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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-00753

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COUNSEL: Work-Product

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HEARING REQUESTED: NO

APPLICANT'S REQUEST

The first name and pronouns on promotion records, awards, and decorations. be changed to reflect the applicant's current legal name.

APPLICANT'S CONTENTIONS

The corrections should be made to preserve the safety and privacy of the applicant by mitigating risk of private medical information being exposed during records reviews. The way the records currently read puts the applicant at risk of conscious or unconscious bias as a transgender service member. Updating the applicant's records to reflect the applicant's new legal name and gender will increase the applicant's trust in the system, personal pride and morale in military service.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a currently serving Air Force technical sergeant (E-6).

On 15 Mar 21, the applicant obtained a court order to change her name to LRK.

On 13 Jun 23, the applicant was issued a birth certificate in the name LRK.

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

AIR FORCE EVALUATION

SAF/MR memorandum, *Guidance Regarding Name Changes on Official Military Personnel Records*, dated 25 Oct 19, states the DD Form 214, unlike other military personnel records, is designed for a post-service audience and is used throughout an applicant's lifetime to provide proof of service. However, all other military personnel records are created for the benefit of the Department of Defense and the historical integrity of the record requires that the name not be altered if it reflected the legal name at the time the record was created. Further, minus an extreme circumstance that results in an actual (not perceived) injustice corrections to records are clearly not needed as the Air Force promotion boards provide a fair performance based outcome for all Airmen and are within a strictly governed system with numerous checks and balances and that a change in gender will not affect the veracity of the system. When an extreme circumstance arises that results in an actual (not perceived) injustice and corrections to records are clearly needed to

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cure the injustice, a panel should carefully determine what specific records require correction in order to remedy the determined injustice.

This memorandum is advisory only and is not intended to predetermine outcomes or otherwise restrict the AFBCMR's statutory authority under 10 U.S.C. §1552, where there is error or injustice.

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

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the SAF/MR memorandum to the applicant on 28 Mar 24, for comment (Exhibit D), but has received no response.

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 the applicant is not the victim of an error or injustice. The Board finds the applicant has not established that the applicant's historical military record with the previous legal name/gender effectively requires a needlessly intrusive explanation of personal history or results in an actual, not perceived, injustice. Furthermore, the Board notes the Air Force promotion system is strictly governed and a model for fairness with numerous checks and balances, to include oversight by the Secretary of the Air Force. Therefore, the Board recommends against correcting the applicant's records.

RECOMMENDATION

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

CERTIFICATION

The following quorum of the Board, as defined in Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2024-00753 in Executive Session on 9 Jul 24:

Work-Product Panel Chair

Work-Product Panel Member

Work-Product Panel Member

All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, dated 2 Oct 23.
- Exhibit B: Documentary Evidence, including relevant excerpts from official records.
- Exhibit C: Memorandum, SAF/MR, dated 25 Oct 19.
- Exhibit D: Notification of Memorandum, SAF/MRBC to Applicant, dated 28 Mar 24.

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Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

9/30/2024

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Board Operations Manager, AFBCMR

Signed by: Work-Product