

## RECORD OF PROCEEDINGS

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2022-01618

XXXXXXXXXX

**COUNSEL:** NONE

XXXXXXXXXX

**HEARING REQUESTED:** NO

### APPLICANT'S REQUEST

1. The name on his DD Form 214, *Certificate of Release or Discharge from Active Duty*, be changed to reflect his current legal name.
2. The social security number (SSN) on his DD Form 214 be changed to reflect his current SSN.
3. His Primary Specialty Code 2S033, *Material Storage and Distribution Apprentice*, be changed to reflect "Journeyman" rather than "Apprentice." (**Pending Administrative Correction**)

### APPLICANT'S CONTENTIONS

He requests his record be changed to the correct spelling of his last name. The Air Force did not allow hyphens, apostrophes, or spaces in a member's name. Regarding his SSN, he desires this change due to SSN fraud. This change would allow him to regain full access to his Department of Veterans Affairs (DVA) benefits and health programs. The change will also enable the Department of Defense Manpower Data Center (DMDC) to fully update his information in the Defense Enrollment Eligibility Reporting System.

In support of his request, the applicant provides a letter from the Social Security Administration changing his SSN due to SSN fraud and his name change, new SSN card, and letters from DVA, Selective Service System and DMDC.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is an honorably discharged Air Force airman first class (E-3).

The applicant served in the Air Force from 7 September 1990 to 23 December 1993, under the name XXX. A review of his records indicate the SSN shown on his documents is inconsistent with the SSN reflected on his DD Form 214.

On 3 November 2022, the Air Force Personnel Center Military Classification office (AFPC/DP3DW) advised the applicant his DD Form 214, with a separation date of 23 December 1993, item 11, *Primary Specialty*, will be corrected to read "2S053, Materiel Storage & Distribution Journeyman, 3 years and 1 month."

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

## **APPLICABLE AUTHORITY/GUIDANCE**

Air Force policy does not authorize the correction of records of former airmen to show name changes occurring after discharge (AFI 36-2608, *Military Personnel Records System*, Table A7.3 [Name Changes]). In particular, if the name appearing on the DD Form 214 was correct at the time it was created, the AFI would not allow a correction, even to reflect a subsequent, legal name change. The past practice of the Board has been to follow the AFI in all cases except those where the applicant seeks to revert to either a maiden name or the name under which he or she entered service, or the Board finds a particular injustice that warrants an exception to policy, such as noted below in the SAF/MR memorandum.

AFI 36-2608, *Military Personnel Records System*, Table A7.1 (Correcting SSN in Records), provides as follows: Do not correct records of former Airmen unless evidence proves the SSN used while serving with the Air Force was incorrect or erroneously recorded. Required proof is an unaltered original document from the Social Security Administration, showing the applicant's name, the old or erroneous SSN, and the new or correct SSN.

## **APPLICABLE AUTHORITY/GUIDANCE**

SAF/MR memorandum, *Guidance to the Air Force Board for Correction of Military Records*, dated 9 March 2015, 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.

A complete copy of the SAF/MR memorandum is at Exhibit C.

## **APPLICANT'S REVIEW OF APPLICABLE AUTHORITY/GUIDANCE**

The Board sent a copy of the SAF/MR memorandum to the applicant on 24 October 2022, for comment (Exhibit D), but has received no response.

## **FINDINGS AND CONCLUSION**

1. The application was timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is the victim of an error or injustice. The Board finds a preponderance of the evidence substantiates the applicant's contentions in part. Specifically, the applicant has provided evidence from the Social Security Administration, which is sufficient to justify granting the applicant's request to change his SSN. However, for the remainder of the applicant's request, the evidence presented did not demonstrate an error or injustice, and the Board therefore finds no basis to recommend granting that portion of the applicant's request. The Board notes the applicant's last name is not misspelled; however, he would like a space included as reflected in other DoD agency systems. The Air Force Personnel Center has indicated since they will have to issue a new DD Form 214 for the SSN, they will attempt to add a space to his last name. However, the number of characters is limited in the name block and may prevent a space - if that is the case, they will

capitalize the XXX and XXX in his last name. Therefore, the Board recommends correcting the applicant's records 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 23 December 1993 discharge, be changed to reflect the correct SSN in Block 3.

However, regarding the remainder of the applicant's request, the Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the application will only be reconsidered upon receipt of relevant evidence not already considered by the Board.

## 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-2022-01618 in Executive Session on 17 August 2023:

, Panel Chair  
, Panel Member  
, Panel Member

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

Exhibit A: Application, DD Form 149, w/atchs, dated 22 April 2022.  
Exhibit B: Documentary Evidence, including relevant excerpts from official records.  
Exhibit C: Memorandum, SAF/MR, dated 9 March 2015.  
Exhibit D: Notification of Memorandum, SAF/MRBC to Applicant, dated 24 October 2022.

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.

X

---

Board Operations Manager, AFBCMR