

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 October 2024

DOCKET NUMBER: AR20240002817

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show in:

- Item 12b (Separation Date This Period): 1 September 1976
- Item 18 (Remarks): no lost time
- Item 24 (Character of Service): honorable or in the alternative uncharacterized
- Item 28 (Narrative Reason for Separation): Secretarial Authority or in the alternative Early Separation

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

- DD Form 149 (Application for Correction of Military Record)
- Brief in support of application from legal counsel, 19 December 2023
- Exhibit A: DD Form 214, for the period ending 7 March 1984
- Exhibit B: Applicant's Personal Statement
- Exhibit C: Joint Uniform Military Pay System (JUMPS), Leave and Earnings Statements (LESSs), March 1976 – March 1977
- Exhibit D: Enlistment Contract and Paperwork
- Exhibit E: Letter, U.S. Army Enlisted Records and Evaluation Center, 29 September 1982
- Exhibit F: Memorandum, subject: Discharge in Absentia, 7 March 1984
- Orders Number 30-5, 7 March 1984
- Exhibit G: Memorandum, subject: Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations (Wilkie Memo), 25 July 2018
- Exhibit H: Army Board for Correction of Military Records (ABCMR) Docket Number AR20180010968, 26 July 2019
- Exhibit I: Name Change Paperwork, 6 March 1987

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the 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:

a. He enlisted in the Army in early 1976. He grew up in Yonkers, NY with three older sisters and a loving father who was a World War II veteran. His mother died when he was quite young, so he was raised primarily by his father and stepmother. His dad was frequently absent from their home since he worked for the Transit Authority and had to travel often. As a result, he was often left alone and given little supervision, so he tended to act out.

b. In his youth, he enjoyed playing sports and he was a gifted athlete. Due to the constant wear and tear on his body from playing sports, he tore ligaments and cartilage in both of his knees. This damage led him to have his first knee surgery when he was 14 years old. He was left with large scars on his knees due to the invasiveness of surgeries, but he was still able to continue playing sports after recovering from the surgeries. When he was 16 years old, he had to undergo a second knee surgery. After having two knee surgeries, he was still able to keep playing sports.

c. One day he turned on the television and an Army recruitment commercial came on. A man kept repeating "be all that you can be," and he decided to do just that. He thought the Army would be an opportunity for him to become the man he always wanted to be, so he decided to join in hopes that it would provide him with the structure and discipline that he needed. He entered the Army on 9 February 1976, as an infantryman. This was just a few days after his 19th birthday. He was excited to take on the challenge of being in the Army. During the enlistment process, no one expressed concerns over his knees, despite his very visible scars.

d. He attended basic training at Fort Dix, NJ. During basic training he performed very well on all the physical fitness test, which included performing sit-ups, pushups, back crawls, and the monkey bars. He was able to satisfactorily complete all the trails, ziplines, and M-16 drills. An incident occurred during one of his basic training drills where a claymore bomb exploded near him. After the explosion he was sent to the base hospital for treatment, and he was notified by the Army doctors that he ruptured his eardrum and lost hearing in his left ear. During the visit for his ears, the doctors conducted a full examination and noticed the large scars on his knees. About two days after his hospital visit, his commanding officer told him that he should have never been let into the Army because of his prior knee surgeries. The commander told him that he would have his MOS changed so that he could remain in the service and work a desk job.

e. He continued to visit the base hospital about three more times when he felt discomfort in his knees or simply needed rest because of the discomfort in his knees. Since his commanding officer and the doctors at Fort Dix knew about the condition of his knees, he expected his MOS to be changed. However, his MOS was never changed. When he found out he was still going to advanced individual training (AIT) for infantry, he did not say anything because he did not want to draw unnecessary attention to himself. He also did not want to upset the commanding officers, who had just come back from Vietnam, since it was clear that they were fighting off the traumas of war.

