

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 October 2024

DOCKET NUMBER: AR20240001096

APPLICANT REQUESTS:

- an upgrade of his bad conduct discharge (BCD)
- correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty), for the period ending 3 October 2008, to show his separation date as 11 August 2007 and add his period of foreign service in Kuwait
- stop debt recoupment by Defense Finance and Accounting Service (DFAS)

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 293 (Application for the Review of Discharge from the Armed Forces of the United States)
- DD Form 149 (Application for Correction of Military Record)
- two self-authored statements
- financial documents (5 pages)
- six statements of support
- letter, Gardenia Cove Mental Health, dated 26 June 2024

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code (USC), Section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.

2. The applicant states, in effect:

a. He developed diabetes while he was in the military. His diabetes was not controlled, and he was not supposed to be deployed. He would oversleep and as a result, received an Article 15, reduction in rank, and loss of pay. The decline in his health was not taken seriously by his superiors. Not being able to perform became a huge stressor. He fell into a deep depression and post-traumatic stress disorder (PTSD) took a toll on him. He went absent without leave (AWOL) due to his mental state and lack of money.

b. He takes full responsibility for his actions. His lack of discipline and commitment had a detrimental impact on his military career. It is with deep regret that he acknowledges the burden he placed on those around him. He has learned from his experiences and made significant efforts to grow as an individual. He is able to inform others about the effects diabetes will have on their career. He has dedicated his life to helping others. An upgrade would give him access to resources which would enable him to make a positive difference in the lives of those around him.

c. DFAS has been deducting money from his tax returns since 2014. The original outstanding balance was \$6,428.94. There remains an outstanding sum of \$4,483.57. He has never been overpaid by the Army. Additionally, there has been an error with his separation date. He was separated from service on 11 August 2007, not 3 October 2008. He suggests this could be why his taxes are taken every year.

3. The portion of the applicant's request concerning money being deducted from his taxes, dating back to 2014, is an issue which is outside of the ABCMR's purview. This issue should be addressed to DFAS. Therefore, this portion of his request will not be further addressed in this record of proceedings (ROP).

4. Following an honorable period of enlisted service in the Army National Guard, the applicant enlisted in the Regular Army on 30 March 2004, for a 3-year period. His military occupational specialty (MOS) was 62B (Construction Equipment Repairman). The highest rank he attained was specialist/E-4.

5. The applicant underwent a Medical Evaluation Board (MEB) on 26 April 2005. A DA Form 3947 (MEB Proceedings) and associated documents show the following:

a. The applicant was diagnosed with diabetes mellitus in October 2004. He was doing well on a regimen of metformin and had no symptoms at the time of the MEB. His unit was currently deployed. As part of the rear detachment, he was working at the post gymnasium. He was highly functional and participated in recreational physical activities. His prognosis was good. However, he would likely need life-long medication and regular medical follow-up for his diabetes.

b. The applicant's commander recommended the applicant be found unfit for the reasonable performance of his MOS. The applicant was a good Soldier, but his physical condition created a burden for others in his section and adversely impacted readiness. If deployed, the unit would have to leave him behind.

c. The MEB referred the applicant to the Physical Evaluation Board (PEB). The applicant concurred with the findings and recommendations of the MEB and noted he did not desire to remain on active duty. Subsequently, the findings and recommendation of the board were approved.

6. The PEB convened on 6 June 2005. The board determined the following:

a. The applicant was diagnosed with diabetes mellitus, requiring oral hypoglycemic agent and a restricted diet. The condition prevented the reasonable performance of his duties.

b. The condition existed prior to service (EPTS) and was not aggravated beyond the natural progression of the disease. Type 2 diabetes developing within two years of entry is considered EPTS.

c. The board found [the applicant] to be unfit and recommended he be separated from service without disability benefits. Subsequently, the applicant did not concur with the board findings, demanded a formal hearing, and requested appointed counsel.

