

SENATE RESOLUTION No. 26

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JANUARY 30, 2020

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

SYNOPSIS

Memorializes Department of Defense to authorize changes on certain military service forms of veterans who are transgender.

CURRENT VERSION OF TEXT

As introduced.



1 **A SENATE RESOLUTION** memorializing the Department of Defense
2 to authorize changes on certain military service forms.
3
4 **WHEREAS,** The DD Form 214, Certificate of Release or Discharge
5 from Active Duty (DD Form 214) is issued by the United States
6 Department of Defense (DOD) to a service member upon
7 retirement, separation, or discharge from active duty from all
8 branches of the United States military; the form represents a
9 verified record of active military service, awards, and medals; and
10 **WHEREAS,** The policy of DOD is not to change the DD Form 214 to
11 reflect a gender change made by a veteran after military service
12 since DOD considers the form a historical document which records
13 facts during military service; and
14 **WHEREAS,** Military veterans who are transgender have honorably
15 served their country, and yet they often encounter substantial
16 burdens in obtaining post-service benefits because the names and
17 genders recorded on these military service forms no longer match
18 their current names and genders following their military service;
19 and
20 **WHEREAS,** The DD Form 214 is commonly required to be submitted
21 to federal agencies in order for a veteran to receive benefits, and a
22 veteran who is transgender may be uncomfortable explaining a
23 gender and name change so that the veteran may have difficulty or
24 even forego seeking veterans' employment preference benefits, as
25 well as medical, dependent, funeral, and other veterans' benefits;
26 and, if transgender status is shared, the veteran may experience
27 discrimination based on that status; and
28 **WHEREAS,** Veterans who are transgender may be denied their benefits
29 altogether if there are discrepancies between their current
30 documents, which reflect their current names and genders, and the
31 information shown on their DD Form 214; and
32 **WHEREAS,** According to the Williams Institute at the University of
33 California Los Angeles School of Law, there are an estimated
34 140,000 military veterans who may be transgender, but it is difficult
35 to ascertain the precise number since these individuals may choose
36 not to discuss a gender change; and
37 **WHEREAS,** If DOD were to give military veterans who are transgender
38 the opportunity to change their DD Form 214 to reflect their current
39 legal names and genders, these veterans would be able to easily
40 take advantage of and enjoy the same veterans' employment
41 preference benefits, as well as medical, dependent, funeral, and
42 other veterans' benefits, which are enjoyed by other military
43 veterans; now, therefore,
44
45 **BE IT RESOLVED** by the Senate of the State of New Jersey:
46
47 1. This House respectfully memorializes the Secretary of Defense
48 of the United States Department of Defense to authorize changes to the

1 DD Form 214, Certificate of Release or Discharge from Active Duty,
2 and give military veterans who are transgender the opportunity to
3 change their DD Form 214 to reflect their current legal names and
4 genders, so that these veterans would be able to easily take advantage
5 of and enjoy the same veterans' employment preference benefits, as
6 well as medical, dependent, funeral, and other veterans' benefits,
7 which are enjoyed by other military veterans.

8
9 2. Copies of this resolution, as filed with the Secretary of State,
10 shall be transmitted by the Secretary of the Senate to the President
11 and Vice President of the United States, the Secretary of Defense of
12 the United States Department of Defense, each member of Congress
13 elected from this State, and the Adjutant General of the New Jersey
14 Department of Military and Veterans' Affairs.

15

16

17

STATEMENT

18

19 This resolution memorializes the Secretary of Defense of the
20 United States Department of Defense to authorize changes to the
21 DD Form 214, Certificate of Release or Discharge from Active
22 Duty, and give military veterans who are transgender the
23 opportunity to change their DD Form 214 to reflect their current
24 legal names and genders, so that these veterans are able to easily
25 take advantage of and enjoy the same veterans' employment
26 preference benefits, as well as medical, dependent, funeral, and
27 other veterans' benefits, which are enjoyed by other military
28 veterans.

29 These forms are commonly required by federal agencies when
30 veterans apply for benefits. A veteran who is transgender may be
31 uncomfortable explaining a gender and name change so that the
32 veteran may have difficulty or even forego seeking veterans'
33 benefits. Additionally, if transgender status is shared, a veteran
34 may experience discrimination based on that status, or be denied
35 benefits altogether because of discrepancies in current documents
36 and the information on a DD Form 214.