f. When basic training was complete, he was sent directly to AIT at Fort Benning, GA. When he arrived in GA, he was given orders that his AIT would still be infantry. AIT proved to be more difficult for him than basic training. The physical demands of AIT were more intense than basic training. They would go on 50-mile-long marches, carrying heavy packs. His knees began to feel the wear and tear from the intense activity, and they would often swell up like a balloon. He was always allowed to go to the base hospital when this happened and did so on about eight different occasions.

g. He successfully completed AIT on 14 May 1976 and was told that he would be sent to Fort Ord, CA. He was excited that he was going to CA, and he looked forward to experiencing a new state. He was given a two-week grace period between leaving AIT and reporting to CA. During this period, he went back to Brooklyn, NY. After returning to Brooklyn, he waited to be contacted by the Army regarding being transferred to Fort Ord, CA. However, he was never given an itinerary or orders to travel to CA, so he continued to stay in NY. He trusted and looked up to his commanding officers, so he fully believed that the Army would keep him updated on any changes in his orders. Eventually, in the absent of formal orders, he began reporting to Fort Hamilton, NY around late May or early June 1976, since it was the closest base to where he lived. He wanted to maintain some form of contact with the Army, as well as get medical care for his knees. Up to that point, all the orders that he was given by the Army were verbal; therefore, he thought the best way to maintain contact with the Army was to go on base.

h. When he went to Fort Hamilton, he was seen by the base doctors. He received x-rays of his knees, as well as a computerized axial tomography scan (CAT). The doctors even suggested that he undergo surgery, but he declined. After a few visits, the doctors at Fort Hamilton informed him that he did not have to go to Fort Ord or come back to Fort Hamilton. They explained that the condition of his knees was so severe that he should have been medically discharged since he was clearly unfit for his MOS as an infantryman. September 1976 was the last time he reported to Fort Hamilton. During that visit he picked up his last pay stub that he received from the Army. He trusted the doctors, just as he trusted his commanding officers, and believed the doctors would handle the situation and process him out of the Army with a medical discharge. After being told that he was no longer required to come to the base to maintain contact with the Army, he believed that his service was complete.

i. He stayed in NY and worked various jobs from 1976 to 1981. Throughout the years, his knee pain has continued and has progressively gotten worse. In total he has had 14 surgeries, and many of them stemmed from his knee issues. In 1990, he told the doctor that he was seeing in Beverly Hills that his knees were heavily impacted by the wear and tear from his time in the military. To understand the extent of his knee injuries, the doctor asked that he request his military records so he could review the medical reports from his visits to the military hospitals. He attempted to obtain his military records but did not receive anything.

j. In 2016, he wanted to apply for a Department of Veterans Affairs (VA) home loan, so he inquired about his military records to the National Archives and Records Administration in St. Louis, MO. In 2018, the records came in the mail, but he only received his pay stubs, so he inquired again about the rest of his records, specifically, his medical records. Somewhere between 2019 and 2020, he was sent his enlistment paperwork and discharge paperwork. Upon reviewing his discharge paperwork, he discovered for the first time that he had a less than honorable discharge and he had been labeled a deserter. In the records, he found a letter that was sent to his childhood home in Yonkers that was supposed to notify him of the discharge and give him an opportunity to provide a statement in his defense. He no longer lived at that address after his military service was over in 1976, and in 1981 he moved to CA. By 1982, he no longer had any relatives living at that address. The piece of mail was given a return to sender stamp, and a second letter containing his official discharge status, dated 7 March 1984, was sent to the same childhood home in Yonkers. This letter was also given a return to sender stamp. He first saw these documents in late 2019, early 2020.

k. He immediately called the records department and demanded answers. He started to lose sleep over thinking about his separation status and became depressed. Being labeled a deserter tore him up inside. By the time he found out about his separation status, he had been out of the Army for 45 years. He never received any paperwork from the military and had no understanding that he would need to obtain papers when he left. He never intended to desert, and he was very willing to remain in the service with a desk job since he had such a desire to serve his country in any capacity that he could. He gave the Army everything he had, and he was punished with the status of desertion.

