

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 November 2024

DOCKET NUMBER: AR20240005667

APPLICANT REQUESTS: a correction to his DD Form 214 (Certificate of Release or Discharge from Active Duty) to reflect his legal name change, "Wi__ Al__ Ch__." In addition, he would like, if possible, his military awards and decorations to reflect his new name as well.

APPLICANT'S SUPPORTING DOCUMENTS CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 (Certificate of Release or Discharge from Active Duty)
- Superior Court of Arizona in Maricopa County Order Changing Name of an Adult
- Identification and Social Security cards

FACTS:

1. The applicant states, in effect, he legally changed his name as part of his recovery and the major changes he overcame/experienced in his life after medically retiring from the Army.

2. The applicant provides:

a. DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects he was honorably retired on 16 July 2022 under the provisions of Army Regulation (AR) 635-40 (Physical Evaluation for Retention, Retirement, or Separation), chapter 4, disability (combat related), separation code SEA. He served 2 years, 2 months, 4 days net active service this period and 9 years, 2 months, and 29 days of total prior active service. Item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized):

Army Commendation Medal (4th
Award)
Army Achievement Medal (7th
Award)
Valorous Unit Award

Army Good Conduct Medal (3rd
Award)
National Defense Service Medal
Global War on Terrorism Service
Medal
Korea Defense Service Medal

Afghanistan Campaign Medal
w/Campaign Star
Noncommissioned Officer
Professional Development
Ribbon (2nd Award)
Army Service Ribbon

Overseas Service Ribbon
NATO Medal
Combat Medical Badge
Expert Marksmanship Badge
w/Carbine Bar

b. Superior Court of Arizona in Maricopa County Order Changing Name of an Adult, dated 28 November 2023, ordered and decreed the applicant's name changed to "Wi___ Al___ Ch___."

c. Identification and Social Security cards include the following:

- 1) Arizona Driver License, issued 8 December 2023, reflects his legal name change of "Wi___ Al___ Ch___."
- 2) Army Retired identification card, date issued unknown, reflects his legal name change of "Wi___ Al___ Ch___."
- 3) Social Security card, issued 5 December 2023, reflects his legal name change of "Wi___ Al___ Ch___."

3. A review of the applicant's service record shows:

a. He took the Oath of Office as a Regular Army Signal Corps Commissioned Officer on 13 May 2020 under the name "Ch___ Wi___ Ch___."

b. As previously stated in paragraph 3a, the applicant was honorably retired on 16 July 2022 under the provisions of AR 635-40, chapter 4, disability (combat related), separation code SEA. He served 2 years, 2 months, 4 days net active service this period and 9 years, 2 months, and 29 days of total prior active service.

4. The ABCMR has, in the past, denied similar applications on the basis that the DD Form 214 is a historical document that should reflect the record as it existed at the time the DD Form 214 was created. The underlying reasoning has been that a post-service name change does not retroactively create an error on the DD Form 214.

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 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. Upon review of the applicant's petition and available military records, the Board determined there is insufficient evidence to support the applicant's contentions for corrections of his military awards and decorations to reflect his new name as well. The Board found the evidence presented does not demonstrate the existence of a probable error or injustice. The applicant used the contested name during his entire period of service. The Board determined the overall merits of this case are insufficient as a basis for correction of the applicant's awards received during his period of active service. As such, the Board denied relief.

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. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction be 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 Board found 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.



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 NOTES

1. Reference the enclosed request for correction of military records from the subject individual to correct their DD Form 214 for the period ending 16 July 2022 to show their current legal name as shown in the court ordered name change.
2. A review of the following records (enclosed) is sufficient to substantiate correction of the applicant's DD Form 214 without Board action:
 - Superior Court of Arizona in Maricopa County -Changing Name of an Adult, dated November 29, 2023
 - Office of the Assistant Secretary of the Army (Manpower and Reserve Affairs) memorandum (Administrative Name Changes to DD Form 214 – Certificate of Release or Discharge from Active Duty – Initiative), 3 February 2022

REFERENCES:

1. Army Regulation 635-8 (Separation Processing and Documents), currently in effect, prescribes the transition processing function of the military personnel system, including preparation of the DD Form 214.

a. The DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge.

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

c. For block 18, in part, when a DD Form 214 is administratively issued or reissued, enter "DD FORM 214 ADMINISTRATIVELY ISSUED/REISSUED ON (date)." However, do not make this entry if the appellate authority, Executive Order, or Headquarters, Department of the Army, directs otherwise.

d. On direction of the ABCMR or Army Discharge Review Board, or in other instances when appropriate, the Deputy Assistant Secretary of the Army (Review Boards) (DASA (RB)), Army Review Boards Agency (ARBA), is authorized to issue or reissue DD Forms 214. Once a DD Form 214 has been issued, it will not be reissued except under specified circumstances including when it is determined that the original DD Form 214 cannot be properly corrected by issuance of a DD Form 215 (Correction to DD Form 214).

2. Army Regulation 600-8-22 (Decorations and Awards), paragraph 1-29 (Amendment of orders prescribe the following:

a. Commanders are authorized to correct minor errors (incorrect spelling of names, initials, social security numbers, erroneously numbered oak leaf clusters, and so forth) appearing on awards orders published by other commanders by issuing an amendment to the orders. Amendment of orders will be prepared according to AR 600-8-105, paragraph 2-23. Copies of such orders should be distributed as specified in that regulation.

b. When an error cannot be corrected by an amendment to the orders, it will be returned to the command which issued the erroneous order or, in the event that the command no longer exists, to Commander, AHRC, AHRC-PDO-PA, Alexandria, VA 22332-0471, for corrective action.

//NOTHING FOLLOWS//