7. In a memorandum to the PEB, dated 14 June 2005, the applicant stated he was "totally capable" of full body function and able to complete any task required of his MOS. Accompanying his memorandum were statements from his company commander and platoon sergeant, further stating the applicant could perform physical training, weapons qualification, and the duties of his MOS, and he was willing to deploy worldwide. They recommended he be retained in the Army.

8. The PEB reconvened on 22 June 2005 and conducted an informal reconsideration of the case. The board determined [the applicant] was fit for duty within the limitations of his profile and recommended he be returned to duty as fit. The applicant concurred with the findings and waived a formal hearing.

9. The applicant reenlisted on 10 August 2005, for a 5-year period. The applicant elected a lump sum payment of a selective reenlistment bonus (SRB) for MOS 62B. Additionally, he completed a DA Form 4789 (Statement of Entitlement to SRB), acknowledging he understood if he did not complete the full period of service, he would be required to pay back as much of the bonus as he already received for the unexpired part of the period of service.

10. The applicant was reported AWOL on 20 October 2006 and subsequently dropped from the unit rolls on 20 November 2006.

11. A DA Form 4384 (Commander's Report of Inquiry/Unauthorized Absence) shows the following:

- the applicant was returned from Kuwait earlier than his unit due to diabetes
- an MEB was started
- he received several counseling statements for being late to work
- he received an Article 15 on 13 July 2006

- he was AWOL from 1 August to 15 August 2006, 5 September to 7 September 2006, and 13 September to 16 September 2006
- his wife filed for a divorce
- he received an Article 15 for his AWOL
- he complained of financial problems

12. The applicant was apprehended by civil authorities on 5 April 2007 and was returned to military control.

13. Before a special court-martial at Fort Benning, GA on 8 June 2007, the applicant pled guilty to and was found guilty of being AWOL, from on or about 20 October 2006 until on or about 3 April 2007. He was sentenced to confinement for 90 days and to be discharged with a BCD. Only so much of the sentence that provided for confinement for 60 days and a BCD was approved and, except for the portion extending to the BCD, was ordered executed on 5 October 2007. The record of trial was forwarded to the U.S. Court of Criminal Appeals for appellate review.

14. The U.S. Court of Criminal Appeals affirmed the findings of guilty and the sentence on 18 December 2007.

15. Special Court-Martial Order Number 107, issued by Headquarters, U.S. Army Armor Center, Fort Knox, KY, on 5 June 2008, shows the sentence was finally affirmed, the provisions of Article 71(c) had been complied with, and the sentence to confinement was served. The BCD was ordered executed.

16. Orders 270-0162, issued by Headquarters, U.S. Army Armor Center, Fort Knox, KY, on 26 September 2008, shows the applicant's date of discharge as 3 October 2008.

17. The applicant was discharged on 3 October 2008, under the provisions of Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), Chapter 3, by reason of court-martial, other. His DD Form 214 shows his service was characterized as bad conduct, with separation code JJD and reentry code RE-4. He completed 3 years, 11 months, and 9 days of net active service, with lost time from 20 October 2006 to 2 April 2007 and 8 June 2007 to 19 July 2007. His awards include:

- National Defense Service Medal
- Global War on Terrorism Service Medal
- Army Service Ribbon
- Driver and Mechanic Badge with Driver-Wheeled Vehicle clasp

18. The applicant provides the following:

a. Five pages of financial documents, to include a letter from the U.S. Department of Treasury, dated 1 September 2023, which shows a payment from his tax return was applied to a delinquent debt he owed DFAS.

b. In six statements of support, the authors attest to the applicant's growth, dedication to a healthy lifestyle, and commitment to mental and emotional health. He is a source of support for others and demonstrates true character every day. He is a hard-working volunteer for the American Red Cross and has helped them succeed at spreading their work in the local community. Although he struggles with PTSD and a severe form of diabetes, he is a valued member at his place of employment.

c. A letter from Gardenia Cove Mental Health, dated 26 June 2024, shows the applicant has been an active patient since 22 January 2024. He was being treated for major depressive disorder, recurrent, moderate; PTSD, unspecified; generalized anxiety disorder; social phobia, unspecified; and adjustment disorder with mixed anxiety and depressed mood.

