

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 8 May 2024

DOCKET NUMBER: AR20230011035

APPLICANT REQUESTS: on behalf of his father, a deceased former service member (FSM):

- correction of his Form 525 Adjutant General Office (AGO) (Honorable Discharge from the United States Army) to show his last name as C___fano instead of C___tian
- change the height recorded on the FSM's Form 525 AGO to show his height as 6 feet, 2 inches

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record), 7 August 2023
- Form 525 Adjutant General Office (Honorable Discharge from the United States Army), 9 May 1919
- Enlistment Record, 9 May 1919
- Birth Certificate, State of Missouri, dated 10 October 1919
- Certificate of Death, Missouri Division of Health, 11 September 1965
- Birth Certificate, Department of Health, State of Missouri, 10 October 1933
- Photographs
- Name placard

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.
2. The applicant states, in effect, the FSM last name should show C___fano instead of C___tian and his correct height should be listed as 6 feet and 2 inches.
3. He provides copies of:

- a. A Form Number 525 AGO, Dated 9 May 1919, shows the FSM's last name as C__tian and his height as 5 feet, 8 inches in height.
- b. An enlistment record showing the FSM signed this form with the last name of C__tian.
- c. A Certificate of Birth of the State of Missouri, dated October 1933, showing the applicant is the son of the FSM. The FSM's last name of C__tian has been crossed out to show C__fano.
- d. A Certificate of Death of the State of Missouri, dated September 1965, showing the FSM was deceased September 1965.
- e. A Certificate of Birth of the State of Missouri, with a date of filing of October 1933, showing the applicant's last name as C__fano.
- f. A folio of six color and black and white photographs of Soldiers and their names.

3. The applicant's complete military records are not available for review. A fire destroyed approximately 18 million service members' records at the National Personnel Records Center in 1973. It is believed that the applicant's records were lost or destroyed in that fire. However, there were sufficient documents remaining in a reconstructed record to conduct a fair and impartial review of this case. These records consist of pay records provided from a partial reconstructed record by the National Archives and Records Administration, and/or National Personnel Records Center, and separation documents provided by the applicant.

4. A review of the available records shows:

- a. All of the documents of the FSM's NARA records show his last name as C__tian, including:
 - War Department Form 871-A (Ledger Pay Record Allotments and Credits), dated 9 May 1919
 - War Department Form 871 (Final Payment Roll), dated 9 May 1919
- b. All the service records documents provided by the applicant shows the FSM's last name as C__tian.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. The Board determined the evidence presented does demonstrate the existence of a probable error or injustice. The former service member used the contested name during his entire period of service and the Board found no evidence of an error regarding his height. However, upon review of the applicant's petition and available military records, the Board determined there was an administrative error and the overall merits of this case are sufficient as a basis for correction of the records of the individual concerned. The Board denied correction the former servicemembers height but granted partial relief to correct the former SM's name change as shown on his certificate of live birth.

2. The Army has an interest in maintaining the integrity of its records for historical purposes. The information in those records must reflect the conditions and circumstances that existed at the time the records were created. In the absence of evidence that shows a material error or injustice, there is a reluctance to recommend that those records be changed.

3. The applicant of the former service member is advised that a copy of this decisional document, along with his application and the supporting evidence he provided, will be filed in his official military records. This should serve to clarify any questions or confusion regarding the difference in the height recorded in his military records and to satisfy his desire to have his height documented correctly in his military records.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
■	■	■	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending the former SM's Form 525 AGO to show his name as reflected on his certificate of live birth.

2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to correction of the height recorded on the former SM's Form 525 AGO to show his height as 6 feet, 2 inches

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.

2. Army Regulation 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. The ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

3. A Momograph on Military Personnel and Related Records of the War Department, 1912 to 1932, published by the Government Accounting Office, dated July 1966, provides a reference to service records used at the time of the FSM's service.

a. The descriptive list was the forerunner to the Service Record, which was adopted in March 1917, It was, in fact, commonly referred to as the "Old Service Record." It was a twelve-page pamphlet containing the complete military history of the enlisted man. An entire Descriptive List (Form Number 29, A.G.O.) was in use as of 1 November 1912, and this was also the form number of the first Service Record, edition of 22 March 1917.

(1) Page 1 of the Descriptive List showed the name, rank, and birth date, birthplace, and date of enlistment of the Soldier.

(2) Biographical data included race, hair color, color of eyes, height and weight, and was recorded at the time of enlistment.

4. Army Regulation 635-8 (Personnel Separations – Separation Processing and Documents), currently in effect, prescribes the transition processing function of the military personnel system. It supersedes and consolidates AR 635–5, AR 635–10, and DA Pam 600–8–11. This new regulation provides principles of support, standards of service, policies, tasks, rules, and steps governing required actions in the field to support processing personnel for separation and preparation of separation documents.

a. Paragraph 5-4 Source Documents.

(1) When separation is ordered, the separation approval documents must be present for transition processing to occur. Source documents, as listed in subparagraph b below, must be present in a Soldier's record in order to complete the DD Form 214. If approval documentation is not present in a Soldier's record, action will be coordinated with the necessary activity (personnel service division, Assistant Chief of Staff for Personnel, adjutant general, or chain of command) for proper source documents.

(2) Use the following documents when preparing a DD Form 214:

(a) Servicemember's record brief (computer generated).

(b) Separation approval documents, if applicable.

(c) Separation order.

(d) Any other document authorized for filing in the AMHRR.

b. In block 1 (Name), compare original enlistment contract or appointment order and review official record for possible name changes. If a name change has occurred list other names of record in block 18.

c. Height and weight are no longer recorded on the separation document.

//NOTHING FOLLOWS//