



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

[REDACTED]
Docket No: 4103-22
Ref: Signature Date

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

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

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149
(2) Naval record (excerpts)

1. Pursuant to the provisions of reference (a) Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his Certificate of Release or Discharge from Active Duty (DD Form 214) reflect his current legal last name and social security number (SSN). Enclosures (1) and (2) applies.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 27 June 2022 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 Former Member'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 review the application on its merits.

c. Petitioner enlisted in the Navy and began a period of active duty on 5 August 1983. At the time of his enlistment, Petitioner received and signed an enlistment contract with his last name reflecting as [REDACTED], and SSN listed as [REDACTED].

d. Upon his discharge, Petitioner was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) with his last name reflecting as "[REDACTED]" and SSN listed as [REDACTED].

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e. On 17 August 1989, Petitioner was issued a Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215) with his last name reflecting as "[REDACTED]" and SSN listed as [REDACTED].

f. On 6 October 1994, Petitioner was issued a second DD Form 215 with his last name reflecting as "[REDACTED]" and SSN listed as [REDACTED].

g. Petitioner provided a copy of a SSN card with the number listed as [REDACTED] and his name reflecting as [REDACTED].

h. On 16 April 2022, Navy Personnel Command (PERS-31) disapproved the Petitioner's request for a SSN correction on his DD Form 214.

i. Petitioner contends that his service record incorrectly reflects his last name and SSN. Petitioner states that he is having difficulties trying to apply for VA Benefits, as they do not believe that he served. Petitioner claims that he enlisted in the Navy with the SSN that was given by his family. He later became aware that his actual SSN number was different than the number he previously provided to his recruiter. He did not seek to get this corrected before since he was told that the process was going to be difficult or merely impossible.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants partial favorable action. The Board notes the Petitioner provided sufficient legal evidence of his legal name and concludes that the DD Form 214 should be changed to reflect his legal last name of [REDACTED].

In regards to the Petitioner's request for a change to his SSN, the Board noted all documents in his record reflect the same SSN as listed on his DD Form 214. Further, the Board notes the Petitioner did not submit sufficient documentation from the Social Security Administration to support any changes to his SSN. Therefore, the Board determined insufficient evidence exists to support a change to his SSN in his record. The Board concluded that additional evidence, in the form of a substantiating letter from the Social Security Administration, is required to overcome the presumption of regularity that Petitioner's SSN is accurate.

RECOMMENDATION:

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

That Petitioner be issued a new DD form 214 reflecting his legal name as "[REDACTED] [REDACTED]" vice "[REDACTED] [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 and the corrected DD Form 214, which reflects Petitioner's

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name change.

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

7/15/2022

