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**UNITED STATES AIR FORCE
BOARD FOR CORRECTION OF MILITARY RECORDS**

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RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-01529

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COUNSEL: Work-Product

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HEARING REQUESTED: Work-...

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APPLICANT'S REQUEST

His DD Form 214, *Certificate of Release or Discharge from Active Duty*, be updated to reflect:

- a. His current legal name.
- b. His correct Date of Birth (DOB).

APPLICANT'S CONTENTIONS

He needs his records corrected to reflect what is on his birth certificate so that he can use his military benefits.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired Air Force senior master sergeant (E-8).

The applicant served in the Air Force from 8 Feb 60 to 31 Jan 83, under the name [REDACTED].

The applicant served in the Air Force from 8 Feb 60 to 31 Jan 83, with a DOB recorded differently than the DOB on his DD Form 214.

In 1943, the Department of Health Division of Vital Statistics issued the applicant's family a certified birth certificate, which indicates a different name and DOB from the name and DOB on the applicant's DD Form 214.

For more information, see the excerpt of the applicant's record at Exhibit B.

APPLICABLE AUTHORITY/GUIDANCE

Consistent with recommendations of the Air Staff and the Office of the Secretary of Defense Separations Standardization Working Group, the Board has established a precedent of granting requests for name changes on the DD Form 214 based on error under the following conditions: (1) the DD Form 214 was erroneous when issued; (2) the applicant provides adequate proof (True Copy Raised Seal, Notarized, or official digital document with electronic signature).

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AFI 36-2608, *Military Personnel Records System*, Table A7.5 (Correction to Date of Birth), Note 3, provides as follows: Do not correct records of former members unless evidence proves the date of birth used while serving with the Air Force was erroneously recorded. Required proof is an unaltered original document from the jurisdiction of the applicant's birth, showing the applicant's name and date of birth.

SAF/MR memorandum, *Guidance to the Air Force Board for Correction of Military Records*, dated 9 Mar 15, states that while the Board generally has the authority to correct an applicant's records to reflect a legal change to the applicant's name, it should exercise discretion in doing so. The DD Form 214 is primarily created for the benefit of the veteran to establish entitlements to various government programs, or in seeking employment with organizations that grant veteran's preferences. A DD Form 214 may constitute an injustice when the veteran asserts that presenting a DD Form 214 that lists the old name effectively requires a needlessly intrusive explanation of personal history. This type of injustice may arise in situations such as when the name change is transgender-related or associated with a divorce.

FINDINGS AND CONCLUSION

1. The application was not timely filed, but it is in the interest of justice to excuse the delay.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After thoroughly reviewing all Exhibits, the Board concludes the applicant is the victim of an error. Pending update of DoDI 1336.01, *Certificate of Release or Discharge from Active Duty (DD Form 214/5 Series)*, to allow administrative correction of the DD Form 214 without action of the Board, and based on recommendations from the Office of the Secretary of Defense Separations Standardization Working Group, the Board has established a precedent of granting requests for name changes on the DD Form 214 based on error under the following conditions: (1) the DD Form 214 was erroneous when issued; (2) the applicant provides adequate proof (True Copy Raised Seal, Notarized, or official digital document with electronic signature). The Board also finds the applicant's date of birth used while serving with the Air Force was erroneously recorded. In the present case, the Board finds the applicant has met the criteria noted above. Therefore, the Board recommends the applicant's records be corrected as indicated below.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show the DD Form 214, *Certificate of Release or Discharge from Active Duty*, issued in conjunction with the 31 Jan 83 discharge, be declared void; a new DD Form 214 be issued to reflect the current legal name in Block 1; and the correct DOB in block 5 and no entries be made on the reissued DD Form 214 indicating the name and DOB were changed or the DD Form 214 was administratively reissued.

CERTIFICATION

The following quorum of the Board, as defined in Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2022-01529 in Executive Session on 16 Mar 23:

Work-Product, Panel Chair
Work-Product Panel Member
Work-Product Panel Member

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All members voted to correct the record. The panel considered the following:

Exhibit A: Application, DD Form 149, w/atchs, dated 5 May 22

Exhibit B: Documentary Evidence, including relevant excerpts from official records.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

4/25/2023

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Board Operations Manager, AFBCMR

Signed by:

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