

1. Applicant's Name: [REDACTED]

- a. **Application Date:** 26 April 2021
- b. **Date Received:** 26 April 2021
- c. **Counsel:** None

2. REQUEST, ISSUES, BOARD TYPE, AND DECISION:

a. **Applicant's Requests and Issues:** The current characterization of service for the period under review is honorable. The applicant requests a narrative reason change.

The applicant seeks relief contending, in effect, they were undergoing a medical evaluation board (MEB) to be discharged with a service-connected disability for their knee. Their superiors did not like the fact the applicant was not going to Iraq with them, and they made the applicant's life very difficult. This drove the applicant to have multiple unstable mental conditions of depression, delusions, suicidal thoughts, hallucinations, etcetera. The applicant's superiors were aware of this and entered the narrative reason of personality disorder on their DD Form 214 (Certificate of Release or Discharge from Active Duty), but the type of separation is described as a "Discharge." The applicant was stable when they enlisted in the Army, but their unit drove them to a personality disorder. Because this was the reason the applicant was discharged, it was a service-connected condition. The applicant believes "Discharge" was entered erroneously to prevent the applicant from receiving their full benefits. It took the applicant a long time to dispute the discharge because they were misled to believe they would receive their full benefits, specifically, the GI Bill. If there were any shortcomings, the applicant could not do anything about it. They recently found out they could not receive their full benefits unless the type of separation is corrected to what it should be. The applicant believes this is why they received a lower disability rating. The applicant requests their discharge be changed to a disability discharge.

b. **Board Type and Decision:** In a records review conducted on 8 July 2025, and by a 5-0 vote, the Board determined the narrative reason for the applicant's separation is inequitable based on the applicant's based on the separation regulation no longer using Personality Disorder as a narrative reason for discharge. Therefore, the Board directed the issue of a new DD Form 214 changing the separation authority to AR 635-200, paragraph 5-17, and the narrative reason for separation to Condition, Not a Disability, with a corresponding separation code to JFV. The board determined the RE code was proper and equitable and voted not to change it.

Please see Section 9 of this document for more detail regarding the Board's decision.

(Board member names available upon request)

3. DISCHARGE DETAILS:

- a. **Reason / Authority / Codes / Characterization:** Personality Disorder / AR 635-200, Paragraph 5-13 / JFX / RE-3 / Honorable
- b. **Date of Discharge:** 16 April 2003
- c. **Separation Facts:**

(1) **Date of Notification of Intent to Separate:** 11 March 2003

(2) **Basis for Separation:** The applicant was informed of the following reasons: On 18 February 2003, the applicant was diagnosed with an unspecified personality disorder.

(3) **Recommended Characterization:** Honorable

(4) **Legal Consultation Date:** On 13 March 2003, the applicant waived legal counsel.

(5) **Administrative Separation Board:** NA

(6) **Separation Decision Date / Characterization:** 23 March 2003 / Honorable

4. SERVICE DETAILS:

a. **Date / Period of Enlistment:** 24 May 2001 / 4 years

b. **Age at Enlistment / Education / GT Score:** 22 / GED / 122

c. **Highest Grade Achieved / MOS / Total Service:** E-3 / 92A10, Automated Logistical Specialist / 1 year, 10 months, 23 days

d. **Prior Service / Characterizations:** NA

e. **Overseas Service / Combat Service:** None

f. **Awards and Decorations:** NDSM, ASR

g. **Performance Ratings:** NA

h. **Disciplinary Action(s) / Evidentiary Record:** Company Grade Record of Proceedings under Article 15, Uniform Code of Military Justice (UCMJ), 30 September 2002, for, with the intent to deceive, making a false official statement (16 August 2002). The punishment consisted of a reduction to E-2, forfeiture of \$289 pay, and extra duty and restriction for 14 days.

Company Grade Record of Proceedings under Article 15, UCMJ, 11 February 2003, for failing to obey a lawful order from Sergeant M. K., a noncommissioned officer, to shave before formation (8 January 2003), and with the intent to deceive, making a false official statement to Staff Sergeant C. B. (5 January 2003). The punishment consisted of a reduction to E-1, forfeiture of \$286 pay, and extra duty and restriction for 14 days.

