

1. Applicant's Name: [REDACTED]**a. Application Date:** 29 December 2020**b. Date Received:** 5 January 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 Uncharacterized. The applicant requests an upgrade to Honorable.

b. The applicant seeks relief contending, their DD Form 214 (Certificate of Release or Discharge from Active Duty) from initial entry training in 2007, was characterized as Uncharacterized, which has caused issues with them receiving their benefits, as an Honorable discharge is the only acceptable characterization. The applicant recently received a letter from Veterans Affairs (VA), stating their service has been changed to Honorable and they were now eligible for 100% GI Bill benefits. They are unsure how to obtain proof of this change or if it even actually happened. If it has happened, they were told by the VA to contact Army Review Boards Agency (ARBA) to get proof of the change. If they have not been recharacterized as Honorable, they would like to request a review to have their DD Form 214 characterized to Honorable, so they can use those months to boost their benefits and time in service at their federal job.

c. Board Type and Decision: In a records review conducted on 10 May 2024, and by a 5-0 vote, the Board directed the issue of a new DD Form 214 changing the separation authority to AR 635- 200.

3. DISCHARGE DETAILS:

a. Reason / Authority / Codes / Characterization: NIF / AR 635-200 / NIF / NIF / Honorable

b. Date of Discharge: 3 November 2007

c. Separation Facts:

(1) **Date of Notification of Intent to Separate:** NIF

(2) **Basis for Separation:** NIF

(3) **Recommended Characterization:** NIF

(4) **Legal Consultation Date:** NIF

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

(6) **Separation Decision Date / Characterization:** NIF

4. SERVICE DETAILS:

a. Date / Period of Enlistment: 2 December 2006 / 8 years

b. Age at Enlistment / Education / GT Score: 19 / Some College / NIF

c. Highest Grade Achieved / MOS / Total Service:

- E-2 / 44C10 Financial Management Technician / 4 months, 15 days
- E-4 / 44C10 Financial Management Technician / 1 year, 17 days
- E-5 / 36B20 Financial Management / 6 years, 6 months
- E-5 / 35M20 Human Intelligence Collector / 1 years, 9 months

d. Prior Service / Characterizations: None

e. Overseas Service / Combat Service: SWA / Afghanistan (28 August 2008 – 27 June 2009)

f. Awards and Decorations: ACM-CS, ARCOM, AGCM, NDSM, GWOTSM, NCOPDR, ASR, OSR, AFRM-M, NATO MDL, EMB-RB

g. Performance Ratings:

- SGT (8 November 2014 – 7 November 2015) / Fully Capable
- SGT (7 November 2017 – 6 November 2018) / Most Qualified

h. Disciplinary Action(s) / Evidentiary Record:

(1) The applicant provided three DD Form 214s, which indicates:

(a) This period from 19 June – 3 November 2007, lists the following:

- Authority: AR 635-200, Chapter 4
- Narrative: Release from Active Duty Training
- SPD Code: MBK
- Reentry Code: NA
- Service Characterization: Uncharacterized
- Total NET Active Service this Period: 4 months, 15 days
- Remarks: Member has not completed first full term of service.
- Lost Time: None
- Signature: Physically signed

(b) This period from 6 July 2008 – 22 July 2009, lists:

- Authority: AR 635-200, Chapter 4
- Narrative: Release from Active Duty
- SPD Code: MBK
- Reentry Code: NA
- Service Characterization: Honorable
- Total NET Active Service this Period: 1 year, 17 days
- Remarks: DD Form 215 will be issued to provide missing information; served in a designated imminent danger pay area, service in Afghanistan from 28 August 2008 – 27 June 2009; ordered to active duty in support of Operation Enduring Freedom; member has completed first full term of service.

- Lost Time: None
- Signature: electronically signed

(c) This period from 25 February 2013 – 3 July 2014, lists:

- Authority: AR 635-200, Chapter 4
- Narrative: Release from Active Duty Training
- SPD Code: MBK
- Reentry Code: RE-1
- Service Characterization: Honorable
- Total NET Active Service this Period: 1 year, 4 months, 9 days
- Remarks: DD Form 215 will be issued to provide missing information; Individual completed period for which ordered to active duty for purpose of post service benefits and entitlements; orders number 026707 (12 February 2013); member has completed first full term of service; Order #000262 (25 September 2013)
- Lost Time: None
- Signature: electronically signed

(2) On 15 August 2019, they completed their United States Army Reserve (USAR) service obligation, held beyond their normal discharge date, through no fault of the applicant, with an Honorable characterization of service.

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

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

(1) **Applicant provided:** None

(2) **AMHRR Listed:** None

5. APPLICANT-PROVIDED EVIDENCE: DD Form 293 (Application for the Review of Discharge); Three DD Form 214s

6. POST SERVICE ACCOMPLISHMENTS: The applicant has earned their bachelor's degree and is a federal employee.

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), dated 25 September 2019, 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 135-178 sets forth the policies, standards, and procedures to ensure the readiness and competency of the U.S. Army while providing for the orderly administrative separation of Army National Guard and USAR enlisted Soldiers for a variety of reasons. The separation policies throughout the different Chapters in this regulation promote the readiness of the Army by providing an orderly means to judge the suitability of persons to serve on the basis of their conduct and their ability to meet required standards of duty performance and discipline. Specific categories include minor disciplinary infractions, a pattern of misconduct, and commission of a serious offense, to include abuse of illegal drugs, and convictions by civil authorities.

