



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

██████████
Docket No: 6369-21
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER ██████████ ██████████
██████████ USN

Ref: (a) 10 U.S.C. § 1552

Encl: (1) DD Form 149 (NR20210006369)
(2) Case Summary

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the Navy, filed enclosure (1) with this Board requesting a change to his name on his discharge document from ██████████ to ██████████. Enclosures (1)-(2) and reference (a) apply.
2. The Board consisting of ██████████ reviewed Petitioner's allegations of error and injustice on 22 October 2021, and pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, 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 enlisted in the Navy and began a period of active duty on 8 July 1959. Petitioner served honorably until 18 December 1962, when he transferred to the Reserve.
 - d. Petitioner's served in the Navy under his then-legal name of ██████████. Petitioner's discharge document reflects the name ██████████.
 - e. In his application to the Board, Petitioner requests that his Certificate of Release or Discharge from Active Duty (DD Form 214) be corrected to change his name from ██████████.

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[REDACTED] USN

[REDACTED] to his now-legal name of [REDACTED]. Petitioner states that when the time comes, he intends to use the [REDACTED] in [REDACTED] and that he would like his correct name of [REDACTED] reflected in the cemetery records. Petitioner provides a copy of his Certificate of Birth, his passport, his Social Security card, and his [REDACTED] driver's license, all of which reflect the name [REDACTED] in support of his request.

f. On 21 September 2021, Navy Personnel Command denied Petitioner's request to change his name on his DD Form 214, citing BUPERSINST 1900.8 which provides that once a DD Form 214 has been issued, no copies or corrections may be made to the official signed DD Form 214.

CONCLUSION

The Board reviewed Petitioner's request in accordance with references (a) and in consideration of BUPERSINST 1900.8. The Board took particular note of Petitioner's personal statements in support of his request and his desire to ensure that cemetery records reflect his current legal name. The Board found that based on Petitioner's particular circumstance and in consideration of the legal documents provided in support of his application, Petitioner is entitled to an exception to policy. The Board found that as a matter of justice, Petitioner's name as reflected on his DD Form 214 should be changed to [REDACTED].

In this regard, the Board noted that normally a DD Form 215 would be issued to correct the record, however, the Board concluded that a new and updated DD Form 214 is warranted to eliminate potential confusion or further administrative burden to Petitioner with respect to his name as reflected in his service record.

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

RECOMMENDATION:

That Petitioner be issued a new DD Form 214 which reflects the name [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, along with the previously issued DD Form 214 which reflects the name [REDACTED] and the updated DD Form 214 which reflects the name [REDACTED].

4. 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.

5. 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

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corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

11/15/2021

[REDACTED]

Executive Director

[REDACTED]