

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 1 April 2025

DOCKET NUMBER: AR20240008491

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show the correct year of birth of 1947 vice 1946.

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

- DD Form 149 (Application for Correction of Military Record)
- County of Contra Costa, Martinez, California – Certificate of Vital Records
- DD Form 214

FACTS:

1. The applicant did not file within the three-year time frame provided in Title 10, United States 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 date of birth is incorrect. He believes the Army National Guard (ARNG) used the wrong date of birth (DOB). He was told they would take care of it later, not to worry; however, the correction was never made.
3. The applicant provides his Certification of Vital Record confirming his year of birth as 1947, the requested correction.
4. A review of the applicant's service record shows:
  - a. He enlisted in the ARNG on 4 April 1964. His DD Form 4 (Enlistment Record) shows in Block 15 (Date of Birth), [REDACTED] the contested DOB.
  - b. He was honorably released from active duty training on 29 December 1964. His DD Form 214 shows he completed 4 months of active service. It also shows in Block 3b (Date of Birth) [REDACTED]

c. He enlisted in the Regular Army on 13 January 1965. His DD Form 4 shows in Block 15 the contested DOB, [REDACTED]

d. The available service record is consistent, including the applicant's DA Form 20 (Enlisted Qualification Record) showing his DOB as [REDACTED] the contested DOB.

e. He was honorably released from active duty on 14 January 1968. His DD Form 214 shows he completed 3 years of active service. It also shows in Block 9 (Date of Birth) the contested DOB, [REDACTED]

BOARD DISCUSSION:

After reviewing the application and all available documentation, the Board determined relief was not warranted. Based upon the available documentation showing the contested DOB being used throughout the period of military service and the contested DOB being on documents signed (authenticated) by the applicant, the Board concluded there was insufficient evidence of an error or injustice warranting a change to the applicant's military record.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

|      |      |      |                      |
|------|------|------|----------------------|
| :    | :    | :    | GRANT FULL RELIEF    |
| :    | :    | :    | GRANT PARTIAL RELIEF |
| :    | :    | :    | GRANT FORMAL HEARING |
| :XXX | :XXX | :XXX | DENY APPLICATION     |

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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

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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, United States 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.

//NOTHING FOLLOWS//