

**Congress of the United States**  
**Washington, DC 20515**

June 14, 2021

The Honorable Lloyd J. Austin III  
Secretary of Defense  
1000 Defense Pentagon  
Washington, DC 20301

Dear Secretary Austin,

Thank you for your support for transgender Americans who want to wear their country's uniform and the expeditious implementation of policies to allow military service in one's preferred gender. Like you and President Biden, we believe this is the just and right thing to do that will not only strengthen our military but display our national commitment to inclusivity and respect. In addition to those transgender servicemembers who are serving and will serve under these improved policies, we cannot forget about the service of transgender veterans who have served honorably and ask that they be afforded the recognition and respect they deserve.

Many veterans who transition after leaving service are subject to potential harm when the name on their Department of Defense Form 214 (DD-214) does not match their current legal name. For example, this may lead to a demoralizing experience, or open the door to discrimination, if a veteran is put in the position of explaining to a potential new employer why the name on their military records is not aligned with their current name and gender. For these reasons and others, many transgender veterans wish to have their DD-214 updated to their current and correct legal name.

The military services' agencies that review and correct military records have taken different approaches to name-change requests by transgender veterans. While all services generally agree that an incorrect name on a veteran's DD-214 resulting from gender transition represents an injustice that should be corrected, some have expedited procedures for such corrections and others do not. Such changes average 140 days from request to completion in the Board of Corrections of Naval records but currently average 18 months at the Army Review Board Agency. The Army's goal is to get to an average of 10 months, but that is still simply too long for such a routine action, especially when other government agencies are able to update records in weeks, using simple and streamlined processes with clear documentation requirements. An applicant can expect their name to be changed in Social Security Administration records within 2–4 weeks<sup>1</sup>—why should it take 10 months to correct a name on a DD-214 for a recently discharged veteran whose records are digitized?

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<sup>1</sup> "How long will it take to get a Social Security card?" Frequently Asked Questions, Social Security Administration, Dec. 16, 2020, <https://faq.ssa.gov/en-us/Topic/article/KA-02196>.

While we understand and appreciate the necessity of board consideration in the majority of records correction requests to ensure there is, in fact, an injustice to be corrected, in cases like these it is obvious and appears *de facto* presumed for the entire class of applicants for correction. The Air Force and Department of the Navy recognize that such changes can be routinized and do so by not requiring advisory opinions, which saves 1–2 months, but more can be done to expedite these change requests. The Army has a process for certain error corrections, such as awards, that allows for expedited correction by a staff director at the Army Review Board Agency without additional consideration by the full Board panel. This expedited process is considerably faster, and it could serve as a model for name changes for transgender veterans when appropriate documents accompany the request.

We urge you to work with the service secretaries to develop a process for name change requests for transgender veterans that can complete such corrections within 90 days if the veteran’s records are digitally available—allowing more time where hardcopy records must be requested. These straightforward cases should not carry the administrative burden of full board consideration and associated lengthy timeline. We owe it to veterans not to drag out injustice.

Would you please reply to this letter indicating the feasibility of implementing the requested change and over what timeline, and whether or not the Department needs additional statutory authority to expedite name-change requests for transgender veterans? Thank you for your attention on this important issue and your concern for our transgender veterans.

Sincerely,



Jackie Speier  
Member of Congress



Kirsten Gillibrand  
United States Senator