

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 June 2025

DOCKET NUMBER: AR20240010248

APPLICANT REQUESTS: correction of his DD Form 214 (Report of Separation from Active Duty) to show in item 1 (Last Name, First Name, Middle Name) his first name as [REDACTED]

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

- DD Form 149 (Application for Correction of Military Record)
- Social Security Card
- TX Driver License

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 his name was changed decades ago. His social security card, TX Driver License and the Department of Veterans Affairs (VA) records reflect the requested name. He also wants his headstone to reflect the correct name.
3. The applicant provides his social security card and TX Driver License which shows his first name as the requested name.
4. A review of the applicant's service record shows:
 - a. He commissioned in the U.S. Army Reserve (USAR) on 23 January 1969. His DA Form 71 (Oath of Office) list his first name as the contested name.
 - b. On 16 February 1969 he entered active duty.
 - c. On 24 January 1974, the applicant completed DD Form 398 (Statement of Personal History) and annotated the following:

- Item 1 (First, Middle, Maiden Name): his contested first name
- Item 3 (Alias): his requested first name as an alias

d. On 27 September 1975, he was honorably discharged from active duty. His DD Form 214 shows he completed 6 years, 7 months and 12 days of active-duty service. Item 1 lists the applicant's contested first name.

e. The applicant's contested first name is listed consistently throughout the service record.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that 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 reviewed the applicant's official military records, including the DD Form 398 completed on 23 January 1969. This form listed the requested name as an alias or change in name, and the applicant endorsed the document at the time of completion. The DD Form 398 provides contemporaneous evidence that the applicant identified and acknowledged the requested name during his period of service. The endorsement of the form by the applicant establishes that the name was recognized and documented in official records. The governing regulations permit correction of records when evidence demonstrates that an alias or alternate name was used and acknowledged during service. The DD Form 398 serves as sufficient substantiating documentation to support the applicant's request. Unlike cases where name changes occur post-service, this record confirms the requested name was contemporaneously recorded and endorsed. Therefore, the Board granted relief.

BOARD VOTE:

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

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending his DD Form 214, ending on 27 September 1975, to show in item 27 the first name [REDACTED]

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:

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), currently in effect, states 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. The information entered thereon reflects the conditions as they existed at the time of separation. Block 1 (Name) states 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 (Remarks).

//NOTHING FOLLOWS//