

1. Applicant's Name:

- a. **Application Date:** 7 January 2021
- b. **Date Received:** 12 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 states in order for them to be considered for employment as a Security Officer they must show they had no less than an Honorable discharge.

c. **Board Type and Decision:** In a records review conducted on 25 October 2023, and by a 5-0 vote, the Board denied the request upon finding the separation was both proper and equitable.

3. DISCHARGE DETAILS:

a. **Reason / Authority / Codes / Characterization:** NIF / AR 135-178 / NIF / Uncharacterized

b. **Date of Discharge:** 7 September 2018

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:** 20 November 2017 / 6 Years (USAR)
- b. **Age at Enlistment / Education / GT Score:** 17 years old / HS / NIF
- c. **Highest Grade Achieved / MOS / Total Service:** NIF / None / 73 days
- d. **Prior Service / Characterizations:** None
- e. **Overseas Service / Combat Service:** None

f. **Awards and Decorations:** None

g. **Performance Ratings:** None

h. **Disciplinary Action(s) / Evidentiary Record:**

(1) A DD Form 220 (Active-Duty Report) provides the applicant reported to basic combat training (BCT) on 25 June 2018 and departed back to their Reserve Component duty of assignment on 7 September 2018 as a BCT non-graduate.

(2) On 17 October 2019 orders were published discharging the applicant from the component on the same day, under the provisions of Army Regulation 135-178 with an uncharacterized characterization of service. The orders are void of the required narrative reason.

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

j. **Behavioral Health Condition(s):** None

(1) **Applicant provided:** NA

(2) **AMHRR Listed:** NA

5. **APPLICANT-PROVIDED EVIDENCE:** DD Form 293 (Application for Discharge Review)

6. **POST SERVICE ACCOMPLISHMENTS:** None

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

a. Army Regulation 635-200 prescribed policies and procedures for enlisted administrative separation.

(1) A separation will be described as an entry level separation with service uncharacterized if processing is initiated while a Soldier is in entry level status, except under specific circumstances. For Army National Guard (ARNG) and USAR Soldiers, entry level status begins upon enlistment in the Army National Guard or U.S. Army Reserve and terminates for Soldiers ordered to IADT for one continuous period-180 days after beginning training or Soldiers ordered to IADT for the split or alternate training option-90 days after beginning Phase II (advanced individual training). (Soldiers completing Phase I (basic training or basic combat training) remain in entry level status until 90 days after beginning Phase II.

(2) Soldiers separated in an entry-level status received an uncharacterized character of service. The regulation defined an entry-level status separation as one that commanders initiated during the Soldier's first 180 days of continuous active duty. On a case-by-case basis, the Secretary of the Army could issue an honorable character of service to entry-level Soldiers when clearly warranted by unusual circumstances involving personal conduct or duty performance.

b. Army Regulation 635-8 (Separation Processing and Documents), currently in effect, prescribes the transition processing function of the military personnel system. It states a DD Form 214 will be prepared for Reserve Component (RC) Soldiers awarded an MOS even if

active duty is less than 90 days. RC Soldiers completing active duty that results in the award of a military occupational specialty (MOS), even when the active-duty period was less than 90 days (for example, completion of the advanced individual training component of the Army National Guard of the United States (ARNGUS) Alternate Training Program or USAR Split Training Program). When a RC Soldier successfully completes initial active duty training the character of service is Honorable unless directed otherwise by the separation approval authority.

8. SUMMARY OF FACT(S):

a. Standard of Review. The Army Discharge Review Board considers applications for upgrade as instructed by Department of Defense Instruction 1332.28.

b. The applicant requests an upgrade to honorable. The applicant's Army Military Human Resources Record (AMHRR) provides administrative irregularity occurred in the proper retention of official military records, specifically the record is void of a separation proceeding, based on this we are unable to provide the specific facts and circumstances surrounding the applicant's discharge.

c. Based on the available evidence the applicant appeared to have enlisted in the component as a split-option training, reported to BCT, served 73 days of active duty prior to being released from active and returned to the Army Reserve National Guard unit of assignment as a BCT non-graduate. Approximately 1 year, 1 month and 11 days from their release from BCT, orders were published discharging them from the component with an uncharacterized characterization of service. Due to the order being void of a Reason we are unable to provide details other than the discharge was under the provisions of Army Regulation 135-178.

d. The record shows they received an uncharacterized character of service due to being separated while in an entry level status (within 180 days of date entered on active duty). An uncharacterized discharge is not meant to be a negative reflection of a Soldier's military service. It merely means the Soldier has not served on active duty long enough for his or her character of service to be rated. In reaching its determination.

9. BOARD DISCUSSION AND DETERMINATION:

a. KURTA FACTORS. 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 behavioral health 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. Response to Contention(s): The applicant requests an upgrade to Honorable. The board considered this contention and determined in accordance with AR 635-200, based on the applicant's official record, applicant was separated while in an entry level status and an uncharacterized is the proper characterization of service except when the DCS, G-1 determines that an honorable character of service is warranted based on unusual circumstances involving personal conduct and performance of duty, which is not applicable in this case. Also, the applicant's available AMHRR do not contain the facts surrounding the basis of separation and based on the lack of information, the board determined the current discharge is appropriate and recommend a personal appearance so that the applicant can provide more information. Therefore, no change is warranted.

c. The board determined that the discharge is, at this time, proper and equitable, in light of the current evidence of record. However, the applicant may request a personal appearance hearing to address the issues before the board. The applicant is responsible for satisfying the burden of proof and providing documents or other evidence sufficient to support the applicant's contention(s) that the discharge was improper or inequitable.

d. Rationale for Decision:

(1) The Board voted not to change the applicant's characterization of service because there were no mitigating factors for the board to consider, as the circumstances surrounding the discharge are not known due to the absence from the board file. The discharge was consistent with the procedural and substantive requirements of the regulation, was within the discretion of the separation authority, and the applicant was provided full administrative due process.

(2) The SPD Codes/RE-codes would not be listed on the applicant's discharge paperwork, due to being in the Army Reserves, no upgrade actions are required for these items.

10. BOARD ACTION DIRECTED:

a. Issue a New DD-214 / Separation Order: No

b. Change Characterization to: No Change

c. Change Authority to: No Change

Authenticating Official:

11/1/2023

X

Presiding Officer, COL, U.S. ARMY
Army Discharge Review Board

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