

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2021-03244

XXXXXXXXXX

COUNSEL: NONE

(AKA) XXXXXXXXXXXX

HEARING REQUESTED: NO

APPLICANT'S REQUEST

The name on her DD Form 214, *Certificate of Release or Discharge from Active Duty*, be changed to reflect her current legal name.

APPLICANT'S CONTENTIONS

She divorced and reverted to her maiden name.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired Air Force master sergeant (E-7).

The applicant served in the Air Force from 18 Feb 87 to 28 Feb 09, under the names KEK and KEL.

On 6 May 21, pursuant to divorce, the applicant obtained a court order to change her name to KEK.

For more information, see the excerpt of the applicant's record at Exhibit B.

APPLICABLE AUTHORITY/GUIDANCE

Consistent with recommendations of the Air Staff and the Office of the Secretary of Defense Separations Standardization Working Group, the Board has established a precedent of granting requests for post-service name changes under the following conditions: (1) the applicant's name was changed as part of a transgender transition or the applicant is seeking to revert to a maiden name or the name under which he or she entered service; and (2) the change is supported by a court order, a divorce decree, or birth certificate (True Copy Raised Seal, Notarized, or official digital document with electronic signature); (3) the change is made only to the DD Form 214; and (4) the Board has not already granted a name change for the applicant.

SAF/MR memorandum, *Guidance to the Air Force Board for Correction of Military Records*, dated 9 March 2015, states that while the Board generally has the authority to correct an applicant's records to reflect a legal change to the applicant's name, it should exercise discretion in doing so. The DD Form 214 is primarily created for the benefit of the veteran to establish entitlements to various government programs, or in seeking employment with organizations that grant veteran's preferences. A DD Form 214 may constitute an injustice when the veteran asserts that presenting a DD Form 214 that lists the old name effectively requires a needlessly intrusive explanation of personal history. This type of injustice may arise in situations such as when the name change is transgender-related or associated with a divorce.

A complete copy of the SAF/MR memorandum is at Exhibit C.

FINDINGS AND CONCLUSION

1. The application was timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes that the applicant is the victim of an injustice. The Board finds the applicant has established that presenting their DD Form 214 with the previous legal name effectively requires a needlessly intrusive explanation of personal history. Therefore, the Board recommends correcting the applicant's record as indicated below.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show that the DD Form 214, *Certificate of Release or Discharge from Active Duty*, issued in conjunction with the 28 Feb 09 discharge, be declared void; a new DD Form 214 be issued to reflect the current legal name in Block 1; and no entries be made on the reissued DD Form 214 indicating the name was changed or the DD Form 214 was administratively reissued.

CERTIFICATION

The following quorum of the Board, as defined in Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2021-03244 in Executive Session on 19 May 22:

, Panel Chair
, Panel Member
, Panel Member

All members voted to correct the record. The panel considered the following:

The panel considered the following:

Exhibit A: Application, DD Form 149, w/atchs, dated 2 Sep 21.
Exhibit B: Documentary Evidence, including relevant excerpts from official records.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

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