Numerous Developmental Counseling Forms for failing to meet personal appearance and uniform standards; failing to have their identification card and tags; failing to be at their appointed place of duty on multiple occasions; lying to an NCO; gambling on military time; losing table of allowances-50 (TA-50); having repetitive disciplinary problems; failing to keep supervisor informed; and pending separation.

i. **Lost Time / Mode of Return:** None

j. **Behavioral Health Condition(s):**

(1) **Applicant provided:** None

(2) AMHRR Listed: Report of Mental Status Evaluation, 18 February 2003, reflects the applicant was psychiatrically cleared for any administrative actions deemed appropriate by the command. The applicant could understand and participate in administrative proceedings; was mentally responsible; and met medical retention requirements. The applicant was diagnosed with dysthymia, occupational problem, personality disorder not otherwise specified (NOS), and right knee injury. The applicant met psychiatric criteria for separation in accordance with AR 635-200, paragraph 5-13.

The ARBA's medical advisor reviewed DoD and VA medical records, including documents listed in 4j(1) and (2) above.

5. APPLICANT-PROVIDED EVIDENCE: Certificate of Release or Discharge from Active Duty; Application for the Review of Discharge; and Applicant Information data sheet.

6. POST SERVICE ACCOMPLISHMENTS: None submitted with the application.

7. STATUTORY, REGULATORY AND POLICY REFERENCE(S):

a. Section 1553, Title 10, United States Code (Review of Discharge or Dismissal) provides for the creation, composition, and scope of review conducted by a Discharge Review Board(s) within established governing standards. As amended by Sections 521 and 525 of the National Defense Authorization Act for Fiscal Year 2020, 10 USC 1553 provides specific guidance to the Military Boards for Correction of Military/Naval Records and Discharge Review Boards when considering discharge upgrade requests by Veterans claiming Post Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), sexual trauma, intimate partner violence (IPV), or spousal abuse, as a basis for discharge review. The amended guidance provides that Boards will include, as a voting board member, a physician trained in mental health disorders, a clinical psychologist, or a psychiatrist when the discharge upgrade claim asserts a mental health condition, including PTSD, TBI, sexual trauma, IPV, or spousal abuse, as a basis for the discharge. Further, the guidance provides that Military Boards for Correction of Military/Naval Records and Discharge Review Boards will develop and provide specialized training specific to sexual trauma, IPV, spousal abuse, as well as the various responses of individuals to trauma.

b. Multiple Department of Defense Policy Guidance Memoranda published between 2014 and 2018. The documents are commonly referred to by the signatory authorities' last names (2014 Secretary of Defense Guidance [Hagel memo], 2016 Acting Principal Deputy Under Secretary of Defense for Personnel and Readiness [Carson memo], 2017 Official Performing the Duties of the Under Secretary of Defense for Personnel and Readiness [Kurta memo], and 2018 Under Secretary of Defense for Personnel and Readiness [Wilkie memo]).

(1) Individually and collectively, these documents provide further clarification to the Military Discharge Review Boards and Boards for Correction of Military/Naval Records when considering requests by Veterans for modification of their discharge due to mental health conditions, including PTSD; TBI; sexual assault; or sexual harassment. Liberal consideration will be given to Veterans petitioning for discharge relief when the application for relief is based in whole or in part on matters relating to mental health conditions, including PTSD; TBI; sexual assault; or sexual harassment. Special consideration will be given to Department of Veterans Affairs (VA) determinations that document a mental health condition, including PTSD; TBI; or sexual assault/harassment potentially contributed to the circumstances resulting in a less than honorable discharge characterization. Special consideration will also be given in cases where a civilian provider confers diagnoses of a mental health condition, including PTSD; TBI; or sexual assault/harassment if the case records contain narratives supporting symptomatology at the time of service or when any other evidence which may reasonably indicate that a mental health

condition, including PTSD; TBI; or sexual assault/harassment existed at the time of discharge might have mitigated the misconduct that caused a discharge of lesser characterization.

