

1. Applicant's Name: [REDACTED]

- a. **Application Date:** 2 August 2021
- b. **Date Received:** 24 August 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 under other than honorable conditions. The applicant requests an upgrade to honorable and a narrative reason change.

b. **Applicant Contention(s)/Issue(s):** The applicant requests relief contending, in effect, the discharge was unjust and procedurally improper. The applicant contends a deployment to Kuwait and Iraq from 19 February 2003 to 16 April 2004 led to a PTSD diagnosis by Twin Ports VA in 2005, with service-connected disability granted on 19 September 2006. The applicant contends from 2005 to 2008, the chain of command pursued a medical discharge, instructing the applicant, by CPT L., the commander at the time, to refrain from wearing the uniform due to mental health risks. In March 2009, the applicant was called to sign paperwork represented as a finalized medical discharge, but 1LT E. issued an under other than honorable discharge without prior notice or proper processing. The applicant contends no AWOL documentation was received, and no Medical Review Board or Medical Evaluation Board opportunity was provided. The applicant contends the discharge was issued under false pretenses, with portions of the applicant's military file intentionally destroyed. This action triggered repayment of a reenlistment bonus, loss of rank, denial of medical discharge benefits, and loss of TRICARE eligibility. The applicant requested an upgrade to an honorable medical discharge with reinstatement of E5 rank.

c. **Board Type and Decision:** In a records review conducted on 16 October 2025, and by a 5-0 vote, The Board determined, after carefully examining the applicant's record of service during the period of enlistment under review and all other evidence presented, the Board determined that clemency is warranted. Accordingly, the Board voted to grant relief by upgrading the applicant's characterization of service to General, Under Honorable Conditions. No change to the narrative reason and RE code.

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:** Unsatisfactory Participation / AR 135-178 / NIF / NIF / NIF / Under Other Than Honorable Conditions

b. **Date of Discharge:** 13 March 2009

c. **Separation Facts:** The applicant's Army Military Human Resource Record (AMHRR) is void of the case separation file.

(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:** 14 April 2005 / 6 years
- b. **Age at Enlistment / Education / GT Score:** 26 / High School Graduate / 95
- c. **Highest Grade Achieved / MOS / Total Service:** E-5 / 12B2O, Combat Engineer / 12 years, 1 month, 2 days
- d. **Prior Service / Characterizations:** USAR, 11 February 1997 – 13 April 2005 / NA
IADT, 18 March 1997 – 26 June 1997 / UNC
(Concurrent Service)
AD, 19 February 2003 – 16 April 2004 / HD
(Concurrent Service)
USAR, 14 April 2005 – 12 January 2008 / NA
USARCG, 13 January 2008 – 12 March 2009 / NA
- e. **Overseas Service / Combat Service:** SWA / Iraq / Kuwait (19 April 2003 – 4 March 2004)
- f. **Awards and Decorations:** ARCOM, ARCAM, NDSM, AFRM-M, ASR, CAB / The applicant provided documents supporting awarding of the Army Good Conduct Medal and a second Army Commendation Medal.
- g. **Performance Ratings:** April 2004 – March 2005 / Successful
1 March 2005 – 28 February 2006 / Successful
1 March 2006 – 28 February 2007 / Successful
- h. **Disciplinary Action(s) / Evidentiary Record:**
 - (1) The Request for Reserve Component Assignment or Attachment, 12 January 2008, provided by the applicant reflects, the losing commander submitted a request to transfer the applicant to the IRR with an effective date of 13 January 2008. The reason for transfer cited medical issues. The approval page was not included.
 - (2) Headquarters 416th Theater Engineer Command, Darien, IL, orders 09-043-00037, 12 February 2009, provided by the applicant, reflects the applicant was separated from the United States Army Reserve in accordance with AR 135-178 with an effective date of 13 March 2009. The type of discharge was under other than honorable conditions for unsatisfactory participation.
- 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:

(a) Mental Health Progress Note, subject Mental Health Outpatient, 18 September 2013, reflects the applicant was diagnosed with PTSD, depression NOS, and generalized anxiety. The applicant stopped taking all psychiatric medications a month prior to this encounter because of hand tremors and weight gain. The depression got worse, but the PTSD symptoms remained stable with mild increase in nightmares.

(b) Progress Note, subject Mental Health Outpatient, 5 March 2014, reflects the applicant was diagnosed with PTSD, depression NOS, and generalized anxiety. Increased Prozac dosage slightly improved the applicant’s depressive symptoms. Unrest in Ukraine triggered the applicant to have a PTSD flare-up.

