

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 12 March 2025

DOCKET NUMBER: AR20240007880

APPLICANT REQUESTS:

- Remove the 2012 General Officer Memorandum of Reprimand (GOMOR) from his Army Military Human Resource Record (AMHRR)
- Removal of his referred DA Form 67-9 (Officer Evaluation Report (OER)), 12 June 2012, from his AMHRR
- Reinstate his promotion to lieutenant colonel (LTC) on the Fiscal Year 2012 LTC Promotion Selection List
- Amend his DD Form 214 (Certificate of Release or Discharge from Active Duty) to indicate retirement at LTC
- Direct backpay of the difference in retirement between major (MAJ) and LTC or in the alternative grant his promotion to LTC effective the date of the Board's decision
- Personal appearance before the Board

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

- DD Form 149 (Application for Correction of Military Record)
- Attorney's Brief
- Enclosure 1 - Power of Attorney
- Enclosure 2 - GOMOR
- Enclosure 3 - Referred DA Form 67-9 (OER)
- Enclosure 4 - Promotion Review Board Results
- Enclosure 5 - GOMOR Rebuttal
- Enclosure 6 - OERs and DA Forms 1059 (Service School Academic Evaluation Report)
- Enclosure 7 - Personal Statement
- Enclosure 8 - Letter from Mrs. C- A-
- Enclosure 9 and 10 - DA Forms 199 (Informal Physical Evaluation Board (PEB) Proceedings)
- Enclosure 11 - Department of Veterans Affairs (VA) Rating Breakdown
- Enclosure 12 - Combat-Related Special Compensation (CRSC) Decision
- Enclosure 13 - Awards and Decoration

- Enclosure 14 - College Transcript
- Enclosure 15 - Letter from MAJ G- R-
- Enclosure 16 - Letter from Captain (CPT) B- S-
- Enclosure 17 - Resume
- Enclosure 18 - Letter from Pastor S- M-
- Enclosure 19 - Letter from Colonel (COL) B- D-
- Enclosure 20 - Letter from Special Warfare Operator First (SO1) Class D- M-
- Enclosure 21 - Letter from Veteran T- T-
- Enclosure 22 - The Wilkie Memorandum
- Enclosure 23 - The Kurta Memorandum
- Enclosure 24 - The Hagel Memorandum
- Enclosure 25 - 2013 Military Pay Table
- Enclosure 26 - Letter from Judge T- D-
- Enclosure 27 - Letter from LTC W- L-
- Enclosure 28 - Background Checks
- Enclosure 29 - Charitable Contributions
- Enclosure 30 - Order of Appointment

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 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 defers to counsel, who states on his behalf, in pertinent part:

a. The applicant fell victim to the combat arms culture intolerant of behavioral health (BH) treatment, especially among it officers. He developed symptoms of post traumatic stress disorder (PTSD) following his deployment to Iraq in 2003. Because of the stigma related to BH care, he sought private treatment and improved sufficiently that he volunteered to deploy as a team chief. This deployment had a massive impact on both his physical and mental health and left him a changed man.

b. While trying to recover from his PTSD, his back injury, and spinal fusion surgery he sunk further into despair and turned to alcohol. His tragic situation came to a head in May 2012 when he was pulled over for a traffic violation and arrested for driving under the influence (DUI). He was issued a GOMOR, referred OER, removal from the promotion list, and initiation of elimination action. While he medically retired, it was as a MAJ when his PTSD caused the misconduct that removed him from the promotion list. This inequity and clemency warrant relief.

c. Following his discharge, PTSD effectively took over his life and he spent a year in counseling for PTSD and alcohol abuse. Afterwards, he shifted his focus on going back to school so he could help other servicemembers avoid a similar situation and help veterans work through their mental health crises. This took the majority of his time thus delaying his ability to seek relief from the Board.

d. Over the course of his military career, beyond earning stellar evaluations, he received numerous awards and accolades. His duty performance and character set him apart from his peers and earned him the respect and admiration of those around him.

e. He is now the Chief Clinical Officer over three treatment facilities/programs. Additionally, he has a private practice where he focuses and works exclusively with veterans, firefighters, and police officers. He has helped countless veterans and first responders get the help that they need either to continue forward with their service or to grow from it and remain successful private citizens.

