

1. Applicant's Name: [REDACTED]

- a. **Application Date:** 5 July 2021
- b. **Date Received:** 5 July 2021
- c. **Counsel:** None

2. REQUEST, ISSUES, BOARD TYPE, AND DECISION:**a. Applicant's Requests and Issues:**

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

(2) The applicant seeks relief contending their command team enrolled them in an alcohol abuse treatment program in September 2020 after a minor incident where there were no injuries, property damage, arrest, or charges of driving under the influence. Since they had been a good Soldier otherwise, their command team chose not to punish or demote them. They stayed sober for the next 90 days until they were overcome by stress and lack of sleep. Because there had been suicide incidents in their unit, their commander placed them in a psychiatric ward where they spent three days on suicide watch. This was a doubly painful experience for them as they had repeatedly denied being suicidal. Despite their ordeal, they completed 20 hours of suicide intervention training after their release and they are working as a civilian volunteer to support military linguists at Fort Gordon.

(3) They received a perfect score on their Armed Services Vocational Aptitude Battery (ASVAB) before their enlistment, completed all the training, got promoted to sergeant/E-5, served 5.5 years of their 6-year enlistment, and learned multiple dialects of Arabic while they were in their thirties. They held a Top Secret security clearance, listened to thousands of hours of audio on mission, and contributed to dozens of highly classified reports. Their company commander recommended an honorable discharge as well. In light of what they achieved and endured; they believe they earned an honorable discharge.

b. Board Type and Decision: In a records review conducted on 20 August 2025, and by a 5-0 vote, the Board determined the discharge is inequitable based on the applicant's length and quality of service and the circumstances surrounding the discharge (Alcohol Dependence and Autism Spectrum Disorder (neurodivergence due to giftedness)). Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to honorable and changed the separation authority to AR 635-200, Chapter 15, and the narrative reason for separation to Secretarial Authority, with a corresponding separation code to JFF. No change to the reentry eligibility (RE) code.

3. DISCHARGE DETAILS:

a. Reason / Authority / Codes / Characterization: Alcohol Rehabilitation Failure / Army Regulation 635-200, Chapter 9 / JPD / RE-4 / General (Under Honorable Conditions)

b. Date of Discharge: 31 May 2021

c. Separation Facts:

(1) **Date of Notification of Intent to Separate:** 1 March 2021

(2) Basis for Separation: NIF

(3) Recommended Characterization: Honorable

(4) Legal Consultation Date: 1 March 2021

(5) Administrative Separation Board: NA

(6) Separation Decision Date / Characterization: undated / General (Under Honorable Conditions)

4. SERVICE DETAILS:

a. Date / Period of Enlistment: 23 November 2015 / 6 years

b. Age at Enlistment / Education / GT Score: 30 / Baccalaureate Degree / 144

c. Highest Grade Achieved / MOS / Total Service: E-5 / 35P2L, Cryptologic Linguist / 5 years, 6 months, 8 days

d. Prior Service / Characterizations: None

e. Overseas Service / Combat Service: None

f. Awards and Decorations: ASUA, AGCM, NDSM, GWTSM, ASR

g. Performance Ratings: 1 April 2019 – 30 March 2020 / Qualified

h. Disciplinary Action(s) / Evidentiary Record:

(1) A DA Form 4856 (Developmental Counseling Form) dated 1 December 2020 reflects the applicant received counseling from their first sergeant, notifying them of their Bar to Reenlistment. The first sergeant states a bar to reenlistment is a procedure that a commander may use to deny a Soldier the opportunity to remain on active duty. The Plan of Action reflects in order to overcome this Bar to Reenlistment the first sergeant states the applicant must – make continued documented progress in the Army Substance Abuse Program (ASAP) during the six months following the approval of the Bar; report their accountability and fully support all required duties within the company orderly room; conduct themselves in a professional manner and have no violation of any article of the Uniform Code of Military Justice (UCMJ); and execute their charge as a noncommissioned officer (NCO). The applicant agreed with the information, provided no remarks, and signed the counseling form.

