

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 May 2025

DOCKET NUMBER: AR20240009487

APPLICANT REQUESTS: correction of her records to show she was honorably discharged.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 (Certificate of Release or Discharge from Active Duty), 16 May 1983
- Department of Veterans Affairs (VA) Summary of Benefits, dated 27 June 2024, which shows she has one or more service-connected disabilities, and her combined evaluation is 100 percent

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 states she is requesting that her discharge states honorable. She is unable to obtain a disabled veteran's card from the Department of Defense due to her discharge status. She was injured in basic training and medically discharged. The narrative reason states – performance and conduct, which is not correct. She was not aware that her characterization of discharge was incorrect or that it should have said honorable until she was awarded compensation from VA. When she tried to obtain the disabled veteran identification card, she was told she cannot obtain one until her discharge is changed or updated to reflect honorable.
3. A review of the applicant's service record shows:
 - a. She enlisted in the Regular Army on 17 March 1983.
 - b. She was counseled for the following:

- 15 April 1983 – performance and profile for two weeks; had not completed a diagnostic physical training (PT) test due to profile for no running or marching. Doctor stated pressure was building on the bone that caused knots and constant hurting. Service member did not desire to finish basic training.
- 25 April 1983 – attitude, self-discipline, motivation, physical fitness, quitters' attitude, and she did not desire to finish basic training. She had a profile for feet problems which hindered her from executing drill movements. Recommended for discharge.
- 27 April 1983 – recommended for discharge by her drill sergeants for inattentiveness, lack of motivation, quitter's attitude and poor physical condition.

c. On 28 April 1983, her commander notified her of his intent to separate her under the provisions of Army Regulation (AR) 635-200 (Personnel Separations – Enlisted Personnel), chapter 11, entry level performance and conduct (Trainee Discharge Program). The commander listed the following reasons for the proposed action: lack of motivation, inattentiveness, quitters' attitude and poor physical condition.

d. The applicant acknowledged receipt on 28 April 1983. She understood that if approved, she would receive an entry level separation with uncharacterized service. She did not desire to consult with consulting counsel and did not request a separation physical.

e. Her chain of command recommended approval, with an uncharacterized, entry level separation. The battalion commander stated he counseled the applicant on 30 April 1983. He stated that the applicant had a four-year-old daughter that had experienced medical problems, which impacted the applicant's attitude and motivation. She had a quitter's attitude and was unwilling to accept any rehabilitative efforts on the part of the cadre. Her performance history since joining the battalion had been unsatisfactory in almost every area.

f. On 10 May 1983, the separation authority approved the discharge, directed that her character of service be uncharacterized, and waived reassignment for rehabilitation purposes.

g. She was discharged on 16 May 1983. Her DD Form 214 shows she was discharged under the provisions of AR 635-200, paragraph 11-3a, by reason of entry level status – performance and conduct, in the rank/grade of private/E-3. This form also shows in:

- Item 11 (Primary Specialty): none
- Item 12c (Net Active Service This Period): 2 months
- Item 24 (Character of Service): Entry Level Status

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

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

6. MEDICAL REVIEW:

a. The applicant is applying to the ABCMR requesting a change of her discharge to honorable. She contends her experience of PTSD is related to her request. 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: 1) The applicant enlisted in the Regular Army on 17 March 1983; 2) The applicant was counseled on 15 April 1983 concerning her performance and being on profile for two weeks for a physical injury. She had not completed a diagnostic physical training (PT) test due to profile for no running or marching. Doctor stated pressure was building on the bone that caused knots and constant hurting. The applicant did not desire to finish basic training; 3) On 28 April 1983, the applicant's commander notified her of his intent to separate her under Chapter 11, entry level performance and conduct (Trainee Discharge Program). The commander listed the following reasons for the proposed action: lack of motivation, inattentiveness, quitters' attitude and poor physical condition; 4) The applicant was discharged on 16 May 1983, Chapter 11-3a, by reason of entry level performance and conduct with an uncharacterized character of service. She completed 2 months of net active service.