(2) Conditions documented in the service record that can reasonably be determined to have existed at the time of discharge will be considered to have existed at the time of discharge. In cases in which a mental health condition, including PTSD; TBI; or sexual assault/harassment may be reasonably determined to have existed at the time of discharge, those conditions will be considered potential mitigating factors in the misconduct that caused the characterization of service in question. All Boards will exercise caution in weighing evidence of mitigation in cases in which serious misconduct precipitated a discharge with a less than Honorable characterization of service. Potentially mitigating evidence of the existence of undiagnosed combat related PTSD, PTSD-related conditions due to TBI or sexual assault/harassment as causative factors in the misconduct resulting in discharge will be carefully weighed against the severity of the misconduct. PTSD is not a likely cause of premeditated misconduct. Caution shall be exercised in weighing evidence of mitigation in all cases of misconduct by carefully considering the likely causal relationship of symptoms to the misconduct.

c. Army Regulation 15-180 (Army Discharge Review Board), sets forth the policies and procedures under which the Army Discharge Review Board is authorized to review the character, reason, and authority of any Servicemember discharged from active military service within 15 years of the Servicemember's date of discharge. Additionally, it prescribes actions and composition of the Army Discharge Review Board under Public Law 95-126; Section 1553, Title 10 United States Code; and Department of Defense Directive 1332.41 and Instruction 1332.28.

d. Army Regulation 635-40 (Physical Evaluation for Retention, Retirement, or Separation), in effect at the time, established the Army Physical Disability Evaluation System according to the provisions of title 10, United States Code (USC), chapter 61, (10 USC 61) and Department of Defense Directive (DODD) 1332.18. It sets forth policies, responsibilities, and procedures that apply in determining whether a Soldier is unfit because of physical disability to reasonably perform the duties of his or her office, grade, rank, or rating. If a Soldier is found unfit because of physical disability, this regulation provides for disposition of the Soldier according to applicable laws and regulations. The objectives of this regulation are to maintain an effective and fit military organization with maximum use of available manpower and provide benefits for eligible soldiers whose military service is terminated because of a service-connected disability; and provide prompt disability processing while ensuring that the rights and interests of the Government and the Soldier are protected. Chapter 4 addresses the Eligibility for Disability Evaluation, Initiation of Medical Evaluation, Physical Disability Evaluation, Review and Confirmation of Physical Evaluation Board Action, Medical Processing Related to Disability Evaluation, and Disposition Subsequent to Adjudication.

e. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), provides the basic authority for the separation of enlisted personnel.

(1) Paragraph 1-33a, in effect at the time, provides except in separation actions under chapter 10 and as provided in paragraph 1-33b (separation under chapters 7 or 14), disposition through medical channels takes precedence over administrative separation processing.

(2) Chapter 3, Section II provides the authorized types of characterization of service or description of separation.

(3) Paragraph 3-7a states an Honorable discharge is a separation with honor and 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.

(4) Chapter 5 provides for the basic separation of enlisted personnel for the convenience of the government.

(5) Paragraph 5-13, in effect at the time, provided that a Soldier may be separated for a personality disorder, not amounting to disability, when the condition interfered with assignment to or performance of duty. The regulation requires that the condition is a deeply ingrained maladaptive pattern of behavior of long duration that interferes with the Soldier's ability to perform military duties. The regulation also directs that commanders will not take action prescribed in this Chapter in lieu of disciplinary action and requires that the disorder is so severe that the Soldier's ability to function in the military environment is significantly impaired. Army policy requires the award of a fully honorable discharge in such case.

(6) Paragraph 5-13h, stipulates a characterization of a Soldier separated per this paragraph will be characterized as honorable unless an entry-level separation is required under chapter 3, section II. Characterization of service under honorable conditions may be awarded to a Soldier who has been convicted of an offense by general court-martial or who has been convicted by more than one special court-martial in the current enlistment, period of obligated service, or any extension thereof.

f. Army Regulation 635-5-1 (Separation Program Designator (SPD) Codes), in effect at the time, provided the specific authorities (regulatory or directive), reasons for separating Soldiers from active duty, and the SPD codes to be entered on the DD Form 214. It identified the SPD code of "JFX" as the appropriate code to assign enlisted Soldiers who were discharged under the provisions of Army Regulation 635-200, Chapter 5-13, personality disorder.

g. Army Regulation 601-210 (Regular Army and Reserve Components Enlistment Program), governs eligibility criteria, policies, and procedures for enlistment and processing of persons into the Regular Army, the U.S. Army Reserve, and Army National Guard for enlistment per DODI 1304.26. It also prescribes the appointment, reassignment, management, and mobilization of Reserve Officers' Training Corps cadets under the Simultaneous Membership Program. Chapter 4 provides the criteria and procedures for waiverable and nonwaiverable separations. Table 3-1, defines reentry eligibility (RE) codes: RE-3 Applies to: Person who is not considered fully qualified for reentry or continuous service at time of separation, but disqualification is waiverable. Eligibility: Ineligible unless a waiver is granted.