3. The applicant provides the following documents:

a. Personal statement, which states in pertinent part:

(1) In May of 2012, he had completed his assignment and was on PCS leave. On 17 May 2012, he was out with some friends at a farewell gathering for him. He consumed too much alcohol and made the horrible decision to drive home. This was solely his decision, and he is completely responsible for that decision. He was stopped and arrested for DUI. This resulted in termination of his new assignment, his PCS to Fort Leavenworth, and he received a GOMOR.

(2) Approximately three to four weeks after his DUI, his first back surgery failed and he became paralyzed from the waist down. He had to undergo an emergency operation and spent the next six months learning how to walk again. While he was in the hospital, he was informed he was being removed from the 2012 LTC promotion list and he would not be promoted to LTC. He also was informed that the GOMOR would be filed permanently in his AMHRR and a show-cause board was initiated. Due to the extent of his injuries, PTSD, and the medial treatment he needed, he was reassigned to the Warrior Transition Unit and began the process of being medically retired. He was medically retired in April 2013 for PTSD and his lower back and legs. He is now 100 percent permanently and totally disabled by the VA.

(3) After being medically retired, he was completely lost and deteriorated even more. His purpose, friends, career, environment, self-esteem/respect, and everything he had known and loves since he enlisted in the Army in 1991 was gone. He attended a 90 day Christ Centered treatment program for men, in 2014. It has been 10 years now since he has had a drop of alcohol.

(4) He went back to graduate school and received a Masters of Science degree in Clinical Mental Health. He wanted to become a psychotherapist and help support other veterans that are, and have, experienced similar things he had. He has also been blessed with helping firefighters and police officers that are also struggling with the effects of the trauma they face daily.

(5) He is 100 percent responsible for his choices and decisions. There is no excusing his poor and irresponsible decision to drive after consuming alcohol on 17 May 2012. He truly loved serving in the U.S. Army and wanted to continue serving for as long as he was allowed to. Regardless of the things he experienced, during his three deployments, he does not regret the honor he was given to serve our Nation, the U.S. Army, and his fellow Soldiers. He still feels great remorse, embarrassment, shame and humiliation regarding how his 22 years of service in the U.S. Army came to an end. He let so many people down, especially his wife and three daughters. Although the PTSD that he was suffering from is not responsible for his irresponsible and poor decision, he does know that he was not okay mentally, emotionally, or physically.

(6) Presently, he is the Chief Clinical Officer over three treatment facilities/programs. Additionally, he has a private practice where he focuses and works exclusively with veterans, firefighters, and police officers. He humbly asks for the Board's consideration to reinstate his promotion to LTC and removal of the GOMOR from his AMHRR. This incident was not, and is not, emblematic of his character, while he was serving in the U.S. Army, nor is it today.

b. Letter from Mrs. C- A-, the applicant's wife, wherein she shares insight into the declining part of the applicant's career. She explains he was not the same when he returned from deployment, that he continued to work all he could, and tried to appear as if the internal struggles were not occurring. His drinking had started occurring several days of the week. She is proud the applicant got the help he needed.

c. His VA Rating Decisions from 19 November 2013 which shows his service-connected disabilities and the ratings for each disability.

d. CRSC decision, which shows intervertebral disc syndrome, 10 percent; PTSD with alcohol abuse, 50 percent; and tinnitus, 10 percent were verified as combat-related.

e. Letters of support from MAJ G- R, CPT B- S-, Paster S- M-, COL B- D-, SOI D- M- Veteran T- T-, Judge T- D-, and LTC W- L-.

f. Letter of appointment from the Governor of the State of Oklahoma as a member of the Oklahoma Board of Licensed Alcohol and Drug Counsels for a five year term beginning on 2 July 2019.

4. The applicant's service record contains the following documents:

a. He took the Oath of Office as a reserve commissioned officer on 12 May 1995 in the rank of second lieutenant and on 2 February 2000 in the rank of CPT.

b. DA Forms 67-9 (OER) from 14 October 2006 through 5 July 2011, in the rank of MAJ, show he was rated as outstanding performance, must promote, and best qualified. His OER for the period ending 12 June 2012 shows he was rated unsatisfactory performance, do not promote and do not promote. The OER contains comments regarding his GOMOR. The applicant made a statement in mitigation to the referred OER.

