

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 November 2024

DOCKET NUMBER: AR20240003159

APPLICANT REQUESTS: in effect, correction of her DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 18 April 2003, to show her name as it is reflected on her Social Security Administration card dated 24 August 2009.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- Marriage License, 17 July 2009
- Driver License
- 3 Social Security Administration Cards

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, her first and middle names are transposed on her DD Form 214. In addition, she has remarried.
3. The applicant enlisted into the U.S. Army Reserve on 18 April 2000. Block 1 (NAME (Last, First, Middle)) of her DD Form 4 (Enlistment/Reenlistment Document - Armed Forces of the United States) lists the transposed contested names.
4. Her Official Military Personnel File (OMPF) contains a DD Form 214; however, it is illegible.
5. She enlisted in the Regular Army on 22 December 2000. Block 1 of her DD Form 4 lists the transposed contested names.
6. The applicant was honorably released from active duty on 18 April 2003, due to physical condition, not a disability. She was issued a DD Form 214 which lists the

transposed contested names, states she served in Southwest Asia from 8 September 2001 to 21 March 2002 (a period of 6 months and 14 days) and shows she was awarded or authorized the:

- National Defense Service Medal
- Army Lapel Button
- Armed Forces Expeditionary Medal
- Army Service Ribbon

however, block 12f (Foreign Service) does not list her years, months, and days of foreign service.

7. All documents in her OMPF show her first and middle names transposed, and the applicant signed her name in this manner.

8. The applicant provides a/an:

a. Social Security Administration card, undated, which lists her first and middle name as she requests.

b. Social Security Administration card, undated, which lists her first and middle name as she requests.

c. Marriage license issued 29 June 2009, which lists her name as she requests.

d. Social Security Administration card dated 24 August 2009, which lists her name as she requests.

e. Driver license issued 8 May 2023, which lists her name as she requests.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The evidence of record shows the applicant used the contested first and middle names during her entire period of service. Although the names appear transposed on her military records, there is no evidence she used the requested first and middle names during her military service. The Board agreed that there was insufficient evidence to change the first and middle names on the DD Form 214 because 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, unless there is sufficient evidence that shows a material error or injustice.

2. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

Except for the correction addressed in Administrative Note(s) below, the evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

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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.

ADMINISTRATIVE NOTE(S): correct her DD Form 214 for the period ending 18 April 2003, without action by the Board, by:

- adding to block 12f, "0000 06 14"; and
- adding to block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized) the Global War on Terrorism Service Medal (GWOTSM).

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 635-8 (Separation Processing and Documents), establishes the policies and provisions for the preparation and distribution of the DD Form 214. It states the DD Form 214 is a synopsis of the Soldier's most recent period of continuous active service. It provides a brief, clear-cut record of active Army service at the time of release from active duty, retirement, or discharge. For block 1, compare the 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 (Remarks).

3. Army Regulation 600-8-22 (Military Awards) prescribes Army policy, criteria, and administrative instructions concerning individual and unit military awards and states the GWOTSM is authorized for award to members of the Armed Forces of the United States who have participated in Global War on Terrorism operations outside of the areas of eligibility designated for award of the Global War on Terrorism Expeditionary Medal, Afghanistan Campaign Medal, or Iraq Campaign Medal. All Soldiers on active duty, including Reserve Component Soldiers mobilized or National Guard Soldiers activated, on or after 11 September 2001 to a date to be determined having served 30 consecutive days or 60 nonconsecutive days are authorized the GWOTSM. The GWOTSM may be awarded posthumously. Only one award of the GWOTSM may be authorized to any individual; second and subsequent awards will not be awarded.

4. Army Regulation 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR considers individual applications that are properly brought before it. The ABCMR will decide cases on the evidence of record. It is not an investigative body. 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.

//NOTHING FOLLOWS//