



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

[REDACTED]
Docket No: 304-17

AUG 18 2017

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

Subj: REVIEW OF NAVAL RECORD OF FORMER [REDACTED] USN,
[REDACTED]

Ref: (a) 10 U.S.C. 1552
(b) SECNAVINST 5420.193 Series

Encl: (1) DD Form 149
(2) Subject's naval record (NAVPERS 553)

1. Pursuant to the provisions of references (a) and (b), Petitioner, a former member of the Navy, filed enclosure (1) with this Board requesting a change to his naval record, specifically, to correct the record to reflect his correct date of birth (DOB). Enclosures (1) and (2) apply.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 1 May 2017, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

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.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to waive the statute of limitations and review the application on its merits.

c. Petitioner entered the Navy and began a period of active duty on 25 February 1943. On 2 January 1946, Petitioner was honorably discharged. In this regard, Petitioner was issued a Notice of Separation From U.S. Naval Service (NAVPERS-553) that reflects his date of birth as [REDACTED] Petitioner provided a certification of birth issued by the State of [REDACTED] documenting his date of birth as [REDACTED]

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[REDACTED]

d. The Board may consider applications for changes to a Petitioner's NAVPERS-553 to correct an error or remove an injustice. The Petitioner provided justification demonstrating that having the wrong DOB causes an injustice. In this regard, the change may allow Petitioner to have the correct DOB on his headstone in a military cemetery.

4. CONCLUSION. Upon review and consideration of all the evidence of record, the Board concluded that Petitioner's request warrants favorable action by correcting his DOB on his NAVPERS-553 from [REDACTED] to [REDACTED]. In this regard, Petitioner provided documentation issued by the State of Connecticut verifying his correct DOB.

5. RECOMMENDATION. In view of the above, the Board directs the following corrective action.

That Petitioner's naval record, specifically, Block 12 of the NAVPERS-553, be corrected to reflect the DOB of [REDACTED] instead of [REDACTED].

That no further changes be made to the record.

That a copy of this report of proceedings be filed in Petitioner's naval record.

That upon request, the Department of Veterans Affairs be informed that Petitioner's application was received in 11 January 2017.

6. 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.

[REDACTED]
Recorder

7. 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.

[REDACTED]
Executive Director