3. The applicant, through counsel, states:

a. The applicant is a veteran of the U.S. Army who placed his health and wellbeing on the line to serve his country. Unfortunately, early in his service, he suffered from knee injuries which prevented him from serving at the level his MOS required. The Army was informed of his knee conditions and informed the applicant that his MOS would be changed to accommodate his physical limitations. This change never happened, and the applicant was left with an unknown future in the Army. Later, he was informed that

he must be discharged due to the state of his knees, and he assumed the Army would properly execute his release. However, the applicant was never properly discharged. Almost 45 years after his actual departure, he learned he was retroactively labeled a “deserter” through his Narrative Reason of Separation and given bad paper in the form of an Other than Honorable Discharge. Due to the military’s botched execution of his discharge, the applicant has been barred from seeking VA disability benefits by virtue of his “deserter” status for his knee conditions.

b. According to the applicant’s DD Form 214, he served from 9 February 1976 to 7 March 1984. This is incorrect. The applicant’s enlistment contract promised only 3 years of service. According to his paystubs, he was on the Army’s payroll for 205 days of active duty service, from 9 February 1976 to 1 September 1976. These dates fall into the period that corresponds with his enlistment contract. Regardless of the ABCMR’s determination of the applicant’s character of discharge and narrative reason of separation, the dates of his service must be changed because they are in clear error to the evidence available and his actual time in service.

c. The Board must first determine the dates for which the applicant served because the proper time period will determine the relief he can receive. If the paystubs are correct, the applicant is deemed to have served from 9 February 1976 until 1 September 1976. Therefore, the applicant is applying to the ABCMR for a discharge upgrade to Honorable and a change in the narrative reason of separation to “Secretarial Authority” based upon the quality of his service.

d. However, in a letter to the applicant from the military dated 29 September 1982 that contained notice of his discharge in absentia, the military claimed the applicant’s last date of service was 14 June 1976, three months prior to his final paystub. If the Board should find that the applicant’s service ended on 14 June 1976, he would have served for only 126 days, warranting an Uncharacterized discharge, coupled with a Narrative Reason of Separation as “Early Separation.”

e. Regardless of the period the applicant is found to have served, he calls on the Board to correct the injustice caused by his improper “deserter” status and Other than Honorable discharge. This would put a just end to his military service and allow him to finally seek benefits as a military veteran.

f. On 30 September 1976, the applicant’s final paystub was processed by the military. All paystubs issued after this date read, “Member Removed for Early Separation 01 Sep 1976” and contain no payment information. The applicant believed at this time that his discharge was properly processed in 1976 and did not second guess what the doctor told him. He never received any further communication from the U.S. military.

g. According to the available records, the military did not send anything to the applicant from his departure in September 1976 until six years later, on 29 September 1982 when the Army sent a letter to his childhood home in NY informing him that it “failed to produce a record of [his] discharge” so he was now “eligible” for administrative discharge and had 45 days to “submit a statement in [sic] his own behalf.” However, in 1982 the applicant was not living in NY and was instead living in CA. The letter was marked as undeliverable and sent back to the Army, having never reached the applicant. Despite the military’s claim in the 1982 letter that “if a reply is not received within 45 days from the date of this letter, action will be taken to effect [Mr. S_] [applicant] discharge,” the military took no further action for another 19 months.

h. On 7 March 1984, a second letter was sent to the same incorrect address stating that the applicant had been discharged with an other than honorable discharge due to desertion. Based on the information in the letter, the military “administratively determined that the applicant had been absent without leave (AWOL) since 14 June 1976 even though he was never reported AWOL or dropped from rolls (DFR). This second letter again went unreceived by the applicant. The applicant did not receive either letter until he received his file in late 2019 or early 2020.

