

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 11 March 2025

DOCKET NUMBER: AR20240006739

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)
- Driver's 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 his DOB is [REDACTED] and he would like it corrected on his DD Form 214.
3. The applicant provides his Georgia driver's license showing his DOB as [REDACTED] the requested DOB.
4. A review of the applicant's available service record reflects the following:
 - a. He enlisted in the Regular Army on 28 November 1961. Block 18 (Date of Birth) of his DD Form 4 (Enlistment Record) shows his DOB as [REDACTED] the contested DOB.
 - b. His DA Form 20 (Enlisted Qualification Record) shows in Block 3 (Date of Birth) [REDACTED] the contested DOB.
 - c. On 27 November 1964, he was honorably released from active duty. His DD Form 214 shows he completed 3 years of active service. It also shows in Block 6 (Date of Birth) [REDACTED]

5. By regulation 635-5 (Separation Documents), in effect at the time, states the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation. Source documents include the DA Form 20 (Enlisted Qualification Record), DA Form 24, DD Form 4, as well as orders. The date of birth to be shown on the DD Form 214 is taken from these source documents.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon all available military documents within the applicant's military record showing the contested date of birth and a lack of any explanation from the applicant on how the contested date of birth was improperly placed in the record initially, the Board concluded there was insufficient evidence of an error or injustice warranting a correction to the applicant's DOB.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:XXX	:XXX	:XXX	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

//SIGNED//

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.

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), in effect at the time, states the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation. Source documents include the DA Form 20 (Enlisted Qualification Record), DA Form 24, DD Form 4, as well as orders. The date of birth to be shown on the DD Form 214 is taken from these source documents.

//NOTHING FOLLOWS//