



**The Veterans
Consortium**

PRO BONO PROGRAM[®]

**Supplemental
Information
for
Navigating
a U.S. Military
Discharge
Upgrade**



**The Veterans
Consortium**

PRO BONO PROGRAM[®]

Navigating Upgrades by Branch

Pages 3-5

Supplemental Guides

Navigating Back-to-Back and Conditional Discharges

- Guide provided by Swords to Plowshares

"Band-Aids Don't Fix Bullet Holes..."

- Character of Discharge Review provided by the Syracuse Law Review

Memos Referenced in the Upgrades Presentation

- Stanley Memo
- Wilkie Memo
- Kurta Memo
- And more!

Discharge Review Board Information

U.S. Army

- [Army Discharge Review Board](#)

U.S. Navy & U.S. Marine Corps

- [Naval Review Board](#)

U.S. Air Force

- [Air Force Discharge Review Board](#)

U.S. Coast Guard

- [Coast Guard Discharge Review Board](#)

Board for Correction of Military/Naval Records (BCM/NR)

Applying to the Board for Correction of Military Records (BCMR):

- Use DD Form 149 and mail to the appropriate address for your branch of service (listed on form DD 149)

U.S. Army

- Army Board for Correction of Military Records
- Can also apply to Army BCMR online

U.S. Navy and U.S. Marine Corps

- Board for Correction of Naval Records

U.S. Air Force and U.S. Space Force

- Air Force Board for Correction of Military Records
 - Recently updated website and portal for submissions and status requests

U.S. Coast Guard

- BCMR but part of Homeland Security)



**The Veterans
Consortium**

PRO BONO PROGRAM[®]

Statutory and Regulatory Bars to Benefits

Pages 7-8

38 C.F.R. § 3.354

Insanity Exception (38 C.F.R. § 3.354)

- If the service member can show that they were insane at the time, this bar may be waived.

§ 3.354 Determinations of insanity.

(a) Definition of insanity:

- An insane person is one who, while not mentally defective or constitutionally psychopathic, except when a psychosis has been engrafted upon such basic condition, exhibits, due to disease, a more or less prolonged deviation from his normal method of behavior; or who interferes with the peace of society; or who has so departed (become antisocial) from the accepted standards of the community to which by birth and education he belongs as to lack the adaptability to make further adjustment to the social customs of the community in which he resides.

38 C.F.R. § 3.354 (Cont.)

Insanity Exception (38 C.F.R. § 3.354)

- If the service member can show that they were insane at the time, this bar may be waived.

§ 3.354 Determinations of insanity.

(b) Insanity causing discharge:

When a rating agency is concerned with determining whether **a veteran** was insane at the time he committed an offense leading to his court-martial, discharge or **resignation (38 U.S.C. 5303(b))**, it will base its decision on all the evidence procurable relating to the period involved, and apply the definition in **paragraph (a) of this section.**

[26 FR 1589, Feb. 24, 1961]



**The Veterans
Consortium**

PRO BONO PROGRAM[®]

**2022
Streamlined
Transgender
Service Members
Name Change
Request Process
By Branch**

Pages 10-15

What to Know Before You Apply for a Name Change

Please read the following carefully:

- The new process is only for **court-ordered** name changes.
 - Other requests for corrections to the DD-214 must still **undergo the full process of the service's board for corrections** of military records.
- ALL requests for an updated DD-214 **must include** a copy of a valid court order.
- Veterans should **submit their request to their respective military service branch.**

Sample Language for Name Change - DD 149

“Since separating from the Navy, I have legally changed my name and gender.

I am requesting that the name in Block 1 on my DD214 be changed from Jane Smith to Jack Smith to conform to the enclosed judicial order.

I request that a new DD214, not a DD215, be issued with my legal name in order to avoid invasive questions regarding the correction to my military record.

In addition, I request that the name I served under is not stated in the Remarks section of my newly issued DD214 as that would defeat the result, I seek from obtaining a new DD214 and allow the injustice to continue namely, that I will have consistent identifying documentation and am not outed as transgender whenever I share a copy of my DD214 with employers and service-providers.”

Credit: Swords to Plowshares June 10, 2020
CALTAP LGBTQ Informational Webinar

U.S. Army Transgender Name Change Process

Name Change Request Process:

- The new process is only for **court-ordered** name changes.
- ALL requests for an updated DD-214 **must include** a copy of a valid court order.

U.S. Army:

E-mail requests should be sent to the following address:

usarmy.knox.hrc.mbx.tagd-ask-hrc@army.mil

Requests by U.S. Postal Mail should be addressed and sent to:

Commander, U.S. Army Human Resource

Command Human Resources
Service Center (AHRC-PDR-V)
1600 Spearhead Division Avenue,
Department 420
Fort Knox, KY 40122-5402

U.S. Navy Transgender Name Change Process

U.S. Navy:

The Navy specifically requests the following information to be included with requests for an updated DD-214:

- Applicant's full name, rank, and rate
- Social Security Number
- Periods of service
- Current mailing address
- Applicants must also send a copy of their DD-149 to the Board for Correction of Naval Records

How to Send Your Request:

- **By E-mail (preferred):**
BCNRApplication@us.navy.mil
- **By Postal Mail:**
701 S. Courthouse Road
Building 12, Suite 1001
Arlington, VA 22204-2490

U.S. Marine Corps Transgender Name Change Process

U.S. Marine Corps requests can be sent in by:

Email

- E-mail submissions preferred.
- smb.manpower.mmrp-10@usmc.mil

U.S. Postal Mail

Headquarters, U.S. Marine Corps (MMRP-10)
2008 Elliot Road
Quantico, VA 22134

Questions?

Point of Contact Number: 1-800-268-3710

U.S. Air Force & U.S. Space Force Transgender Name Change Process

U.S. Air Force and Space Force name changes will likely be denied for the foreseeable future, due to this branch's alignment with **Executive Order** banning transgender servicemembers.

Possible strategy to wait to submit new applications until ongoing cases are resolved:

- Talbott v. USA, filed by GLAD Law and NCLR
- Ireland v. Hegseth, filed by GLAD Law and NCLR
- Shilling v. Trump, filed by Lambda Legal and the Human Rights Campaign

The latest (as of 5/6/25):

The Supreme Court of the United States granted the Trump Administration's request to stay the preliminary injunction that blocked enforcement of the executive order. This order lifts the nationwide injunction, allowing the military ban to go into effect