19. The applicant does not provide nor does his record contain documentation which shows the inclusive dates of his period of service in Kuwait.

20. Court-martial convictions stand as adjudged or modified by appeal through the judicial process. In accordance with Title 10, USC, Section 1552, the authority under which this Board acts, the ABCMR is not empowered to set aside a conviction. Rather, it is only empowered to change the severity of the sentence imposed in the court-martial process and then only if clemency is determined to be appropriate. Clemency is an act of mercy or instance of leniency to moderate the severity of the punishment imposed.

21. Regulatory guidance provides a Soldier will receive a BCD pursuant only to an approved sentence of a general or special court-martial. The appellate review must be completed, and the affirmed sentence ordered duly executed.

22. The DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation.

23. MEDICAL REVIEW:

a. Background: The applicant is requesting an upgrade of his bad conduct discharge (BCD); correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty), for the period ending 3 October 2008, to show his separation date as 11 August 2007 and addition of his period of foreign service in Kuwait; as well as cease of debt

recoupment by Defense Finance and Accounting Service (DFAS). He contends PTSD mitigates his discharge. This opine will narrowly focus on the applicant's request for an upgrade and will defer the remaining requests to the Board.

b. The specific facts and circumstances of the case can be found in the ABCMR Record of Proceedings (ROP). Pertinent to this advisory are the following:

- Following an honorable period of enlisted service in the Army National Guard, the applicant enlisted in the Regular Army on 30 March 2004.
- The applicant underwent a Medical Evaluation Board (MEB) on 26 April 2005. The applicant was diagnosed with diabetes mellitus in October 2004. He was doing well on a regimen of metformin and had no symptoms at the time of the MEB. His unit was currently deployed. As part of the rear detachment, he was working at the post gymnasium. He was highly functional and participated in recreational physical activities. His prognosis was good. However, he would likely need life-long medication and regular medical follow-up for his diabetes.
- The PEB convened on 6 June 2005. The board determined the applicant was diagnosed with diabetes mellitus, requiring oral hypoglycemic agent and a restricted diet. The condition prevented the reasonable performance of his duties. The condition existed prior to service (EPTS) and was not aggravated beyond the natural progression of the disease. Type 2 diabetes developing within two years of entry is considered EPTS. The board found [the applicant] to be unfit and recommended he be separated from service without disability benefits. Subsequently, the applicant did not concur with the board findings, demanded a formal hearing, and requested appointed counsel.
- The PEB reconvened on 22 June 2005 and conducted an informal reconsideration of the case. The board determined [the applicant] was fit for duty within the limitations of his profile and recommended he be returned to duty as fit. The applicant concurred with the findings and waived a formal hearing.
- The applicant reenlisted on 10 August 2005, for a 5-year period. The applicant elected a lump sum payment of a selective reenlistment bonus (SRB) for MOS 62B. Additionally, he completed a DA Form 4789 (Statement of Entitlement to SRB), acknowledging he understood if he did not complete the full period of service, he would be required to pay back as much of the bonus as he already received for the unexpired part of the period of service.
- The applicant was reported AWOL on 20 October 2006 and subsequently dropped from the unit rolls on 20 November 2006.
- The applicant was apprehended by civil authorities on 5 April 2007 and was returned to military control.
- Before a special court-martial at Fort Benning, GA on 8 June 2007, the applicant pled guilty to and was found guilty of being AWOL, from on or about 20 October 2006 until on or about 3 April 2007. He was sentenced to confinement for 90

days and to be discharged with a BCD. Only so much of the sentence that provided for confinement for 60 days and a BCD was approved and, except for the portion extending to the BCD, was ordered executed on 5 October 2007.

