

1. Applicant's Name: [REDACTED]**a. Application Date:** 5 March 2021**b. Date Received:** 15 March 2021**c. Counsel:** None**2. REQUEST, ISSUES, BOARD TYPE, AND DECISION:**

a. Applicant Requests: The current characterization of service for the period under review is general (under honorable conditions). The applicant requests an upgrade to honorable.

b. Applicant Contention(s)/Issue(s): The applicant requests relief contending, the applicant was unable to find care for children when the applicant's wife ran out after the applicant was deployed for the second time. The applicant desires to use the GI Bill to keep attending school to become a medical assistant because it would better equip the applicant to represent Ream Rubicon disaster team and the Air Force auxiliary emergency service.

c. Board Type and Decision: In a records review conducted on 27 January 2026, and by a 3-0 vote, the Board determined that the characterization of service was inequitable based on the applicant's length and quality of service, to include combat service, and the family matters surrounding discharge. Accordingly, the Board voted to grant relief in the form of an upgrade to the characterization of service to Honorable. Please see **Board Discussion and Determination** section for more detail regarding the Board's decision. Board member names are available upon request.

3. DISCHARGE DETAILS:

a. Reason / Authority / Codes / Characterization: Parenthood / AR 635-200, Chapter 5-8 / JDG / RE-3 / General (Under Honorable Conditions)

b. Date of Discharge: 23 March 2007

c. Separation Facts:

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

(2) Basis for Separation: The applicant was unable to deploy without a family care plan.

(3) Recommended Characterization: General (Under Honorable Conditions)

(4) Legal Consultation Date: NIF

(5) Administrative Separation Board: NIF

(6) Separation Decision Date / Characterization: 26 February 2007 / General (Under Honorable Conditions)

4. SERVICE DETAILS:

a. Date / Period of Enlistment/Reenlistment Under Review: 20 June 2005 / 3 years, 2 weeks

b. Age at Enlistment / Education / GT Score: 35 / GED / NIF

c. Highest Grade Achieved / MOS / Total Service: E-4 / 88M10, Motor Transport Operator / 18 years, 1 month, 1 day

d. Prior Service / Characterizations: ARNG, 20 July 1988 – 12 October 1988 / UNC
(Concurrent Service) (IADT)
ARNG, 4 April 1990 – 19 September 1990 / GD
RA, 12 October 1988 – 13 September 1988 / UNC
(Concurrent Service) (IADT) U
ARNG, 8 December 1992 – 4 February 2003 / UNC
RA, 18 December 2003 – 15 March 2005 / HD
(Concurrent Service)

e. Overseas Service / Combat Service: SWA / Kuwait/Iraq (11 February 2004 – 11 February 2005)

f. Awards and Decorations: ICM-BSS, CAB, MUC, ARCOM, NDSM-2, GWOTEM, GWOTSM, ASR, OSR-2, AFRM-M Device,

g. Performance Ratings: NA

h. Disciplinary Action(s) / Evidentiary Record:

(1) The applicant was counseled on 26 June 2006, pertaining to the requirements for a valid Family Care Plan.

(2) The applicant was counseled on three separate occasions for failure to report.

i. Lost Time / Mode of Return: None

j. Behavioral Health Condition(s): The following documents have been provided to the ARBA Medical Advisor, if applicable. See “**Board Discussion and Determination**” for Medical Advisor Details.

(1) **Applicant provided:** The applicant provides a Rating Decision from the Department of Veteran Affairs (VA), 8 April 2009, which reflects, in part, the applicant granted service connection for post-traumatic stress disorder (PTSD) with an evaluation of 10 percent effective 29 March 2009.

(2) **AMHRR provided:** None

5. APPLICANT-PROVIDED EVIDENCE: DD Form 293, VA Letter, Certificate of Training, Letter of Support

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

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

a. Office, Secretary of Defense memorandum (Supplemental Guidance to Military Boards for Correction of Military/Naval Records Considering Discharge Upgrade Requests by Veterans Claiming Post Traumatic Stress Disorder), 3 September 2014, 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 UOTHC 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.

b. Office, Under Secretary of Defense memorandum (Clarifying Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Considering Requests by Veterans for Modification of their Discharge Due to Mental Health Conditions, Sexual Assault, or Sexual Harassment), 25 August 2017 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; sexual assault; or sexual harassment. Boards are to give liberal consideration to Veterans petitioning for discharge relief when the application for relief is based in whole or in part to 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.

c. Office, Under Secretary of Defense memorandum (Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations), 25 July 2018 issued guidance to Military DRBs and BCM/NRs regarding equity, injustice, or clemency determinations. Clemency generally refers to relief specifically granted from a criminal sentence. 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.

