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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-00027

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COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

The name on her DD Form 214, *Certificate of Release or Discharge from Active Duty*, be changed to reflect her current legal name.

APPLICANT'S CONTENTIONS

She legally changed her name shortly after separating from service. She would like her DD Form 214 updated to reflect the name she is recognized by and listed on employment applications.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired Air Force master sergeant (E-7).

The applicant served in the Air Force Reserve Delayed Entry/Enlistment Program from 22 August 1991 to 15 March 1992, under the name HCL.

The applicant served in the Regular Air Force from 16 March 1992 to 30 April 2012, under the names HCC, HCP, HCN, and HCU.

On 5 September 2017, the applicant obtained a court order to change her name to CCU.

On 4 December 2019, according to AF Form 281, *Notification of Change in Service Member's Official Records*, AFPC/DPMSSR (Automated Records Management System/Master Personnel Records) updated the applicant's military personnel record to reflect the name CCU.

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

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service, or the Board finds a particular injustice that warrants an exception to policy, such as noted below in the SAF/MR memorandum.

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 5 March 2024 for comment (Exhibit D) but has received no response.

FINDINGS AND CONCLUSION

1. The application was not timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After thoroughly reviewing all Exhibits, the Board concludes that the applicant is not the victim of an error or injustice. The Board finds the applicant has not established that presenting their DD Form 214 with the previous legal name effectively requires a needlessly intrusive explanation of personal history. Therefore, the Board recommends against correcting the applicant's records. The Board also notes the applicant did not file the application within three years of discovering the alleged error or injustice, as required by Title 10, United States Code, Section 1552, and Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records* (AFBCMR). The Board does not find it in the interest of justice to waive the three-year filing requirement and finds the application untimely.

RECOMMENDATION

The Board recommends informing the applicant the application was not timely filed; it would not be in the interest of justice to excuse the delay; and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

CERTIFICATION

The following quorum of the Board, as defined in DAFI 36-2603, paragraph 2.1, considered Docket Number BC-2024-00027 in Executive Session on 27 June 2024:

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

All members voted against correcting the record. The panel considered the following:

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- Exhibit A: Application, DD Form 149, w/atchs, dated 12 December 2023.
- 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 5 March 2024.

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.

11/15/2024

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Board Operations Manager, AFBCMR

Signed by: Work-Product

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