8. SUMMARY OF FACT(S): The Army Discharge Review Board considers applications for upgrade as instructed by Department of Defense Instruction 1332.28.

The applicant requests a narrative reason change. The applicant's Army Military Human Resources Record (AMHRR), the issues, and documents submitted with the application were carefully reviewed.

Evidence in the applicant's AMHRR confirms the applicant was diagnosed by a competent medical authority with a personality disorder: Personality Disorder, NOS. The applicant's immediate commander notified the applicant of their intent to discharge them from the Army on 18 February 2003, because they were diagnosed with an unspecified personality disorder.

The applicant contends being discharged because of multiple mental health conditions, including depression, delusions, suicidal thoughts, and hallucinations. The applicant's AMHRR contains documentation supporting an in-service diagnosis. The record shows the applicant

underwent a mental status evaluation (MSE) on 18 February 2003, indicating the applicant was mentally responsible. The applicant was diagnosed with dysthymia, occupational problem, personality disorder, NOS, and right knee injury, and they met psychiatric criteria for separation in accordance with AR 635-200, paragraph 5-13. The separation authority considered the MSE.

The applicant contends harassment by members of the chain of command. The applicant did not submit evidence other than their statement to support the contention. There is no evidence in the AMHRR the applicant sought assistance or reported the harassment. The AMHRR does not include any indication or evidence of arbitrary or capricious actions by the command.

The applicant contends the narrative reason for separation needs changed to a disability discharge. The applicant was separated under Chapter 5, paragraph 5-13, AR 635-200 provisions with an honorable discharge. The narrative reason specified by Army Regulations for a discharge under this paragraph is "Personality Disorder," and the separation code is "JFX." Army Regulation 635-8 (Separation Processing and Documents) governs the preparation of the DD Form 214 and dictates the entry of the narrative reason for separation, entered in block 28, and separation code, entered in block 26 of the form, will be as listed in tables 2-2 or 2-3 of AR 635-5-1 (Separation Program Designator (SPD) Codes). The regulation stipulates no deviation is authorized. There is no provision for entry of any other reason under this regulation.

The applicant contends the discharge should have been for medical reasons and a medical evaluation board was ongoing during the separation proceedings. Army Regulation 635-200, paragraph 1-33a, in effect at the time, provides except in separation actions under chapter 10 and as provided in paragraph 1-33b (separation under chapters 7 or 14), disposition through medical channels takes precedence over administrative separation processing. Army Regulation 635-40, in effect at the time, set forth policies, responsibilities, and procedures that apply in determining whether a Soldier is unfit because of physical disability to reasonably perform the duties of his or her office, grade, rank, or rating. The applicant did not submit evidence other than their statement to support the contention the applicant was pending an MEB. The applicant's AMHRR is void of any evidence to show the applicant was undergoing an MEB or they were determined to be unfit because of a disability at the time of separation.

The applicant contends an upgrade would allow educational benefits through the GI Bill. Eligibility for veterans' benefits, including educational benefits under the Post-9/11 or Montgomery GI Bill, does not fall within the purview of the Army Discharge Review Board. Accordingly, the applicant should contact a local Department of Veterans Affairs office for further assistance.

9. BOARD DISCUSSION AND DETERMINATION:

a. As directed by the 2017 memo signed by A.M. Kurta, the board considered the following factors:

(1) Did the applicant have a condition or experience that may excuse or mitigate the discharge? **Yes.** The Board reviewed the applicant's DOD and VA health records, applicant's statement, and/or civilian provider documentation and found that the applicant has the following potentially-mitigating diagnoses/experiences: Dysthymia.

(2) Did the condition exist or experience occur during military service? **Yes.** The Board found the applicant is 10 percent SC for Dysthymia.

(3) Does the condition or experience actually excuse or mitigate the discharge? **No.** The Board's Medical Advisor applied liberal consideration and opined that a review of the

available information reflects the applicant was not separated for misconduct, rather the applicant separated under AR 635-200 Chapter 5-13 (Personality Disorder). Although the applicant is service-connected for a BH condition, the condition did not fail medical retention standards IAW 40-501 Chapter 3, during the period of service.