- Applicant was discharged on 3 October 2008, under the provisions of Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), Chapter 3, by reason of court-martial, other. His DD Form 214 shows his service was characterized as bad conduct, with separation code JJD and reentry code RE-4. He completed 3 years, 11 months, and 9 days of net active service, with lost time from 20 October 2006 to 2 April 2007 and 8 June 2007 to 19 July 2007.

c. Review of Available Records: The Army Review Board Agency's (ARBA) Behavioral Health Advisor reviewed the supporting documents contained in the applicant's file. The applicant states, "he developed diabetes while he was in the military. His diabetes was not controlled, and he was not supposed to be deployed. He would oversleep and as a result, received an Article 15, reduction in rank, and loss of pay. The decline in his health was not taken seriously by his superiors. Not being able to perform became a huge stressor. He fell into a deep depression and post-traumatic stress disorder (PTSD) took a toll on him. He went absent without leave (AWOL) due to his mental state and lack of money. He takes full responsibility for his actions. His lack of discipline and commitment had a detrimental impact on his military career. It is with deep regret that he acknowledges the burden he placed on those around him. He has learned from his experiences and made significant efforts to grow as an individual. He is able to inform others about the effects diabetes will have on their career. He has dedicated his life to helping others. An upgrade would give him access to resources which would enable him to make a positive difference in the lives of those around him."

d. Active-duty electronic medical records available for review show the applicant self-referred for behavioral health services on 16 August 2006 due to depression and homicidal thoughts. He reported numerous stressors including marital, financial, family, health, job, and legal issues. He shared pressing issues regarding his perception of lack of support and unfair treatment from his unit. The applicant was diagnosed with Depression. The applicant was seen the following week on 24 August 2006, the note indicates he was being assessed following his discharge from an inpatient hospitalization. He stated adjusting to the medication provided during his inpatient stay and was diagnosed with Adjustment Disorder with Depressed Mood. Three follow-up sessions in September 2006 diagnosed the applicant with Depression. The record indicates the applicant reconnected with behavioral health services on 21 June 2007 and 5 July 2007, and the available notes indicate he continued to meet diagnostic criteria for Depression.

e. The VA's Joint Legacy Viewer (JLV) was reviewed and indicates the applicant is not service connected, likely due to the characterization of his service. No VA electronic medical records were available for review. The applicant provided medical

documentation post-military service, with a letter from Gardenia Cove Mental Health, dated 26 June 2024, indicating the applicant has been an active patient since 22 January 2024. He is being treated for Major Depressive Disorder, recurrent, moderate; PTSD, unspecified; Generalized Anxiety Disorder; Social Phobia, unspecified; and Adjustment Disorder with Mixed Anxiety and Depressed Mood.

f. Based on the information available, it is the opinion of the Agency Behavioral Health Advisor that there is sufficient evidence to support the applicant had a behavioral health condition during military service that mitigates his discharge.

g. Kurta Questions:

(1) Did the applicant have a condition or experience that may excuse or mitigate the discharge? Yes. The applicant asserts the mitigating condition of PTSD.

(2) Did the condition exist or experience occur during military service? Yes. The applicant was diagnosed with Depression and Adjustment Disorder with Depressed Mood during military service.

(3) Does the condition or experience actually excuse or mitigate the discharge? Yes. The applicant was court-martialed due to being AWOL from on or about 20 October 2006 until on or about 3 April 2007. The electronic active-duty medical record indicates the applicant was diagnosed with Depression while in service. Given the association between Depression and avoidance, the applicant's misconduct of being AWOL is mitigated by his BH condition.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was warranted. The Board carefully considered the applicant's request, supporting documents, evidence in the records, and published DoD guidance for liberal consideration of discharge upgrade requests. The applicant is requesting an upgrade of his bad conduct discharge; correction of his DD Form 214 ending on 3 October 2008, to show his separation date as 11 August 2007 and addition of his period of foreign service in Kuwait; and for DFAS to cease of debt recoupment. He contends PTSD mitigates his discharge.

