

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2025-00246

XXXXXXXXXXXXXXXXXXXX

COUNSEL: NONE

(AKA) XXXXXXXXXXXXXXXXXXXX

HEARING REQUESTED: NO

APPLICANT'S REQUEST

1. The name on his DD Form 214, *Certificate of Release or Discharge from Active Duty*, issued on 20 Jun 92, be changed to reflect his current legal name.
2. Confirm his eligibility for the Persian Gulf War Ribbon [sic]. **(Failure to Exhaust – Referred to the Air Force Personnel Center/AFPC).**

APPLICANT'S CONTENTIONS

He legally changed his name. He served in the Persian Gulf War during Operations DESERT STORM/SHIELD, providing remote computer system support.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an honorably discharged Air Force staff sergeant (E-5).

The applicant served in the Regular Air Force from 26 Jan 83 to 20 Jun 92, under the name XXX.

On 20 Jun 92, the applicant was discharged from the Regular Air Force and transferred to the Air Force Reserve.

On 31 Dec 92, the applicant obtained a court order to change his name to XXX.

The applicant served in the Air Force Reserve from 21 Jun 92 to 20 Jun 95, under the names XXX and XXX.

On 26 Mar 25, the Board staff notified the applicant his request for the Persian Gulf War Ribbon [sic] was returned without action as he failed to indicate he exhausted other administrative avenues of relief prior to applying to the AFBCMR as required in accordance with Department of the Air Force (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. As a result, that portion of his request was referred to AFPC for consideration under Department of the Air Force Manual 36-2806, *Military Awards: Criteria and Procedures*.

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 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.

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.

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 Feb 25 for comment (Exhibit D) but has received no response.

FINDINGS AND CONCLUSION

1. The application was not timely filed. The Board notes the applicant did not file the application within three years of the alleged error or injustice, as required by Section 1552 of Title 10, United States Code, and DAFI 36-2603. While the applicant asserts a date of discovery within the three-year limit, the Board does not find the assertion supported by a preponderance of the evidence.
2. The applicant exhausted all available administrative remedies before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is not the victim of an error or injustice. The applicant failed to exhaust other administrative avenues of relief prior to seeking relief from the Board for a military award. Accordingly, that portion of the applicant's request was referred to AFPC for consideration. In addition, the Board finds the applicant has not established that presenting his 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.

RECOMMENDATION

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, 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-2025-00246 in Executive Session on 6 Nov 25:

, Panel Chair
, Panel Member
, Panel Member

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

Exhibit A: Application, DD Form 149, w/atchs, dated 9 Dec 24.

Exhibit B: Documentary Evidence, including relevant excerpts from official records.
Exhibit C: Memorandum, SAF/MR, dated 9 Mar 15.
Exhibit D: Notification of Memorandum, SAF/MRBC to Applicant, dated 5 Feb 25.

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