(c) Mental Health Progress Note, subject C&P Examination, 19 March 2014, reflects the applicant was diagnosed with chronic PTSD due to combat experience, unemployment, and limited social support. The Global Assessment of Functioning (GAF) score recorded for the applicant was 59. Doctors prescribed Prozac to the applicant. The applicant’s symptoms were listed as depression, anxiety, panic attacks about once a week or less, trouble sleeping, mild memory problems, difficulty maintaining work and social relationships, trouble handling stress, and feelings of hopelessness.

(d) Progress Note, subject Mental Health Outpatient, 27 May 2014, reflects the applicant’s depressive and PTSD symptoms intensified over a month’s time because stress related to a newborn’s medical issues and missed medication. Symptoms included increased anxiety in crowds, nightmares, irritability, and intrusive combat-related thoughts. Medication helped somewhat, but symptoms persisted, and suicide risk remained low.

(e) VA Rating Decision, 27 October 2015, reflects the applicant was awarded 100 percent service-connected disability for post-traumatic stress disorder (PTSD).

(2) AMHRR provided: None

5. APPLICANT-PROVIDED EVIDENCE: Orders 06-271-00058; Service School Academic Evaluation Report; two Certificates of Training; Orders 07-344-00005; 6 Certificates of Awards; Award of the Army Good Conduct Medal memorandum; Request for Reserve Component Assignment or Attachment; VA Rating Decision; ARBA letter; Orders 009-367; Certificate of Release or Discharge from Active Duty; Orders 04-104-00021; Enlistment Contract; Orders 06-271-00058; Progress Notes; Lab Results.

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. 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) 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 (Enlisted Administrative Separations) prescribes 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 of the United States (ARNGUS) and U.S. Army Reserve (USAR) enlisted Soldiers for a variety of reasons. Readiness is promoted by maintaining high standards of conduct and performance.

(1) Paragraph 2-9a prescribes an honorable characterization 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) Paragraph 2-9b, prescribes, if a Soldier's service has been honest and faithful, it is appropriate to characterize that service as general (under honorable conditions). Characterization of service as general (under honorable conditions) is warranted when significant negative aspects of the Soldier's conduct or performance of duty outweigh positive aspects of the Soldier's military record.

(3) Paragraph 2-9c, prescribes the service may be characterized as under other than honorable conditions only when discharge is for misconduct, fraudulent entry, unsatisfactory participation, or security reasons, and under other circumstances.

(4) Chapter 12 (previously Chapter 13) provides in pertinent part, that individuals can be separated for being an unsatisfactory participant. Soldier is subject to discharge for unsatisfactory participation when it is determined that the Soldier is unqualified for further military service because: The Soldier is an unsatisfactory participant as prescribed by AR 135-91, chapter 4; Attempts to have the Soldier respond or comply with orders or correspondence.

(5) Paragraph 12-3 prescribes the service of Soldiers separated under this chapter will be characterized as honorable or under honorable conditions as determined under chapter 2, section III, unless an uncharacterized description of service is warranted under paragraph 2-11.

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 Army Military Human Resources Record (AMHRR), the issues, and documents submitted with the application were carefully reviewed.

b. The applicant's Army Military Human Resources Record (AMHRR) is void of the specific facts and circumstances concerning the events leading to the discharge from the Army Reserve. The applicant's AMHRR includes a discharge order: Orders 09-043-00037, 12 February 2009. The orders indicate the applicant's discharge was under AR 135-178 provisions, Unsatisfactory Participation, with a characterization of service of under other than honorable conditions.

c. The applicant contends from 2005 to 2008, the chain of command pursued a medical discharge, instructing the applicant, by CPT L., the commander at the time, to refrain from wearing the uniform due to mental health risks. The applicant provided a request for reserve component assignment or attachment requesting a reassignment to the IRR for "medical issues", but the approval page was not included. The applicant's AMHRR includes no documentation of the reassignment approval or any medical documentation.

d. The applicant contends no AWOL documentation was received, and no Medical Review Board or Medical Evaluation Board opportunity was provided. The applicant did not submit evidence other than their statement to support the contention.

e. The applicant contends the discharge was issued under false pretenses, with portions of the applicant's military file intentionally destroyed. The applicant did not submit evidence other than their statement to support the contention. The AMHRR is void of the case separation file as previously stated. The AMHRR does not include any indication or evidence of arbitrary or capricious actions by the command.

f. The applicant requests a reinstatement of E-5 rank. The applicant's request change to the DD Form 214 does not fall within this board's purview. The applicant may apply to the Army Board for Correction of Military Records (ABCMR) using the enclosed DD Form 149 or obtained from a Veterans' Service Organization.

g. The applicant requests a narrative reason change Service members receive published orders when discharged from the U.S. Army Reserve indicating the effective date and characterization of the discharge. Narrative reasons usually are not included in the order. As the applicant's discharge order does not have a narrative reason, the ADRB has no basis for changing the discharge order. Local recruiters can determine eligibility to reenlist if the applicant desires to rejoin the military. Recruiters can best advise a former service member as to the needs of the Army and process required waivers of reentry eligibility.

