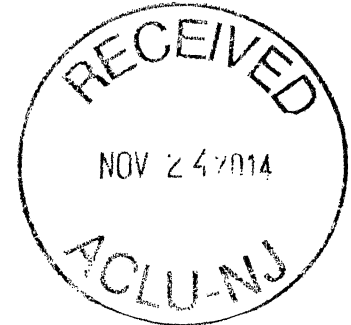




DEPARTMENT OF THE ARMY
ARMY REVIEW BOARDS AGENCY
251 18TH STREET SOUTH, SUITE 385
ARLINGTON, VA 22202-3531

November 12, 2014

[REDACTED]



Mr. [REDACTED]
C/O Ms Jeanne LoCicero
American Civil Liberties Union of New Jersey
PO Box 32159
Newark, NJ 07102


Dear Mr. [REDACTED]:

The Army Board for Correction of Military Records rendered a decision on your application to correct your military records. Although the Board recommended denying relief, the approving authority, the Deputy Assistant Secretary (Army Review Boards), granted full relief.

The Board considered your application under procedures established by the Secretary of the Army. I have enclosed a copy of the Board's Record of Proceedings and the memorandum granting relief. This memorandum explains the reasons for granting your application contrary to the recommendation of the Board.

The approved Record of Proceedings has been forwarded to the Army Review Boards Agency Case Management Division. They will take action to correct your records and will provide you with official notification as soon as the directed correction has been made. However, due to the large number of cases in process, please be advised that it may be several months before corrections are completed.

Sincerely,


Francine C. Blackmon
Deputy Assistant Secretary
(Army Review Boards)

Enclosure



DEPARTMENT OF THE ARMY
ARMY REVIEW BOARDS AGENCY
251 18TH STREET, SUITE 385
ARLINGTON, VA 22202-3531

SAMR-RB

20 November 2014

MEMORANDUM FOR US ARMY REVIEW BOARDS AGENCY, CASE MANAGEMENT DIVISION, 251 18TH STREET SOUTH, SUITE 385, ARLINGTON, VA 22202-3531

SUBJECT: Army Board for Correction of Military Records (ABCMR) Record of Proceedings for [REDACTED]

1. Reference the attached ABCMR Record of Proceedings, dated 6 November 2014, in which the Board unanimously recommended denying relief contrary to the staff's recommendation. After reviewing the case, I respectfully disagree with the Board's recommendation to deny relief.
2. The applicant has requested correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending [REDACTED] to conform to a court-ordered name change. The evidence shows that, after a military career as a female, he obtained a court-ordered name change and a birth certificate with his new name and his sex shown as male.
3. The Board's staff recommended granting relief, arguing that the applicant's counsel had provided a compelling description of the unique circumstances of transgender individuals and how a DD Form 214 bearing a former name associated with a different gender may prevent or delay receipt of benefits earned through military service. The ABCMR, however, unanimously recommended denying relief on the basis that the evidence presented does not demonstrate the existence of a probable error or injustice warranting correction of the applicant's record.
4. I have carefully considered the Board's reason for dissent; however, I agree that counsel's argument in this case supports the applicant's request.
5. Under the authority of Title 10, United States Code, section 1552, I grant relief. I direct correction of the applicant's records by issuing him a new DD Form 214 for the period ending [REDACTED] with the name shown in the subject line, above. No entries should be made in block 18 (Remarks) of the reissued DD Form 214 listing his previous name or indicating that the DD Form 214 was administratively reissued.
6. Request necessary administrative action be taken to effect the correction of records as indicated no later than **12 March 2015**. Further, request that the individual

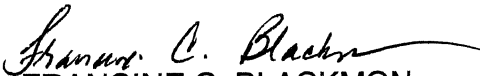
SAMR-RB

SUBJECT: ABCMR Record of Proceedings for [REDACTED]
[REDACTED]

concerned and counsel, if any, as well as any Members of Congress who have shown interest be advised of the correction and that the ABCMR be furnished a copy of the correspondence.

BY ORDER OF THE SECRETARY OF THE ARMY:

Encl


FRANCINE C. BLACKMON
Deputy Assistant Secretary
(Army Review Boards)

CF:
 OMPF