c. On 18 May 2022, he received a GOMOR for operating a motor vehicle, while under the influence of alcohol. On 8 June 2012, he rebutted the GOMOR accepting full responsibility for the unfavorable information presented against him and requested the GOMOR be filed locally. On 21 June 2012, the GOMOR issuing authority ordered the GOMOR be filed in his AMHRR.

d. On 31 January 2013, the promotion review board results were that the Secretary of the Army decided to remove him from the promotion list.

e. The applicant was notified of an officer elimination action against him. On 27 February 2013, the U.S. Army Human Resources Command (AHRC) notified him that since he has a temporary disability retirement date of 5 May 2013 and would be placed on the retired list effective 6 May 2013, AHRC determined the the show cause action will be closed.

f. He received a PEB on 30 January 2013, which found him unfit for duty due to PTSD with major depression and lumbar intervertebral disc syndrome with arthritis changes. The board recommended a rating of 60 percent and that he be placed on the temporary disability retired list (TDRL). On 25 February 2015, at a second PEB, the board recommended a rating of 60 percent and he be place on the permanent disability retired list (PDRL).

g. Orders, 10 March 2015, show he was removed from the TDRL and placed on the PDRL effective 10 March 2015 with a 60 percent disability rating.

h. On 29 May 2013, he was honorably retired due to disability, temporary (enhanced). He was in the rank of MAJ, at the time of his retirement. He had service in Iraq from 19 March 2003 through 10 September 2003 and from 1 August 2009 through 16 July 2010.

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 record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's petition and available military records, the Board noted the applicant's personal statement, letters of support from family, colleagues, and community members, VA rating decisions, CRSC determinations, and evidence of his post-service rehabilitation and professional accomplishments. Additionally, he emphasized that he had been selected for promotion to LTC prior to the incident, that his misconduct was directly related to severe PTSD and spinal injuries, and that he has since demonstrated candor, remorse, and rehabilitation.
2. The Board acknowledged the applicant was an outstanding officer for many years, consistently receiving strong evaluations and serving honorably in multiple deployments. However, on 17 May 2012, while on PCS leave, he was arrested for driving under the influence of alcohol. A GOMOR was issued and permanently filed in his AMHRR, and his OER for the period ending 12 June 2012 was referred and rated "unsatisfactory performance, do not promote." On 31 January 2013, the Secretary of the Army removed him from the FY12 LTC promotion list. He was subsequently processed through a Physical Evaluation Board (PEB), found unfit due to PTSD and spinal conditions, and medically retired in April 2013 in the grade of MAJ. The Board noted the applicant's argument that PTSD and his spinal condition contributed to his misconduct and premature retirement, and that under Army policy medically unfit officers selected for promotion may retire at the higher grade.
3. However, the Board found that the applicant's misconduct was serious, incompatible with the standards of conduct expected of senior officers, and directly impacted his suitability for promotion. The GOMOR and referred OER were properly issued and filed, and the removal from the promotion list was consistent with regulatory guidance. While the Board acknowledged the applicant's PTSD diagnosis and post-service rehabilitation, there is no evidence of error or injustice in the administrative actions taken at the time. The Board also noted that although PTSD may mitigate misconduct, it does not negate responsibility or guarantee promotion, particularly where the misconduct involves alcohol-related offenses by a senior officer.
4. Furthermore, the Board determined that the applicant's case does not meet the threshold for relief under the Hagel, Kurta, or Wilkie memorandums. Those memorandums require consideration of mental health conditions, but they do not mandate removal of properly filed adverse information or reinstatement of promotions

absent clear evidence of error or injustice. The applicant's DUI arrest, GOMOR, referred OER, and removal from the promotion list were all procedurally correct and supported by the facts. His retirement at the grade of MAJ was appropriate under the circumstances. Based on a preponderance of the evidence, the Board found that the applicant's requests for removal of the GOMOR and referred OER, reinstatement of promotion to LTC, amendment of his DD Form 214, and backpay are not warranted. Therefore, relief is denied.

5. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XXX	XXX	XXX	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.