(2) A memorandum, Charlie Company, Special Troops Battalion, 707th Military Intelligence Battalion, 706th Military Intelligence Group, subject: Separate Army Regulation 635-200, Chapter 9, Alcohol or Drug Abuse Rehabilitation Failure, [Applicant], undated, the applicant's company commander notified the applicant that under the provisions of Army Regulation 635-200, chapter 9, they are initiating action to separate them for Alcohol or Drug Abuse Rehabilitation Failure. The reason for the proposed action reflects no entry. The company commander recommended the applicant receive an Honorable characterization of service. On 1 March 2021, the applicant acknowledged the basis for the separation and of the right available to them.

(3) On 1 March 2021, the applicant completed their Election of Rights, acknowledging they have been advised by their consulting counsel of the basis for the contemplated action to separate them under Army Regulation 635-200, chapter 9, and its effects of the rights available to them and of the effect of any action taken by them in waiving their rights. They understood that they may expect to encounter substantial prejudice in civilian life if a General (Under Honorable Conditions) discharge is issued to them. They further understand that as the result of issuance of a discharge less than honorable, they may be ineligible for many or all benefits as a veteran under both Federal and State laws. They elected to waive consulting counsel and not to submit statements in their own behalf.

(4) A memorandum, Charlie Company, Special Troops Battalion, 707th Military Intelligence Battalion, 706th Military Intelligence Group, subject: Commander's Report – Proposed Separate Army Regulation 635-200, Chapter 9, Alcohol or Drug Abuse Rehabilitation Failure, [Applicant], undated, the applicant's company commander recommended the applicant be separated from the U.S. Army prior to their expiration of their term of service.

(5) A memorandum, 707th Military Intelligence Battalion, 706th Military Intelligence Group, subject: Separate Army Regulation 635-200, Chapter 9, Alcohol or Drug Abuse Rehabilitation Failure, [Applicant], undated, the separation authority, having reviewed the separation packet of the applicant, directed the applicant be separated from the Army prior to the expiration of current term of service. The separation authority directed the applicant's service be characterized as General (Under Honorable Conditions). After reviewing the rehabilitative transfer requirements, the commander determined the requirements do not apply to this action.

(6) A DD Form 214 (Certificate of Release or Discharge from Active Duty), reflects the applicant was discharged from the U.S. Army on 31 May 2021 and shows in –

- item 18 (Remarks) – in part, MEMBER HAS COMPLETED FIRST FULL TERM OF SERVICE
- item 24 (Character of Service) – General (Under Honorable Conditions)
- item 25 (Separation Authority) – Army Regulation 635-200, Chapter 9
- item 26 (Separation Code) – JPD
- item 27 (Reentry Code) – 4
- item 28 (Narrative Reason for Separation) – Alcohol Rehabilitation Failure

i. Lost Time / Mode of Return: None

j. Behavioral Health Condition(s):

(1) Applicant provided: A Behavioral Health Patient Discharge Summary, page 1, reflecting a diagnosis of Alcohol Use Disorder, moderate by history with recent relapse. A DA Form 3822 (Report of Mental Status Evaluation, page 1, reflecting a diagnosis of Alcohol Use Disorder (Moderate).

(2) AMHRR Listed: None

5. APPLICANT-PROVIDED EVIDENCE:

- two DD Forms 293 (Application for the Review of Discharge from the Armed Forces of the United States), with letter
- United States Peace Corps letter

- Unverified Window Computer Adaptive Test – Armed Services Vocational Aptitude Battery Test Score Report
- Behavioral Health Patient Summary, page 1
- DA Form 3822, page 1
- Enlisted Record Brief
- Notification of Separation Memorandum, page 1
- Training Certificates
- DD Form 214
- Congressional Form

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

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

a. Title 10, U.S. Code, Section 1553, (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, Title 10, U.S. Code, Section 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 (DoD) 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; Title 10, U.S. Code, Section 1553; and DoD Directive 1332.41 and Instruction 1332.28.

