 24 (Service Record), DA Form 20 (Enlisted Qualification Record), DA Form 66 (Officer Qualification Record), and court-martial orders, when appropriate. Item 16 (Date of Birth), self-explanatory by regulation.

BOARD DISCUSSION:

1. After reviewing the application and all supporting documents, the Board found that relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive review based on law, policy and regulation. Upon review of the applicant's petition and available military records, the Board determined there is sufficient evidence to grant full relief, including the applicant's provided Certificate of Birth and drivers license. Based on this, the Board granted relief to correct the applicant's date of birth as that reflected on his birth certificate. The Board noted the applicant's age at the time of enlistment would have been 16 with the change in date of birth.

2. Prior to closing the discussion, the Board reviewed and concurred with the administrative note below.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending his date of birth to reflect that annotated on his certificate of birth.

6/6/2025

X

CHAIRPERSON

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

ADMINISTRATIVE NOTE(S):

A review of the applicant's service records show he is authorized additional campaign credit not annotated on his DD Form 214. As a result, amend his DD Form 214 to show award of the Korea Defense Service Medal.

REFERENCES:

1. Title 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.
2. Army Regulation 635-5 (Separation Documents) states the DD Form 214 will be issued at the time of separation to each officer and enlisted person discharged, retired, or relieved from active duty, regardless of the character of service rendered, by the commander of the transfer facility unless otherwise directed by the Department of the Army. The purpose of the DD Form 214 is to provide the individual with documentary evidence of active military service and to furnish a vital record for interested government agencies. The information entered thereon reflects the conditions as they existed at the time of separation. All available records will be used as a basis for the preparation of DD Form 214a (Worksheet), including DA Form 24 (Service Record), DA Form 20 (Enlisted Qualification Record), DA Form 66 (Officer Qualification Record), and court-martial orders, when appropriate. Item 16 (Date of Birth), self-explanatory by regulation.
3. Army Regulation 600-8-22 (Military Awards) states the Korea Defense Service Medal is authorized for award to members of the Armed Forces of the United States who have served on active duty in support of the defense of the Republic of Korea. The period of eligibility is 28 July 1954 to a date to be determined by the Secretary of Defense.

//NOTHING FOLLOWS//