a. Discharge upgrade: Grant. The applicant's trial by a court-martial was warranted by the gravity of the offense charged (AWOL). The applicant's conviction and discharge were conducted in accordance with applicable laws and regulations and the discharge appropriately characterizes the misconduct for which he was convicted. He was given a bad conduct discharge pursuant to an approved sentence of a court-martial. The

appellate review was completed, and the affirmed sentence was ordered duly executed. All requirements of law and regulation were met with respect to the conduct of the court-martial and the appellate review process, and the rights of the applicant were fully protected. The Board found no error or injustice in his separation processing. The Board also considered the medical records, any VA documents provided by the applicant and the review and conclusions of the medical reviewing official. The Board concurred with the medical official's finding sufficient evidence to support the applicant had a behavioral health condition/diagnosis during his time in military service. Based on this mitigation, the Board determined that his service clearly did not rise to the level required for an honorable discharge, particularly because his AWOL was terminated by apprehension, indicating he had no intent to return to military service. However, the Board determined a general, under honorable conditions characterization of service is appropriate under published DoD guidance for liberal consideration of discharge upgrade requests. The Board determined that such upgrade did not change the underlying reason for his separation and thus the narrative reason for separation and corresponding codes should not change.

b. Separation Date: Deny. When a Soldier is convicted by a court-martial and is sentenced to a bad conduct discharge, the separation is held pending the appellate review. In the applicant's case, the U.S. Court of Criminal Appeals affirmed the findings of guilty and the sentence on 18 December 2007. As such, Headquarters, U.S. Army Armor Center, Fort Knox, KY, published a Court-Martial Order that shows the sentence was finally affirmed, the provisions of Article 71(c) had been complied with, and the sentence to confinement was served. The bad conduct discharge was ordered executed. Also, as a result, Headquarters, U.S. Army Armor Center, Fort Knox, KY, published orders ordering the applicant's separation effective 3 October 2008. The applicant's DD Form 214 reflects his separation date as 3 October 2008. There is no evidence the applicant remained on active duty beyond this date.

, under the provisions of Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), Chapter 3, by reason of court-martial, other. His DD Form 214 shows his service was characterized as bad conduct, with separation code JJD and reentry code RE-4. He completed 3 years, 11 months, and 9 days of net active service, with lost time from 20 October 2006 to 2 April 2007 and 8 June 2007 to 19 July 2007. His awards include:

c. Foreign service in Kuwait: Deny. There is reference to the applicant's service in Kuwait. However, there is no evidence of his exact dates of arrival in Kuwait and exact date of departure from Kuwait. In the absence of such evidence, the Board cannot determine his service in Kuwait. If the applicant has evidence of his arrival in and departure from Kuwait, he may resubmit his application to this Board for reconsideration.

d. DFAS debt recoupment: The applicant reenlisted on 10 August 2005, for a 5-year period. The applicant elected a lump sum payment of a selective reenlistment bonus (SRB) for MOS 62B. Additionally, he completed a DA Form 4789 (Statement of Entitlement to SRB), acknowledging he understood if he did not complete the full period of service, he would be required to pay back as much of the bonus as he already received for the unexpired part of the period of service. Since he failed to fulfill what he agreed for, due to his own misconduct, his bonus was recouped.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
■	■	■	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending the applicant a DD Form 214 for the period ending 3 October 2008, as follows:

- Character of Service: Under Honorable Conditions (General)
- Separation Authority: No Change
- Separation Code: No Change
- Reentry Code: No Change
- Narrative Reason for Separation: No Change

2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to any relief in excess of that described above.