b. The Army Review Board Agency (ARBA) Medical Advisor reviewed the supporting documents and the applicant's available military service and medical records. The VA's Joint Legacy Viewer (JLV) and VA medical documentation provided by the applicant were also examined.

c. There is insufficient evidence the applicant reported or was diagnosed with a mental health condition including PTSD during her active service.

d. A review of JLV provided evidence the applicant began to engage with the VA in 2016 for treatment for physical concerns. In 2024, the applicant underwent a Compensation and Pension (C&P) evaluation for PTSD. The applicant reported her traumatic event was being given shoes, which were too small, and expected to engage in physical fitness. This is not consistent with the DSM criteria for a potentially traumatic event; however, the applicant was diagnosed with currently experiencing PTSD. She reported an increase of symptoms as a result of an increase in back pain and other physical concerns. The applicant was diagnosed with service-connected PTSD (100%SC) as a result of this C&P evaluation.

e. Based on the available information, it is the opinion of the Agency Medical Advisor that there is insufficient evidence to support the applicant had a condition or experience that mitigates her discharge.

f. Kurta Questions:

(1) Did the applicant have a condition or experience that may excuse or mitigate the discharge? Yes, the applicant asserts she warrants an honorable discharge. The applicant had been diagnosed with service-connected PTSD in 2024 related to her current symptomatology related to her physical injuries and pain.

(2) Did the condition exist or experience occur during military service? Yes, the applicant asserts she warrants an honorable discharge. The applicant had been diagnosed with service-connected PTSD related to her current symptomatology related to her physical injuries and pain.

(3) Does the condition or experience actually excuse or mitigate the discharge? No. There is sufficient evidence the applicant was identified, evaluated, and appropriately administratively separated for experiencing a physical injury and difficulty adjusting to the military early in her training. There was insufficient evidence the applicant was experiencing a mitigating mental condition during her active service beyond difficulty adjusting to her military training. Later in 2024, due to her current report of mental health symptoms as a result of her current physical pain, the applicant was diagnosed with service-connected PTSD. However, there is insufficient evidence to support adjusting the applicant's discharge as a result of her diagnosis of service-connected PTSD. Yet, the applicant contends she was experiencing a mental health condition or an experience that mitigates her discharge, and per Liberal Consideration the contention alone is sufficient for the board's consideration.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, to include the DoD guidance on liberal consideration when reviewing discharge upgrade requests, the Board determined relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the short term of honorable service and the misconduct leading to the applicant's separation, the Board concluded there was insufficient evidence of an error or injustice warranting a change to the applicant's characterization of service.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	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.

//SIGNED//

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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 635-200 (Personnel Separations – Enlisted Personnel), in effect at the time, set policies, standards and procedures to ensure the readiness and competency of the force while providing for the orderly administrative separation of Soldiers for a variety of reasons. It stated:
 - a. Chapter 11 provided guidance for the separation of personnel because of unsatisfactory performance, or conduct (or both) while in an entry level status.

Separation of a Soldier in entry level status may be warranted on the grounds of unsatisfactory performance and/or unsatisfactory conduct as evidenced by inability, lack of reasonable effort, failure to adapt to the military environment, or minor disciplinary infractions, as evidenced by inability, lack of reasonable effort, or failure to adapt to the military environment.

b. Chapter 11-3 applied to Soldiers who enlisted in the Regular Army, Army National Guard, or U.S. Army Reserve, and in an entry level status and, before the date of the initiation of separation actions, had completed no more than 180 days of creditable continuous active duty or initial active-duty training; and demonstrated they could not or would not adapt socially or emotionally to military life, could not meet the minimum standards prescribed for successful completion of training because of lack of aptitude, ability, motivation or self-discipline, or demonstrated character and behavior characteristics not compatible with satisfactory continued service.

c. Paragraph 11-6 stated entry level separation – uncharacterized would be used for separation under the provisions of chapter 11.

d. Entry-level status is defined as: for Regular Army Soldiers, entry-level status is the first 180 days of continuous active duty or the first 180 days of continuous active duty following a break of more than 92 days of active military service.

e. 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.

3. 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//