(4) Does the condition or experience outweigh the discharge? **No.** After applying liberal consideration to the evidence, including the Board Medical Advisor opine, the Board determined that the available evidence did not support a conclusion that the applicant's Dysthymia outweighed the applicant's discharge for a personality disorder

b. Response to Contention(s):

(1) The applicant contends being discharged because of multiple mental health conditions, including depression, delusions, suicidal thoughts, and hallucinations. The Board liberally considered this contention but did not find that the applicant's behavioral health conditions mitigated the discharge because the applicant was not discharge for misconduct.

(2) The applicant contends harassment by members of the chain of command. The Board considered this contention but found insufficient evidence in the applicant's AMHRR or applicant-provided evidence, other than the applicant's testimony, to support the assertion that the applicant was harassed by the chain of command.

(3) The applicant contends the narrative reason for separation needs changed to a disability discharge. The Board considered this contention and determined that it was valid based on AR 635-200 no longer using Personality Disorder as a narrative reason for separation.

(4) The applicant contends the discharge should have been for medical reasons and a medical evaluation board was ongoing during the separation proceedings. The Board considered this contention but determined that the applicant's separation under Chapter 5-13 was IAW the regulations at the time.

(5) The applicant contends an upgrade would allow educational benefits through the GI Bill. The Board considered this contention and determined that eligibility for Veteran's benefits, to include educational benefits under the Post-9/11 or Montgomery GI Bill, healthcare or VA loans, do not fall within the purview of the Army Discharge Review Board. Accordingly, the applicant should contact a local office of the Department of Veterans Affairs for further assistance.

c. The Board determined the narrative reason for the applicant's separation is inequitable based on the applicant's based on the separation regulation no longer using Personality Disorder as a narrative reason for discharge. Therefore, the Board directed the issue of a new DD Form 214 changing the separation authority to AR 635-200, paragraph 5-17, and the narrative reason for separation to Condition, Not a Disability, with a corresponding separation code to JFV. The board determined the RE code was proper and equitable and voted not to change it.

d. Rationale for Decision:

(1) The Board voted not to change the applicant's characterization of service as the applicant already holds an honorable characterization and further relief is not available.

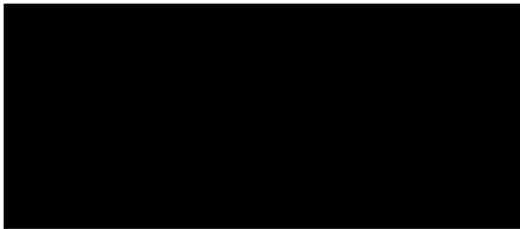
(2) The Board voted to change the reason for discharge to Condition, Not a Disability under the same pretexts, thus the reason for discharge is no longer appropriate. The SPD code associated with the new reason for discharge is JFF.

(3) The RE code will not change, as the current code is consistent with the procedural and substantive requirements of the regulation.

10. BOARD ACTION DIRECTED:

- a. **Issue a New DD-214:** Yes
- b. **Change Characterization to:** No Change
- c. **Change Reason / SPD Code to:** Condition, Not a Disability / JFV
- d. **Change RE Code to:** No Change
- e. **Change Authority to:** AR 635-200

Authenticating Official:



Legend:

AWOL – Absent Without Leave
AMHRR – Army Military Human Resource Record
BCD – Bad Conduct Discharge
BH – Behavioral Health
CG – Company Grade Article 15
CID – Criminal Investigation Division
ELS – Entry Level Status
FG – Field Grade Article 15

GD – General Discharge
HS – High School
HD – Honorable Discharge
IADT – Initial Active Duty Training
MP – Military Police
MST – Military Sexual Trauma
N/A – Not applicable
NCO – Noncommissioned Officer
NIF – Not in File
NOS – Not Otherwise Specified

OAD – Ordered to Active Duty
OBH (I) – Other Behavioral Health (Issues)
OMPF – Official Military Personnel File
PTSD – Post-Traumatic Stress Disorder
RE – Re-entry
SCM – Summary Court Martial
SPCM – Special Court Martial

SPD – Separation Program Designator
TBI – Traumatic Brain Injury
UNC – Uncharacterized Discharge
UOTHC – Under Other Than Honorable Conditions
VA – Department of Veterans Affairs