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: VA diagnosis of service-connected PTSD

(2) Did the condition exist, or experience occur during military service? **Yes.** The Board's Medical Advisor found the applicant was diagnosed with VA service-connected PTSD since 2006, currently 100% since 2007. Actively engaged in treatment since 2006.

(3) Does the condition or experience actually excuse or mitigate the discharge? **No.** The Board's Medical Advisor applied liberal consideration and opined that there is sufficient evidence the applicant was diagnosed and treated for service-connected PTSD by the VA while serving in the USAR. However, there is insufficient evidence the applicant met the standards for a medical discharge in relation to this condition. Specifically, there is insufficient evidence that the applicant reported to his command his diagnosis of PTSD or was determined to not meet military medical retention standards, required two inpatient psychiatric admissions, or was ever placed on a permanent psychiatric profile. In addition, there is sufficient evidence the applicant was performing to standard, which was evident in his NCOERs. Lastly, there is insufficient evidence available on specific circumstances and events which led to the applicant's discharge to provide an adequate opine on possible mitigation of his discharge.

(4) Does the condition or experience outweigh the discharge? **No.** After applying liberal consideration to the evidence, including the Board Medical Advisor's opine, the Board

determined that the available evidence did not support a conclusion that the applicant had a condition to outweigh the reason for discharge.

b. Response to Contentions:

(1) The applicant contends from 2005 to 2008, the chain of command pursued a medical discharge, instructing the applicant, by CPT L., the commander at the time, to refrain from wearing the uniform due to mental health risks.

The Board acknowledged this contention.

(2) The applicant contends no AWOL documentation was received, and no Medical Review Board or Medical Evaluation Board opportunity was provided.

The Board acknowledged this contention.

(3) The applicant contends the discharge was issued under false pretenses, with portions of the applicant's military file intentionally destroyed.

The Board determined that the applicant did not provide proof of this contention.

(4) The applicant requests a reinstatement of E-5 rank.

The Board considered this contention, however, corrections of the applicant's awards and rank/grade on their DD Form 214 are not within the purview of this Board. These issues should be addressed by the Army Board of Correction of Military Records (ABCMR). A DD Form 149 is enclosed for the applicant's use.

(5) The applicant requests a narrative reason change.

The Board considered this contention and determined that the applicant's narrative reason for discharge or accompanying SPD code under the same pretexts, as the reason the applicant was discharged was both proper and equitable.

c. The Board determined, after carefully examining the applicant's record of service during the period of enlistment under review and all other evidence presented, the Board determined that clemency is warranted. Accordingly, the Board voted to grant relief by upgrading the applicant's characterization of service to General, Under Honorable Conditions. The applicant has exhausted their appeal options available with ADRB. However, the applicant may still apply to the Army Board for Correction of Military Records. 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) 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 application, available records and any supporting documents included with the application.

(2) The Board carefully considered the applicant's request, supporting documents, evidence in the records, a medical review, and published Department of Defense guidance for liberal consideration of discharge upgrade requests. The Board considered the applicant's statement, record of service, and combat. While there is no medical mitigation for the basis of separation, the Board based on liberal consideration applied clemency and determined this warrants a change in the character to General (Under Honorable Conditions). The Board determined the Authority, Separation and Narrative Reason & RE Code were proper and

equitable and voted not to change them.

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

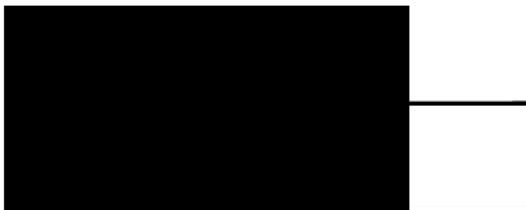
(4) The RE code will not change, as the current code is consistent with the procedural and substantive requirements of the regulation.

10. BOARD ACTION DIRECTED:

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

Authenticating Official:

10/23/2025



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