

## RECORD OF PROCEEDINGS

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2024-01065

XXXXXXXXXXXXXXXXXXXX

**COUNSEL:** NONE

(AKA) XXXXXXXXXXXXXXXX

**HEARING REQUESTED:** NO

### APPLICANT'S REQUEST

The name on his DD Forms 214, *Certificate of Release or Discharge from Active Duty*, be changed to reflect his birth name.

### APPLICANT'S CONTENTIONS

When he entered the Air Force he used a first name different than his birth name. Until now, it has not been an issue, but he needs his military records changed to match his birth certificate and the name on his social security record.

In support of his request, the applicant provides copies of his original birth certificate, social security card, United States passport, and driver's license.

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 Regular Air Force and Air Force Reserve from 1 November 1977 to 28 February 2003, under the name XXX and with a first name different than the name on his birth certificate. He was issued two DD Forms 214, one for each period of service.

On 7 September 19XX, the applicant was issued a certified birth certificate, which indicates a different name from the name on his 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).

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.

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 9 May 2024 for comment (Exhibit D) but has received no response.

## **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). 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 that:

a. The DD Form 214, *Certificate of Release or Discharge from Active Duty*, issued in conjunction with his 31 March 1996 discharge, be declared void; a new DD Form 214 be issued to reflect his birth name in Block 1; and no entries be made on the reissued DD Form 214 indicating the name was changed or the DD Form 214 was administratively reissued.

b. The DD Form 214, *Certificate of Release or Discharge from Active Duty*, issued in conjunction with his 28 February 2003 discharge, be declared void; a new DD Form 214 be issued to reflect his birth name in Block 1; and no entries be made on the reissued DD Form 214 indicating the name was 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-2024-01065 in Executive Session on 19 July 2024:

, 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 7 March 2024.  
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 9 May 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.

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Board Operations Manager, AFBCMR