

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE
AR20210008143

1. Applicant's Name: [REDACTED]

- a. Application Date:** 17 February 2021
- b. Date Received:** 22 February 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 honorable. The applicant requests a Reentry (RE) code change.

b. Applicant Contention(s)/Issue(s): The applicant requests relief contending, in effect, there is no derogatory or negative documents in the applicant's record and the RE code was coded wrong. The RE code is compromising the applicant's ability to return to the Reserves or receive an affiliated bonus.

c. Board Type and Decision: In a records review conducted on 28 May 2025, and by a 5-0 vote, the Board determined that a change to the reentry code is warranted and voted to grant relief in a change to RE-1. The Board voted not to change the characterization of service or narrative reason for discharge because the Board determined they were proper and equitable.

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: Completion of Required Active Service / AR 635-200 / Chapter 4 / MBK / RE-3 / Honorable

b. Date of Discharge: 23 October 2020

c. Separation Facts:

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

(2) Basis for Separation: Completion of required active service.

(3) Recommended Characterization: NA

(4) Legal Consultation Date: NA

(5) Administrative Separation Board: NA

(6) Separation Decision Date / Characterization: NA

4. SERVICE DETAILS:

a. Date / Period of Enlistment: 24 October 2017 / 3 years

b. Age at Enlistment / Education / GT Score: 22 / HS Graduate / 102

- c. **Highest Grade Achieved / MOS / Total Service:** E-5 / 91B20, Wheeled Vehicle Mechanic / 7 years, 8 months, 10 days
- d. **Prior Service / Characterizations:** RA, 23 July 2013 – 23 October 2017 / HD
- e. **Overseas Service / Combat Service:** Poland / 22 January 2019 – 10 October 2019
- f. **Awards and Decorations:** ARCOM, AAM, AGCM-2, NDSM, GWOTSM, NCOPDR, ASR
- g. **Performance Ratings:** 1 October 2017 – 23 June 2018 / Highly Qualified
23 June 2018 – 22 June 2019 / Highly Qualified
- h. **Disciplinary Action(s) / Evidentiary Record:** The applicant's ERB, dated 26 October 2020, reflects a Reenlistment Eligibility/Prohibition Code "8K" (HQDA Directed Bar to Continued Service / Failure to complete required SSD training).
- 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:** None
 - (2) **AMHRR provided:** None

5. **APPLICANT-PROVIDED EVIDENCE:** DD Form 149, ERB, Orders, NCOERs-2

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. 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.

c. 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.

d. 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.

e. 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.

f. 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 waivable and nonwaivable separations. Table 3-1, defines reentry eligibility (RE) codes:

- RE-1 Applies to: Person completing his or her term of active service who is considered qualified to reenter the U.S. Army. Eligibility: Qualified for enlistment if all other criteria are met.
- RE-3 Applies to: Person who is not considered fully qualified for reentry or continuous service at time of separation, but disqualification is waivable. Eligibility: Ineligible unless a waiver is granted.

g. Army Regulation 635-200 provides the basic authority for the separation of enlisted personnel. Chapter 4 establishes the policies and procedures for separating a Soldier upon expiration of enlistment of fulfillment of service obligation. The periods of military service required of all Army Soldiers will be in accordance with applicable laws. Periods for which enlistment is authorized are in NGR 600–200, AR 140–111, and AR 601–210. Periods for which Soldiers are ordered to AD are prescribed by law. Soldier enlisted or ordered to AD normally will be discharged or released from AD on the date he/she completes the period for which enlisted or ordered to AD. Personnel released from AD and transferred to the USAR upon completion of the term of service for which ordered into active Federal service, or released to their Reserve Component upon completion of AD. These Soldiers will not be discharged until completion of their reserve obligation.

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

b. The applicant requests the RE code be changed. The applicant was separated under the provisions AR 635-200, chapter 4, due to "Completion of Required Active Service", with an honorable discharge and a RE code of "3." Army Regulation 601-210 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. Chapter 4 provides the criteria and procedures for waivable and nonwaivable 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 waivable. Eligibility: Ineligible unless a waiver is granted.

c. The evidence of the record reflects that the applicant entered Active Duty on 23 July 2013. At the time of the applicant's discharge, the applicant had served 7 years, 8 months, and 10 days Active Duty.

d. The applicant contends there is no derogatory or negative documents in the applicant's record and the RE code was coded wrong. The applicant's AMHRR reflects no acts of misconduct or derogatory information. However, the applicant's ERB, dated 26 October 2020, reflects a Reenlistment Eligibility/Prohibition Code "8K" (HQDA Directed Bar to Continued Service / Failure to complete required SSD training).

e. The applicant states the RE code is compromising the applicant's ability to return to the Reserves or an affiliated bonus. Soldiers processed for separation are assigned reentry codes based on their service records or the reason for discharge. Based on Army Regulation 601-201,

the applicant was appropriately assigned an RE code of "3." There is no basis upon which to grant a change to the reason or the RE code. An RE Code of "3" indicates the applicant requires a waiver before being allowed to reenlist. Recruiters can best advise a former service member as to the Army's needs at the time and are required to process waivers of RE codes if appropriate.

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: NA – Applies to Personal Appearances only.

c. Response to Contention(s): The applicant contends there is no derogatory or negative documents in the applicant's record and the RE code was coded wrong. The Board acknowledged this contention and determined the contention was valid and voted to change the RE code to RE-1, as requested by the applicant.

d. The Board determined that a change to the RE code is warranted and voted to grant relief by changing the RE code to RE-1.

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 reenlistment eligibility code to RE-1 based on the applicant's in-service factors of length, quality and overseas service. The applicant was flagged for failure to complete Structured Self-Development training. However, the Board believed the applicant should be afforded the opportunity to reenlist based on no derogatory or negative documents in the applicant's records, the applicant is attempting to enter into the Reserves, and a change to RE-1 will facilitate the applicant's ability to re-enter the service.

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

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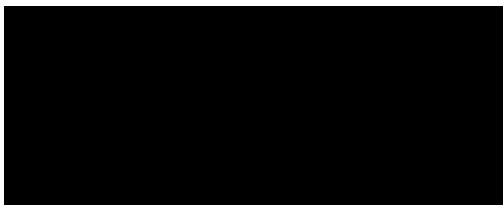
(4) The Board voted to change the RE code to RE-1

10. BOARD ACTION DIRECTED:

- a. Issue a New DD-214 / Separation Order:** Yes
- b. Change Characterization to:** No change
- c. Change Reason / SPD code to:** No change
- d. Change RE Code to :** RE-1
- e. Change Authority to:** No change

Authenticating Official:

5/29/2025



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