

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 May 2025

DOCKET NUMBER: AR20240011681

APPLICANT REQUESTS: correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to reflect:

- his requested date of birth (DOB) as shown on his DA Form 20 (Enlisted Qualification Record instead of his contested DOB
- his effective date of discharge as an unspecified day in June 1961 in lieu of 29 March 1961

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214

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:

a. He is trying to get a Department of Veterans Affairs (VA) identification card and needs to have his DD Form 214 amended to show his DOB as the requested DOB and his date of discharge as June 1961.

b. His discharge date was not 29 March 1961. He went on leave to attend his father's funeral at that time and his actual date of discharge was June 1961.

3. The applicant's request to correct his DOB will be addressed through an administrative correction without action by the Board.

4. The applicant's DA Form 47 (Record of Induction) shows he was inducted into the Army of the United States on 27 April 1959.

5. The applicant's DA Form 20 (Enlisted Qualification Record) as well as a DA Form 348 (Driver Qualification Record), 7 October 1959, both show the applicant's requested DOB.

6. A DA Form 481 (Military Leave Record), covering the period from 27 April 1959 through 29 March 1961, shows:

a. The applicant took the following leave:

- 15 days, from 2 July 1959 through 16 July 1959
- 26 days, from 11 October 1960 through 5 November 1960
- 9 days, from 10 March 1961 through 18 March 1961

b. Record Closing Data shows he had a balance of 8 days of leave as of the date of the form, for which a cash settlement was requested.

7. Headquarters, U.S. Army Engineer Center and Fort Belvoir Letter Order 3-63, 21 March 1961, released the applicant from active duty not by reason of physical disability and transferred him to the U.S. Army Reserve (USAR) effective 29 March 1961.

8. The applicant's DA Form 20 likewise shows he was released from active duty and transferred to the USAR on 29 March 1961, to complete his Reserve obligation.

9. The applicant's DD Form 214 shows:

- he was honorably released from active duty on 29 March 1961 and transferred to the USAR Control Group (Annual Training)
- he was credited with 1 year, 11 months, and 3 days of net active service this period
- his date of birth is reflected as the contested DOB
- a lump sum payment was made for 8 days of accrued leave

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 the available documentation showing the applicant's release date reflected on his DD Form 214 was consistent with multiple other documents in the applicant's record, the Board concluded there was insufficient evidence of an error or injustice warranting a change to the end date of the applicant's DD Form 214.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

1. 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.
2. Prior to closing the case, the Board did note the administrative note below from the analyst of record and recommended that change be completed to more accurately reflect the military service of the applicant.

//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.

ADMINISTRATIVE NOTE(S): administratively correct the applicant's DD Form 214 for the period ending 29 March 1961 to show the requested DOB listed on his DA Form 20.

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 Forms), in effect at the time, prescribes the separation documents that must be prepared for Soldiers upon retirement, discharge, or release from active duty service or control of the Active Army, to include the DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge).

a. The general instructions state all available records will be used as a basis for the preparation of the DD Form 214.

b. The specific instructions for preparation of the DD Form 214 state "self-explanatory" for item 6 (Effective Date). The next iteration of this regulation states to enter the date separation is accomplished.

//NOTHING FOLLOWS//