d. Army Regulation 600-85 (Army Substance Abuse Program (ASAP)) governs the program and identifies Army policy on alcohol and other drug abuse, and responsibilities. The ASAP is a command program that emphasizes readiness and personal responsibility. The ultimate decision regarding separation or retention of abusers is the responsibility of the Soldier's chain of command. Abuse of alcohol or the use of illicit drugs by military personnel is inconsistent with Army values and the standards of performance, discipline, and readiness necessary to accomplish the Army's mission. Unit commanders must intervene early and refer all Soldiers suspected or identified as alcohol and/or drug abusers to the ASAP. The unit commander should recommend enrollment based on the Soldier's potential for continued military service in terms of professional skills, behavior, and potential for advancement. Paragraph 3 (Policy) stated alcohol abuse and resulting misconduct will not be condoned. On-duty impairment due to alcohol consumption will not be tolerated. Impairment of Soldiers is defined as having a blood alcohol content equal to or greater than 0.05 grams of alcohol per 100 milliliters of blood. To remain in the Army, all Soldier who identified as alcohol abusers must successfully complete an ASAP education and/or rehabilitation program. Soldiers who fail to be rehabilitated will be processed for separation under the provisions of Army Regulation 635-200, chapter 9.

e. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), dated 19 December 2016, set policies, standards, and procedures to ensure the readiness and competency of the force while providing for the orderly administrative separation of Soldiers for a variety of reasons. Readiness is promoted by maintaining high standards of conduct and performance.

(1) 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.

(2) 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.

(3) A Under Other Than Honorable Conditions Discharge is an administrative separation from the Service under conditions other than honorable. It may be issued for misconduct, fraudulent entry, security reasons, or in lieu of trial by court-martial.

(4) Chapter 9 (Alcohol or Other Drug Abuse Rehabilitation Failure) provided the authority and outlined the procedures for discharging individuals because of alcohol or other drug abuse rehabilitation failure. Discharge is based upon alcohol or other drug abuse such as illegal, wrongful, or improper use of any controlled substance, alcohol or other drug when the commander determines that further rehabilitation efforts are not practical, rendering the Soldier a rehabilitation failure. This determination will be made in consultation with the rehabilitation team. A Soldier who is enrolled in the ASAP for alcohol/drug abuse may be separated because of inability or refusal to participate in, cooperate in, or successfully complete such a program. Initiation of separation proceedings is required for Soldiers designated as alcohol/drug rehabilitation failures.

(5) Paragraph 9-4 (Characterization of Service or Description of Separation) stated service of Soldiers discharged under this section will be characterized as honorable or under honorable conditions unless the Soldier is in entry-level status and an uncharacterized description of service is required.

(6) Chapter 15 (Secretarial Plenary Authority), currently in effect, 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.

f. 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 "JPD" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 9, separation for alcohol rehabilitation failure.

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 DoD Instructions 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:

(1) 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.

(2) 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.

(3) RE-4 Applies to: Person separated from last period of service with a nonwaiverable disqualification. This includes anyone with a DA imposed bar to reenlistment in

effect at time of separation or separated for any reason (except length of service retirement) with 18 or more years active Federal service. Eligibility: Ineligible for enlistment.

8. SUMMARY OF FACT(S):

a. The Army Discharge Review Board considers applications for upgrade as instructed by DoD Instruction 1332.28.

b. The applicant's Army Military Human Resource Record (AMHRR) reflects the applicant receive notification for the initiation of separation action for Alcohol Rehabilitation Failure and was involuntary separated from the U.S. Army. The applicant's DD Form 214 indicates their discharge under the provisions of Army Regulation 635-200, chapter 9, Alcohol Rehabilitation Failure, with a characterization of service of general (under honorable conditions). The applicant completed 5 years, 6 months and 8 days of net active service and completed their first full term of service.

c. Chapter 9 outlines the procedures for discharging individuals because of alcohol or other drug abuse rehabilitation failure. Discharge is based upon alcohol or other drug abuse such as illegal, wrongful, or improper use of any controlled substance, alcohol or other drug when the commander determines that further rehabilitation efforts are not practical, rendering the Soldier a rehabilitation failure. This determination will be made in consultation with the rehabilitation team. A Soldier who is enrolled in the ASAP for alcohol/drug abuse may be separated because of inability or refusal to participate in, cooperate in, or successfully complete such a program. Initiation of separation proceedings is required for Soldiers designated as alcohol/drug rehabilitation failures.

d. Published Department of Defense guidance indicates that the guidance is not intended to interfere or impede 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? **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: Alcohol Dependence and Autism Spectrum Disorder (neurodivergence due to giftness)

(2) Did the condition exist, or experience occur during military service? **Yes.** Alcohol Dependence and Autism Spectrum Disorder (neurodivergence due to giftness)

(3) Does the condition or experience actually excuse or mitigate the discharge? **Yes.** The Board's Medical Advisor applied liberal consideration and opined that given the comorbidity between ASD/neurodivergence with substance use to manage a myriad of related difficulties, the basis is mitigated.

