



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

[REDACTED]  
Docket No. 8270-17

DEC 04 2018

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

Subj: REVIEW NAVAL RECORD OF [REDACTED] USN, [REDACTED]

Ref: (a) Title 10 U.S.C. §1552  
(b) 10 U.S.C. §654 (repealed)  
(c) UNSECDEF memo of 20 Sep 11 (Correction of military records following repeal of 10 U.S.C. §654)

Encl: (1) DD Form 149 with attachments  
(2) Case summary  
(3) Subject's naval record (excerpts)

1. Pursuant to the provisions of references (a) and (b), Petitioner, a former member of the Navy, filed enclosure (1) with this Board requesting a change to Petitioner's naval record, specifically, to change her name. Enclosures (1) through (3) apply.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 6 November 2017 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. 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 waive the statute limitation and review the application on its merits.

c. Petitioner enlisted in the Navy and began a period of active duty on 16 January 1986 until honorably released from active duty on 18 January 1990, at the expiration of active obligated service.

d. At the time of Petitioner's release from active duty, a Certificate of Release or Discharge from Active Duty (DD Form 214) was issued which reflects her former name as [REDACTED]

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CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of references (b) and (c), the Board concludes that Petitioner's request warrants relief. The Board notes that Petitioner has provided legal evidence (i.e., a name change court order, gender change procedure medical confirmation letter, driver's license, and US passport) to support her request, and as such, her record should be corrected to reflect the complete and correct spelling of her new name. The Board concluded that issuing a new DD Form 214 will allow the Petitioner to continue to be entitled to various benefits, services, and employment without being subject to otherwise invasive questions about personal matters.

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

RECOMMENDATION:

That Petitioner's naval record, specifically, Block 1 of the DD Form 214, be corrected to reflect the name [REDACTED] instead of [REDACTED]

That Petitioner be issued a new Certificate of Release or Discharge from Active duty (DD Form 214) which reflects the Petitioner's current name.

That no further changes be made to the record.

That a copy of this report of proceedings be filed in Petitioner's naval record.

That upon request, the Department of Veterans Affairs be informed that Petitioner's application was received on 22 September 2017.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)), 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.

[REDACTED]  
Recorder

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 Regulations, 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.

[REDACTED]  
Executive Director