



**DEPARTMENT OF THE NAVY**  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

█  
Docket No. 8613-22  
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER █, █,  
USN, XXX-XX-█ [PRESENTLY █]

Ref: (a) 10 U.S.C. §1552  
(b) OSD/DOD Name Change Provisions/Guidance

Encl: (1) DD Form 149 with attachments  
(2) Case Summary

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that her naval record be corrected to reflect a name change.

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 30 January 2023 and, pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits.

c. Petitioner enlisted in the Navy and began a period of active duty on 14 February 1961. At the time of his enlistment, Petitioner received and signed an enlistment contract with name listed as █

d. On 29 April 1963, Petitioner was discharged with an Honorable discharge characterization of service. At the time of his discharge, Petitioner received an Armed Forces of the United States Report of Transfer or Discharge (DD Form 214) with name listed as █

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED],  
USN, XXX-XX-[REDACTED] [PRESENTLY [REDACTED]]

e. On 30 April 1963, Petitioner reenlisted in the Navy and began a second period of active duty. At the time of his enlistment, Petitioner received and signed an enlistment contract with name listed as [REDACTED]

f. On 27 October 1965, Petitioner was discharged with an Honorable discharge characterization of service. At the time of his discharge, Petitioner received an Armed Forces of the United States Report of Transfer or Discharge (DD Form 214) with name listed as [REDACTED]

g. On 16 July 2001, Petitioner received a court order from the Commonwealth of Massachusetts authorizing a name change from [REDACTED] to [REDACTED]

h. On 24 March 2005, Petitioner received a letter from a gender assignment provider certifying gender reassigned surgery from “male” to “female.”

i. On 7 April 2005, Petitioner received a certificate of birth from the Commonwealth of Massachusetts with name listed as [REDACTED] and gender listed as “female.”

j. Based on the guidance reflected in reference (b), from the Office of the Secretary of Defense (OSD) and Department of Defense (DOD), former military personnel who have legally changed their name and sex, or are the subject of gender reassignment, may have their DD Form 214 changed to accurately reflect their present name and sex/gender. In this regard, the change may allow them to obtain various benefits, services, employment, etc., without being subject to otherwise invasive questions. However, the provisions/guidance only apply to the service-member’s DD Form 214, and as such, no further changes will be made to the record.

k. Petitioner contends she changed her legal name in July, 2001 to align her name with her gender identity. Petitioner also changed her legal sex/gender from “male” to “female” in March, 2005 to align her gender marker with her name and presentation. All the information on her DD Form 214 creates questions and requires revelation of her transgender status whenever she request employment or services.

#### CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes Petitioner’s request warrants favorable action.

The Board noted Petitioner has provided legal evidence supporting her request. The Board found the legal actions taken by civilian authorities to change Petitioner’s name to align with her gender identity, along with the provisions/guidance of reference (b), support a change to Petitioner’s DD Form 214s.

In this regard, the Board noted that normally a DD Form 215 would be issued to correct the record, however, the Board concluded a new and updated DD Form 214s are warranted to eliminate the possibility of invasive questions. The Board further concluded that no other

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED],  
USN, XXX-XX-[REDACTED] [PRESENTLY [REDACTED]]

changes should be made to Petitioner's record, and that both the previously issued DD Form 214s bearing the name [REDACTED] and the new DD Form 214s bearing the name [REDACTED] should remain in the record for historical purposes. In accordance with the foregoing, the Board concluded the DD Form 214s should be corrected to reflect Petitioner's legal name and that Petitioner be issued updated DD Form 214s.

RECOMMENDATION:

In view of the above, the Board directs the following corrective action.

Petitioner's naval record, specifically, Block 1 of the DD Form 214s, for the periods ending on 29 April 1963 and 27 October 1965, be corrected to reflect the name [REDACTED] instead of [REDACTED]

That Petitioner be issued two discharge certificates reflecting the name of [REDACTED] instead of [REDACTED]

That no further changes be made to the record.

That a copy of this report of proceedings be filed in Petitioner's naval record, along with the previously issued DD Form 214s which reflects the name [REDACTED] and the updated DD Form 214s which reflects the name [REDACTED]

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.
5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

2/16/2023

[REDACTED]

Executive Director

Signed by: [REDACTED]