

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 February 2025

DOCKET NUMBER: AR20240007015

APPLICANT REQUESTS: reconsideration of his prior request for correction of his DD Form 214 (Report of Separation from Active Duty) to show:

- his requested name in lieu of his contested name
- his requested Social Security Number (SSN) in lieu the contested SSN

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

- DD Form 149 (Application for Correction of Military Record)
- birth certificate
- Social Security Administration (SSA) Card
- driver's license
- DD Form 214 covering the period ending 14 October 1976

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the Army Board for Correction of Military Records (ABCMR) in Docket Number AR20150005779 on 12 January 2016.

2. The applicant states:

a. He is requesting correction of his DD Form 214 to show his requested name and his SSN.

b. While he was in Basic Combat Training (BCT), he advised the clerks that the information was inaccurate and requested that it be corrected; his request was ignored.

3. A DD Form 215, issued on 27 January 2016, corrected the applicant's DD Form 214 covering the period ending 14 October 1976, to show his requested SSN; therefore, the Board will not consider this portion of his request.

4. A DD Form 1966 (Application for Enlistment), completed by the applicant on 29 April 1976, shows he filled out the form by hand indicating in multiple sections of the form, to include the signature blocks, his name as the contested name.
5. Page 4 of the applicant's DD Form 4 (Enlistment/Reenlistment Document) shows he enlisted in the Regular Army on 12 July 1976, under the contested name, twice signing the document with the contested name as his signature.
6. The applicant's DA Form 2-1 (Personnel Qualification Record – Part II) shows the contested name.
7. The applicant's DD Form 214 shows he was honorably discharged on 14 October 1976, under the trainee discharge program; his contested name is listed.
8. There are no documents in the applicant's service records reflecting his name as requested. All available documents in the applicant's service records reflect his contested name.
9. The applicant provided copies of the following documents, which reflect his requested name:
 - his birth certificate
 - his driver's license
11. The applicant previously applied to the ABCMR in March 2015, requesting correction to his DD Form 214 to reflect his requested name and SSN.
12. On 12 January 2016, the Board determined the evidence presented was sufficient to warrant a recommendation for partial relief; as a result, the Board recommended correction of the applicant's records to reflect his requested SSN. However, the Board further determined that the evidence presented was insufficient to warrant the requested relief pertaining to changing his records to reflect his contested name.
13. On 13 January 2016, the applicant was advised via letter from the ABCMR that the Board granted him partial relief and provided him a copy of the Record of Proceedings. He was advised that the Army Review Boards Agency (ARBA) Case Management Division would take action to correct his records in accordance with the Record of Proceedings.
14. On 20 January 2016, the applicant was advised via letter from the ARBA that his records were corrected, a DD Form 215 (Correction to DD Form 214) was enclosed for his use, and a copy of the DD Form 215 was placed in his official military records.

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 found that the evidence provided does not substantiate a probable error or injustice. The applicant consistently used the contested name throughout the entirety of their military service. There is no evidence in the military record reflecting the requested name, nor any indication that a legal name change occurred during or prior to his period of service. Given these facts, the Board determined that the overall merits of the case were insufficient to justify a correction to the official records.

2. The Board acknowledged the submitted civilian documents such as a birth certificate and driver's license reflecting his requested name, these do not override the official documentation used during his enlistment and discharge. The Board previously granted partial relief in 2016 by recommending correction of the applicant's records to reflect his requested Social Security Number but found insufficient evidence to support a name change. As such, the Board determined that reversal of the previous Board decision is without merit and denied relief.

3. 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. The applicant 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 first name recorded in his military records and to satisfy his desire to have his legal name documented in his military records.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
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:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XXX	XXX	XXX	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

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 to amend the decision of the ABCMR set forth in Docket Number AR20150005779 on 12 January 2016.

X //SIGNED//

CHAIRPERSON

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:

Army Regulation 635-5 (Separation Documents), in effect at the time, prescribes policies and procedures regarding separation documents, including the standardized preparation of the DD Form 214 (Report of Separation from Active Duty). The general instructions stated all available records would be used as a basis for preparation of the DD Form 214. The general instructions stated all available records would be used as a basis for preparation of the DD Form 214. The specific instructions for item 1 (Last Name – First Name – Middle Name) stated to enter the last name, first name, and full middle name or names, if any.

//NOTHING FOLLOWS//