X //SIGNED//

CHAIRPERSON

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 15-185 (Army Board for Correction of Military Records) prescribes policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.
3. Army Regulation 600-20 (Army Command Policy) prescribes the policies and responsibilities of command, which include the Army Ready and Resilient Campaign Plan, military discipline and conduct, the Army Military Equal Opportunity Program, the Army Harassment Prevention and Response Program, and the Army SHARP Program.
 - a. Chapter 7 provides that commanders are responsible for the success of the SHARP Program, including prevention, annual training activities, compliance with required response actions when acts of sexual harassment or sexual assault are reported, and victim support. Commanders are responsible for creating climates that encourage individuals to intervene to correct misconduct and behavior that could lead to

sexual harassment and sexual assault at the earliest opportunity and to trust their chain of command to take appropriate action when reports of sexual harassment and sexual assault are made.

b. Paragraph 7-4 (Program Eligibility) states the SHARP Program provides assistance to Department of the Army civilians and their family members 18 years of age and older when they are stationed or performing duties outside the continental United States and eligible for treatment in the military treatment facility at military installations or facilities outside the continental United States. However, SHARP professionals can assist all Department of the Army civilians with identifying appropriate civilian sexual assault resources.

4. Army Regulation 623-3 (Evaluation Reporting System), prescribed the policies for completing evaluation reports and associated support forms that are the basis for the Army's Evaluation Reporting System including academic evaluation reports. Chapter 4 (Evaluation Report Redress Program) stated the program is both preventive and corrective, in that it is based upon principles structured to prevent and provide a remedy for alleged injustices or regulatory violations, as well as to correct them once they have occurred.

a. Paragraph 4-3 (Applicability) stated that upon receipt of a request for a Commander's or Commandant's Inquiry, the commander or commandant receiving the request will verify the status of the OER in question. If the evaluation has been submitted and received at HQDA for processing, but has not been filed in the Soldier's AMHRR, the commander or commandant will notify the Evaluations Appeals Office via email with a request to have the evaluation placed in a temporarily administrative holding status until completion of the inquiry.

b. Paragraph 4-8a (Timeliness) stated because evaluation reports are used for personnel management decisions, it is important to the Army and the rated Soldier that an erroneous report be corrected as soon as possible. As time passes, people forget and documents and key personnel are less available; consequently, preparation of a successful appeal becomes more difficult.

c. Paragraph 4-11 (Burden of Proof and Type of Evidence) stated the burden of proof rests with the applicant. Accordingly, to justify deletion or amendment of an evaluation report, the applicant will produce evidence that establishes clearly and convincingly that:

(1) the presumption of regularity referred to in paragraphs 3-36a and 4-7a will not be applied to the report under consideration; or

(2) action is warranted to correct a material error, inaccuracy, or injustice.

(d) Paragraph 4-11d stated for a claim of inaccuracy or injustice of a substantive type, evidence will include statements from third parties, rating officials, or other documents from official sources. Third parties are persons other than the rated officer or rating officials who have knowledge of the applicant's performance during the rating period. Such statements are afforded more weight if they are from persons who served in positions allowing them a good opportunity to observe firsthand the applicant's performance as well as interactions with rating officials. Statements from rating officials are also acceptable if they relate to allegations of factual errors, erroneous perceptions, or claims of bias. To the extent practicable, such statements will include specific details of events or circumstances leading to inaccuracies, misrepresentations, or injustice at the time the evaluation report was rendered. The results of a Commander's or Commandant's Inquiry may provide support for an appeal request.

5. Army Regulation 600-37 (Unfavorable Information) sets forth policies and procedures to authorize placement of unfavorable information about Army members in individual official personnel files; ensured that unfavorable information that is unsubstantiated, irrelevant, untimely, or incomplete is not filed in individual official personnel files; and ensured that the best interests of both the Army and the Soldier are served by authorizing unfavorable information to be placed in and, when appropriate, removed from official personnel files.

a. Chapter 3 (Unfavorable Information in Official Personnel Files) states an administrative memorandum of reprimand may be issued by an individual's commander, by superiors in the chain of command, and by any general officer or officer exercising general court-martial jurisdiction over the Soldier. The memorandum must be referred to the recipient and the referral must include and list applicable portions of investigations, reports, or other documents that serve as a basis for the reprimand. Statements or other evidence furnished by the recipient must be reviewed and considered before a filing determination is made.