(1) The possible characterizations include an honorable, general (under honorable conditions), under other than honorable conditions, or uncharacterized if the Soldier is in entry-level status. However, the permissible range of characterization varies based on the reason for separation.

(2) The characterization is based upon the quality of the Soldier's service, including the reason for separation and determination in accordance with standards of acceptable personal conduct and performance of duty as found in the UCMJ, Army regulations, and the time-honored customs and traditions of the Army. The reasons for separation, including the specific circumstances that form the basis for the discharge are considered on the issue of characterization.

(3) Chapter 15 provides explicitly for separation under the prerogative of the Secretary of the Army. Secretarial plenary separation authority is exercised sparingly and seldom delegated. Ordinarily, it is used when no other provision of this regulation applies, and early separation is clearly in the Army's best interest. Separations under this paragraph are effective only if approved in writing by the Secretary of the Army or the Secretary's approved designee as announced in updated memoranda. Secretarial separation authority is normally exercised on a case-by-case basis.

e. Army Regulation 635-5-1 (Separation Program Designator (SPD) Codes) provides 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 identifies the SPD code of "MBK" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 4, Completion of Required Active Service.

f. Title 38, U.S. Code, Sections 1110 and 1131, permits the VA to award compensation for a medical condition which was incurred in or aggravated by active military service. The VA, however, is not required by law to determine medical unfitness for further military service. The VA, in accordance with its own policies and regulations, awards compensation solely on the basis that a medical condition exists and that said medical condition reduces or impairs the social or industrial adaptability of the individual concerned. Consequently, due to the two concepts involved, an individual's medical condition, although not considered, medically unfitting for military service at the time of processing for separation, discharge, or retirement, may be sufficient

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

a. The applicant requests an upgrade to Honorable. The applicant's Army Military Human Resources Record (AMHRR), the issues, and documents submitted with the

application were carefully reviewed.

b. A review of the available records provides the applicant enlisted in the USAR as an PV2, completed basic training, was awarded their MOS, and served on continuous active duty for a period of 125 days, in which their entry-level status was given an Uncharacterized characterization of service.

c. Published Department of Defense guidance indicates that the guidance is not intended to interfere or impeded on the Board's statutory independence. The Board will determine the relative weight of the action that led to the discharge and whether it supports relief or not. In reaching its determination, the Board shall consider the applicant's petition, available records and/or submitted documents in support of the petition.

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? **No.** The Board's Medical Advisor, reviewed DoD and VA medical records and found no mitigating BH diagnoses on the applicant. The applicant provided no documents or testimony of a condition or experience, that, when applying liberal consideration, could have excused, or mitigated a discharge.

(2) Did the condition exist or experience occur during military service? **N/A**

(3) Does the condition or experience actually excuse or mitigate the discharge?
N/A

(4) Does the condition or experience outweigh the discharge? **N/A**

b. Prior Decisions Cited: None

c. Response to Contention(s): The applicant seeks relief contending, their DD Form 214 (Certificate of Release or Discharge from Active Duty) from initial entry training in 2007, was characterized as Uncharacterized, which has caused issues with them receiving their benefits, as an Honorable discharge is the only acceptable characterization. The applicant recently received a letter from Veterans Affairs (VA), stating their service has been changed to Honorable and they were now eligible for 100% GI Bill benefits. They are unsure how to obtain proof of this change or if it even actually happened. If it has happened, they were told by the VA to contact Army Review Boards Agency (ARBA) to get proof of the change. If they have not been recharacterized as Honorable, they would like to request a review to have their DD Form 214 characterized to Honorable, so they can use those months to boost their benefits and time in service at their federal job.

The Board considered this contention valid.

d. The Board directed the issue of a new DD Form 214 changing the separation authority to AR 635- 200.

e. Rationale for Decision:

(1) Published Department of Defense guidance indicates the guidance is not intended to interfere or impede on the Boards's statutory independence. The Board determines the relative weight of the action that was the basis for the discharge and whether it supports relief or not. In reaching its determination, the Board considers the applications, available records and any supporting documents included with the application.

(2) The Board determined that based on the information provided the applicant wants a record to show that he was discharged with an Honorable characterization of service. The applicant's last duty was as an Army Reservist. His discharge order shows Honorable discharge. The Board directed the issue of a new DD Form 214 changing the separation to Honorable with separation authority to AR 635- 200.

(3) The Board voted not to change the Reason/SPD code as there were no Reasons/SPD Codes listed on the applicant's discharge paperwork, due to being in the Army Reserve, no upgrade actions are required for these items.

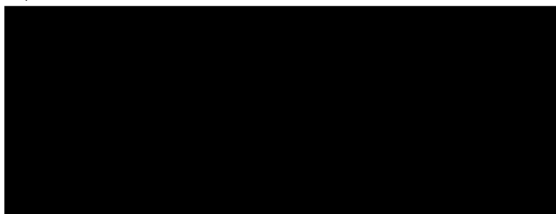
(4) As the applicant was in the Army Reserve, there is no reentry code supplied upon discharge, honorable or otherwise.

10. BOARD ACTION DIRECTED:

- a. **Issue a New DD-214 / Separation Order:** Yes
- b. **Change Characterization to:** Honorable
- c. **Change Reason / SPD code to:** No change
- d. **Change RE Code to:** No change
- e. **Change Authority to:** No change

Authenticating Official:

2/25/2026



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
 UOTHHC – Under Other Than
 Honorable Conditions
 VA – Department of Veterans
 Affairs