(4) Does the condition or experience outweigh the discharge? **Yes.** After applying liberal consideration to the evidence, including the Board Medical Advisor's opine, the Board

determined that the applicant's condition or experience outweighed the listed basis for separation for the aforementioned reasons.

b. Prior Decisions Cited: None

c. Response to Contention(s):

(1) The applicant contends their command team enrolled them in an alcohol abuse treatment program in September 2020 after a minor incident where there were no injuries, property damage, arrest, or charges of driving under the influence. Since they had been a good Soldier otherwise, their command team chose not to punish or demote them.

The Board considered this contention during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the applicant's ASD/neurodivergence fully outweighing the applicant's DUI and alcohol rehabilitation failure basis for separation.

(2) The applicant contends they stayed sober for the next 90 days until they were overcome by stress and lack of sleep. Their commander placed them in a psychiatric ward where they spent three days on suicide watch. This was a doubly painful experience for them as they had repeatedly denied being suicidal.

The Board considered this contention during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the applicant's ASD/neurodivergence fully outweighing the applicant's DUI and alcohol rehabilitation failure basis for separation.

(3) The applicant contends they achieved a perfect score on the ASVAB for their enlistment, completed all the training, got promoted to sergeant/E-5, served 5.5 years of their 6-year enlistment, and learned multiple dialects of Arabic in their thirties. They held a Top Secret security clearance, listened to thousands of hours of audio on mission, and contributed to dozens of highly classified reports. Their company commander recommended an honorable discharge as well. In light of what they achieved and endured; they believe they earned an honorable discharge.

The Board considered this contention during proceedings.

d. The Board determined the discharge is inequitable based on the applicant's length and quality of service and the circumstances surrounding the discharge (Alcohol Dependence and Autism Spectrum Disorder (neurodivergence due to giftedness)). Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to honorable and changed the separation authority to AR 635-200, Chapter 15, and the narrative reason for separation to Secretarial Authority, with a corresponding separation code to JFF. No change to the reentry eligibility (RE) code.

e. Rationale for Decision:

(1) The Board determined the discharge is inequitable based on the applicant's ASD/neurodivergence mitigates the applicant's DUI and alcohol at work basis for separation. The Board noted the applicant should have been diagnosed with ASD/neurodivergence, which would have treated the underlying condition. The applicant used alcohol to manage a myriad of difficulties, and the Board concurred with the Board's Medical Advisor that the applicant should have been diagnosed while in service. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to honorable, changed the separation authority to AR 635-200, Chapter 15, and the narrative reason for separation to Secretarial Authority, with a corresponding separation code to JFF. The Board voted and determined the reentry eligibility (RE) code was proper and equitable due to applicant's BH diagnoses warranting consideration prior to reentry of military service.

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE

AR20210012109

(2) The Board voted to change the reason for discharge to Secretarial Authority with accompanying SPD code of JFF.

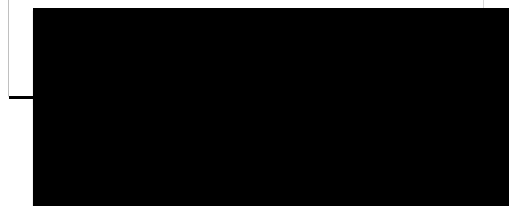
(3) The RE code will not change, as the current code is consistent with the procedural and substantive requirements of the regulation.

10. BOARD ACTION DIRECTED:

- a. **Issue a New DD-214:** Yes
- b. **Change Characterization to:** Honorable
- c. **Change Reason / SPD Code to:** Secretarial Authority / JFF
- d. **Change RE Code to:** No Change
- e. **Change Authority to:** AR 635-200

Authenticating Official:

8/28/2025



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

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