b. Paragraph 3-5 (Filing of Nonpunitive Administrative Memoranda of Reprimand, Admonition, or Censure) states nonpunitive administrative letters of reprimand, admonition, or censure in official personnel files, such as a memorandum of reprimand, may be filed in a Soldier's AMHRR only upon the order of a general officer-level authority and is to be filed in the performance folder. The direction for filing is to be contained in an endorsement or addendum to the memorandum. If the reprimand is to be filed in the AMHRR, the recipient's submissions are to be attached. Once filed in the AMHRR, the reprimand and associated documents are permanent unless removed in accordance with chapter 7 (Appeals).

c. Paragraph 7-2 (Policies and Standards) states once an official document has been properly filed in the AMHRR, it is presumed to be administratively correct and to

have been filed pursuant to an objective decision by competent authority. Thereafter, the burden of proof rests with the individual concerned to provide evidence of a clear and convincing nature that the document is untrue or unjust, in whole or in part, thereby warranting its alteration or removal from the AMHRR.

6. Army Regulation 600-8-104 (Army Military Human Resource Records Management), prescribed policies governing the Army Military Human Resource Records Management Program. The AMHRR includes, but is not limited to the Official Military Personnel File, finance-related documents, and non-service related documents deemed necessary to store by the Army.

a. Paragraph 3-6 provided that once a document is properly filed in the AMHRR, the document will not be removed from the record unless directed by the ABCMR or other authorized agency.

b. Appendix B (Documents Required for Filing in the Army Military Human Resource Record and/or Interactive Personnel Electronic Records Management System) contains the list of all documents approved by Department of the Army and required for filing in the AMHRR and/or interactive Personnel Electronic Records Management System and shows the DA Form 67-10-2 is filed in the performance folder.

7. Army Regulation 15-80 (Army Grade Determination Review Board and Grade Determinations) in effect at the time, establishes policies, procedures, and responsibilities of the AGDRB. The regulation states:

a. The DASA (Review Boards) will make discretionary grade determinations for the Secretary of the Army for officers below the grade of brigadier general involving service retirement, physical disability retirement, computation of retired pay, or separation for physical disability. The DASA (Review Boards) retains the authority to take final action in any case in which a subordinate authority, including the AGDRB, would otherwise be authorized to take final action.

b. A grade determination is an administrative decision to determine appropriate retirement grade, retirement pay, or other separation pay. Although a lower grade determination may affect an individual adversely, it is not punitive.

c. Service in a higher grade will normally be considered unsatisfactory if reversion to a lower grade was expressly for prejudice or cause; owing to misconduct; caused by non-judicial punishment pursuant to Article 15 of the Uniform Code of Military Justice; or the result of the sentence of a court-martial. It also states that service will be considered unsatisfactory if there is sufficient unfavorable information to establish that the Soldier's service in the grade in question was unsatisfactory.

8. Title 10 USC, section 1370, provides that an officer will be retired in the highest grade served on active duty satisfactorily as determined by the Secretary of the Military Department concerned.

9. Army Regulation 635-8 (Separation Processing and Documents) prescribes the policy and procedural guidance relating to transition management. It consolidates the policies, principles of support, and standards of service regarding processing personnel for transition. Chapter 5 (Preparing Separation Documents) provides that 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 retirement, or discharge. Block 4 (Grade, Rate, or Rank), verify that active duty grade or rank and pay grade are accurate at the time of separation.

10. Title 31, U.S. Code, section 3702, is the 6-year barring statute for payment of claims by the Government. In essence, if an individual brings a claim against the Government for monetary relief, the barring statute states the Government is only obligated to pay the individual 6 years in arrears from the date of approval of the claim. Attacks to the barring statute have resulted in litigation in the U.S. Court of Federal Claims. In the case of *Pride versus the United States*, the court held that the Board for Correction of Military Records is not bound by the barring act. The Board for Correction of Military Records decision creates a new entitlement to payment and the 6-year statute begins again. Payment is automatic and not discretionary when a Board for Correction of Military Records decision creates an entitlement.

11. On 3 September 2014, the Secretary of Defense directed the Service Discharge Review Boards (DRBs) and Service Boards for Correction of Military/Naval Records (BCM/NRs) to carefully consider the revised PTSD criteria, detailed medical considerations and mitigating factors when taking action on applications from former service members administratively discharged under other than honorable conditions and who have been diagnosed with PTSD by a competent mental health professional representing a civilian healthcare provider in order to determine if it would be appropriate to upgrade the characterization of the applicant's service.

12. 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 DRBs and BCM/NRs 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 (TBI); 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.

13. 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 (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//