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 10, U.S. Code (USC), Section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the Army Board for Correction of Military Records (ABCMR) to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.
2. Section 1556 of Title 10, USC, requires the Secretary of the Army to ensure that an applicant seeking corrective action by the Army Review Boards Agency (ARBA) be provided with a copy of any correspondence and communications (including summaries of verbal communications) to or from the Agency with anyone outside the Agency that directly pertains to or has material effect on the applicant's case, except as authorized by statute. ARBA medical advisory opinions and reviews are authored by ARBA civilian and military medical and behavioral health professionals and are therefore internal agency work product. Accordingly, ARBA does not routinely provide copies of ARBA Medical Office recommendations, opinions (including advisory opinions), and reviews to ABCMR applicants (and/or their counsel) prior to adjudication.
3. Army Regulation 635-5 (Separation Documents), in effect at the time, prescribed the separation documents that must be prepared for Soldiers at the time of retirement, discharge, or release from active duty service or control of the Active Army. It established standardized policy for preparing and distributing the DD Form 214. The DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation.

4. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), provides for the separation of enlisted Soldiers from the Army.

a. Chapter 3 provides that an enlisted person will be given a bad conduct discharge pursuant only to an approved sentence of a general or special court-martial, after completion of appellate review, and after such affirmed sentence has been ordered duly executed.

b. An honorable discharge is a separation with honor and entitles the recipient to benefits provided by law. The honorable characterization is appropriate when the quality of the member's service generally has met the standards of acceptable conduct and performance of duty for Army personnel or is otherwise so meritorious that any other characterization would be clearly inappropriate.

c. A general discharge is a separation from the Army under honorable conditions. When authorized, it is issued to a Soldier whose military record is satisfactory but not sufficiently meritorious to warrant an honorable discharge.

5. Court-martial convictions stand as adjudged or modified by appeal through the judicial process. In accordance with Title 10, USC, Section 1552, the authority under which this Board acts, the ABCMR is not empowered to set aside a conviction. Rather, it is only empowered to change the severity of the sentence imposed in the court-martial process and then only if clemency is determined to be appropriate. Clemency is an act of mercy or instance of leniency to moderate the severity of the punishment imposed.

6. On 25 August 2017, the Office of the Undersecretary of Defense for Personnel and Readiness issued clarifying guidance for the Secretary of Defense Directive to Discharge Review Boards (DRB) and Boards for Correction of Military/Naval Records (BCM/NR) when considering requests by Veterans for modification of their discharges due in whole or in part to: mental health conditions, including PTSD; traumatic brain injury; sexual assault; or sexual harassment. Standards for review should rightly consider the unique nature of these cases and afford each veteran a reasonable opportunity for relief even if the sexual assault or sexual harassment was unreported, or the mental health condition was not diagnosed until years later. Boards are to give liberal consideration to Veterans petitioning for discharge relief when the application for relief is based in whole or in part on those conditions or experiences. The guidance further describes evidence sources and criteria and requires Boards to consider the conditions or experiences presented in evidence as potential mitigation for misconduct that led to the discharge.

7. On 25 July 2018, the Under Secretary of Defense for Personnel and Readiness issued guidance to Military DRBs and BCM/NRs regarding equity, injustice, or clemency determinations. Clemency generally refers to relief specifically granted from a criminal sentence. BCM/NRs may grant clemency regardless of the type of court-martial. However, the guidance applies to more than clemency from a sentencing in a court-martial; it also applies to other corrections, including changes in a discharge, which may be warranted based on equity or relief from injustice.

a. This guidance does not mandate relief, but rather provides standards and principles to guide Boards in application of their equitable relief authority. In determining whether to grant relief on the basis of equity, injustice, or clemency grounds, BCM/NRs shall consider the prospect for rehabilitation, external evidence, sworn testimony, policy changes, relative severity of misconduct, mental and behavioral health conditions, official governmental acknowledgement that a relevant error or injustice was committed, and uniformity of punishment.

b. Changes to the narrative reason for discharge and/or an upgraded character of service granted solely on equity, injustice, or clemency grounds normally should not result in separation pay, retroactive promotions, and payment of past medical expenses or similar benefits that might have been received if the original discharge had been for the revised reason or had the upgraded service characterization.

//NOTHING FOLLOWS//