i. Army Regulation (AR) 630-10 (Personnel Absences – Absence Without Leave and Desertion), in effect at the time the applicant’s service ended, provides guidance to be used in determining AWOL or desertion status, defines procedures required for administration of records in such a status, and provides instructions for initiating apprehension assistance of alleged deserters. In the 1984 letter sent to the applicant’s incorrect address, the Army admits that the applicant was “never reported AWOL/DFR.” This failure to report him as AWOL was an error.

j. For at least three months after leaving Fort Benning, the applicant reported to Fort Hamilton, an Army base, and collected paychecks each month and there is no record of any communication going to or coming from the Fort regarding him. Accordingly, this failure to investigate his whereabouts and “initiate apprehension actions” led to the inaccurate and untimely reporting of the applicant’s “absence.” Had the Army followed its own notice procedures in a timely manner, the applicant or his next of kin could have been found at his home in NY or Fort Hamilton, received the notice, and the applicant would have promptly returned to military control to complete his service, as he intended. The Army’s error prevented the applicant from setting forth any response to its accusations and correcting any misunderstandings. Therefore, the Board should find that the notice procedures in AR 635-200 (Personnel Separations – Enlisted Personnel), section 14-31, were not followed, and the Army incorrectly labeled the applicant a deserter.

k. The applicant is an Army veteran who sacrificed his health and wellbeing to better himself and serve his country. He trusted the military and was rewarded with bad paper

and overall mass confusion regarding the state of his paperwork and his status as a veteran. The applicant is remorseful that these events unfolded as they did. He wanted to dedicate his life to the Army and was keen to ensure he was properly discharged by journeying to his closest Army base. This was all he could do given the informational drought from which he suffered. Thus, he respectfully asks the Board to grant the requests presented and remedy the harbored injustice to elevate his quality of life.

4. The applicant, through counsel, provides:

a. Leave and earnings statements, which show the Army paid the applicant from March 1976 through September 1976. His leave and earning statements from October 1976 to March 1977 show Member Removed for Early Separation 1 September 1976.

b. ABCMR Docket Number AR20180010968, dated 26 July 2019, wherein the facts are similar. In case AR20180010968, the military sent the same letter it sent to the applicant, informing them of their discharge in absentia from the U.S. Army. Like the applicant's case, no response was found available for review by the Board. The applicant in that case was discharged from active duty under the same provisions as the applicant. After review of the application and all the evidence, the Board determined relief was not warranted even though the complete facts and circumstances surrounding his discharge were not available for review.

c. A Decree Changing Name dated 6 March 1987, which shows the applicant's name was changed.

5. A review of the applicant's service records show:

a. The applicant enlisted in the Regular Army on 9 February 1976.

b. Enlistment/Travel Order Number 28-14, issued by the Armed Forces Examining and Entrance Station, Newark, NJ, shows the applicant enlisted in the U.S. Army on 9 February 1976 and was assigned to active duty. He was transferred to the U.S. Army Reception Station at Fort Dix, NJ, with a report date of 9 February 1976.

c. A letter addressed to the applicant, dated 29 September 1982, which states a review of his military personnel records failed to produce a record of his discharge from the service. Available documentation indicated he was in a status of desertion, and he was eligible for a discharge in absentia. The letter informed the applicant of the following:

(1) It was anticipated that his discharge would be under other than honorable conditions, and the receipt of such discharge may deprive him of many or all of the

Veteran benefits administered under Federal and State laws. He may encounter substantial prejudice in obtaining employment and other benefits.

(2) Prior to the issuance of the discharge certificate, he was being offered the opportunity to submit a statement in his own behalf. If he wished to submit a statement, it should include his name, social security number or Army service number, and his present mailing address if different from the address shown on the letter. His letter may include any extenuating, mitigating, or aggravating circumstances that would have a bearing on the type of discharge to be issued.