(1) 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, DRBs 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.

(2) 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.

d. 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.

e. Army Regulation 635-200 provides the basic authority for the separation of enlisted personnel.

(1) Chapter 3, Section II provides the authorized types of characterization of service or description of separation. It states:

(a) 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.

(b) A general discharge is a separation from the Army under honorable conditions and is issued to a Soldier whose military record is satisfactory but not sufficiently meritorious to warrant an honorable discharge.

(2) Chapter 5 provides for the basic separation of enlisted personnel for the convenience of the government. Paragraph 5-8 provides that a Soldier may be separated when parental obligations interfere with fulfillment of military responsibilities. Specific reasons for separation because of parenthood include inability to perform prescribed duties satisfactorily, repeated absenteeism, late for work, inability to participate in field training exercises or perform special duties such as CQ and Staff Duty NCO, and non-availability for worldwide assignment or deployment according to the needs of the Army.

8. SUMMARY OF FACT(S): Standard of Review. 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 AMHRR, the issues, and documents submitted with the application were carefully reviewed.

b. The applicant contends the applicant was unable to find care for children when the applicant's wife ran out after the applicant was deployed for the second time.

c. The applicant states there is a desire to use the GI Bill to keep attending school to become a medical assistant because it would better equip the applicant to represent Ream Rubicon disaster team and the Air Force auxiliary emergency service. Eligibility for veteran's benefits to include 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 office of the Department of Veterans Affairs 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's Medical Advisor, a voting member, 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: PTSD.

(2) Did the condition exist, or experience occur during military service? **Yes.** The Board's Medical Advisor found the applicant is 100 percent SC for PTSD.

(3) Does the condition or experience actually excuse or mitigate the discharge? **No.** The Board's Medical Advisor applied liberal consideration and opined that the applicant was not separated for misconduct, rather for lack of a family care plan. Although the applicant is 100 percent SC for PTSD and was diagnosed with Adjustment Disorder w/Anxiety and Depressed Mood during service, these BH conditions do not mitigate the reason for separation, as failure to establish a family care plan is not natural sequela of either condition. As such, upgraded based on medical mitigation is not supported.

(4) Does the condition or experience outweigh the discharge? **No.** Despite the Board's application of liberal consideration, the Board considered the opinion of the Board's Medical Advisor, a voting member, that the available evidence did not support a conclusion that the applicant's PTSD, Anxiety, or Depression outweighed the basis for applicant's separation – lack of establishing a FCP – for the aforementioned reason(s).

b. Prior Decisions Cited: NA

c. Response to Contention(s): The applicant contends the applicant was unable to find care for children when the applicant's wife ran out after the applicant was deployed for the second time.

The Board determined that this contention was valid and voted to upgrade the characterization of service due to the applicant's length and quality of service, to include combat service, and the family matters surrounding discharge outweighing the basis for separation.

d. The Board determined that the characterization of service was inequitable based on the applicant's length and quality of service, to include combat service, and the family matters surrounding discharge. Accordingly, the Board voted to grant relief in the form of an upgrade to the characterization of service to Honorable.

e. Rationale for Decision:

(1) Published Department of Defense guidance indicates the guidance is not intended to interfere or impede on the Board'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 applicant's petition, available records and any supporting documents included with the petition.

(2) The Board voted to change the applicant's characterization of service to Honorable because the applicant's length and quality of service, to include combat service, and the family

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matters surrounding discharge outweighed the lack of a family care plan. Thus, the prior characterization is no longer appropriate.

(3) The Board voted not to change the applicant's reason for discharge or accompanying SPD code, as the reason the applicant was discharged was both proper and equitable.

(4) 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:** Honorable
- c. **Change Reason / SPD Code to:** No Change
- d. **Change RE Code to:** No Change
- e. **Change Authority to:** No Change

Authenticating Official:

2/4/2026

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
FTR – Failure to Report

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