(3) If a reply to the letter was not received within 45 days from the date of the letter, action would be taken to affect his discharge.

d. A Memorandum for Record dated 7 March 1984, which states the applicant had not been under military control since 14 June 1976 and was eligible for a discharge in absentia. The memorandum contains the following information:

(1) Purpose: To discharge the applicant in absentia due to expiration of the statute of limitation on prosecution.

(2) Facts Bearing on Case: Applicant enlisted in the Delayed Entry Program on 30 January 1976 and changed to Regular Army on 9 February 1976 for a period of 3 years.

(3) LES shows the applicant departed on 14 May 1976 and was carried in an in-transit status until removed from JUMPS April 1977.

(4) VA has no record on individual.

(5) Based on the above information, it was administratively determined that the service member [applicant] was AWOL since 14 June 1976 from 7th Adjutant General, Admin Company, Fort Ord, CA. He was never reported AWOL/DFR. There is no subsequent information.

(6) There are no charge sheets on file.

(7) Letter of notification of discharge eligibility was forwarded 20 September 1982.

(8) Cover letter was not necessary since the notification letter was returned as undeliverable.

(9) Discharge action initiated prior to 1 October 1982.

e. Orders Number 30-5, issued by the U.S. Army Enlisted Records and Evaluation Center, Fort Benjamin Harrison, IN, which shows the applicant was discharged from the Regular Army on 7 March 1984. The additional instructions state the applicant was not entitled to pay and allowances from 14 June 1976 through 7 March 1984.

f. The applicant was discharged on 7 March 1984. His DD Form 214 shows he was discharged under the provisions of AR 635-200, Chapter 14, by reason of misconduct – serious offense – desertion, in the rank/grade of private (PV1)/E-1, and his service was characterized as under other than honorable conditions. This form also shows in:

- Item 12a (Date Entered Active Duty This Period): 9 February 1976
- Item 12b (Separation Date This Period): 7 March 1984
- Item 12c (Net Active Service This Period): 4 months and 5 days
- Item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized): Not applicable.
- Item 18 (Remarks):
 - Time lost before normal expiration of term of service: 965 days.
 - Time lost after normal expiration of term of service 8 February 1979: 1,854 days.
- Item 26 (Separation Code): JKF
- Item 27 (Reenlistment Code): RE-4

6. The complete facts and circumstances surrounding the applicant's discharge are not available for the Board to review.

7. There is no indication the applicant applied to the Army Discharge Review Board for review of his discharge processing within that Board's 15-year statute of limitations.

8. The Board should consider the applicant's overall record in accordance with the published equity, injustice, or clemency determination guidance.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The Board carefully considered the applicant's request, supporting documents, evidence in the records, and published Department of Defense guidance for liberal consideration of discharge upgrade requests. The Board considered the applicant's statement and record of service, the frequency and nature of the applicant's misconduct and the reason for separation. The applicant was separated for misconduct, serious offense – desertion. He was absent without leave (AWOL) for 965 days as evidenced by the remarks block on his DD Form 214. The evidence of record shows the applicant served a period of 4 months and 5 days of active service. The Board found no error or injustice in the separation proceedings and designated characterization of service assigned during separation. The Board noted the applicant's personal statement and brief provided; however was not convinced that relief was warranted. Based on a preponderance of the evidence, the Board concluded that the characterization of service the applicant received upon separation was appropriate.

2. The Board also considered the applicant's request for amendment to remove his lost time from the remarks block of his DD Form 214 and to amend his separation date on his DD Form 214. The Board concluded that his DD Form 214 is an accurate reflection of the circumstances as they existed at the time of separation and denied relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

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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, 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 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. Army Regulation 635-200 (Personnel Separations – Enlisted Personnel), in effect at the time, set forth the basic authority for the separation of enlisted personnel.

a. Chapter 14 establishes policy and prescribes procedures for separating members for misconduct. Specific categories include minor disciplinary infractions, a pattern of misconduct, commission of a serious offense, conviction by civil authorities, desertion, or absences without leave. Action will be taken to separate a member for misconduct when it is clearly established that rehabilitation is impracticable or is unlikely to succeed. A discharge under other than honorable conditions is normally considered appropriate. However, the separation authority may direct a general discharge if such is merited by the Soldier's overall record. Paragraph 14-12 states that an absentee returned to military control from a status of absent without leave or desertion may be separated from commission of a serious offense.

b. An honorable discharge is a separation with honor. The honorable characterization is appropriate when the quality of the Soldier'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 used for a Soldier whose military record is satisfactory but not sufficiently meritorious to warrant an honorable discharge.

d. A discharge under other than honorable conditions is an administrative separation from the service under conditions other than honorable. It may be issued for misconduct or for the good of the service.

e. If characterization of service under other than honorable conditions is not warranted for a member in entry level status, the separation will be described as an entry level separation (uncharacterized).

f. Paragraph 3-9 (Uncharacterized Separations), states, a separation will be described as an entry level separation if processing is initiated while a member is in entry level status, except for the following circumstances:

(1) When characterization Under Other Than Honorable Conditions is authorized under the reason for separation and is warranted by the circumstances of the case.

(2) The SA, on a case-by-case basis, determines that characterization of service as Honorable is clearly warranted by the presence of unusual circumstances involving personal conduct and performance of duty. This characterization is authorized when the member is separated by reason of selected changes in service obligation, convenience of the Government and Secretarial plenary authority.

g. Entry-level status is defined as: Regular Army Soldiers, entry-level status is the first 180 days of continuous active duty or the first 180 days of continuous active military service. For purposes of characterization of service or description of separation, the member's status is determined by the date of notification to the member as to the initiation of separation proceedings.

h. Paragraph 5-3 (Secretarial Authority), states, the separation of enlisted personnel for the convenience of the Government is the prerogative of the Secretary of the Army (SA). The separation of any enlisted member of the Army under this authority will be based on a SA determination that separation is in the best interests of the Army. Before involuntary separation under this paragraph, the notification procedure will be used. Before involuntary separation under this paragraph, the notification procedure in chapter 2, section II, will be used.

3. Army Regulation 635-5-1 (Separation Program Designator (SPD) Codes) provide the specific authorities (statutory or other directives), reasons for separating Soldiers from active duty, and the SPD codes to be entered on the DD Form 214. In effect at the time, the regulation showed Soldiers separated under the provisions of AR 635-200, chapter 14, with a narrative reason of misconduct – serious offense, would receive SPD code "JKF."

4. Army Regulation 601-210 (Active and Reserve Components Enlistment Program) covers eligibility criteria, policies, and procedures for enlistment and processing into the Regular Army, U.S. Army Reserve, and Army National Guard. Table 3-1 provides a list of RE codes.

- RE code "1" applies to Soldiers completing their term of active service, who are considered qualified for enlistment if all other criteria are met.
- RE code "2" is no longer in use but applied to Soldiers separated for the convenience of the government, when reenlistment is not contemplated, who are fully qualified for enlistment/reenlistment.
- RE code "3" applies to Soldiers who are not considered fully qualified for reentry or continuous service at time of separation, whose disqualification is waivable; they are ineligible unless a waiver is granted.

- RE code "4" applies to Soldiers separated from last period of service with a non-waivable disqualification

5. On 25 July 2018, the Under Secretary of Defense for Personnel and Readiness issued guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records regarding equity, injustice, or clemency determinations. Clemency generally refers to relief specifically granted from a criminal sentence. Boards for Correction of Military/Naval Records may grant clemency regardless of the court-martial forum. However, the guidance applies to more than clemency from a sentencing in a court-martial; it also applies to any other corrections, including changes in a discharge, which may be warranted on equity or relief from injustice. This guidance does not mandate relief but provides standards and principles to guide Boards in application of their equitable relief authority.

a. In determining whether to grant relief on the basis of equity, injustice, or clemency grounds, Boards 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//