

1. Applicant's Name: [REDACTED]**a. Application Date:** 25 May 2021**b. Date Received:** 2 June 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 eligibility (RE) code change to RE-3.

b. Applicant Contention(s)/Issue(s): The applicant requests relief contending, in effect, a change to the applicant's RE code from RE-4 to RE-3 would allow the applicant the ability to return to active duty.

c. Board Type and Decision: In a records review conducted on 9 February 2026, and by a 3-0 vote, the Board determined that the discharge was inequitable based on the applicant's length and quality of service, as well as overseas performance, in relation to the basis of separation. The Board concluded that an Honorable characterization with no change to the narrative reason and an adjustment of the reentry code to RE-3 was appropriate. 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: Alcohol Rehabilitation Failure / AR 635-200, Chapter 9 / JPD / RE-4 / Honorable

b. Date of Discharge: 27 August 2013

c. Separation Facts:

(1) Date of Notification of Intent to Separate: 16 July 2013

(2) Basis for Separation: The applicant was informed of the following reasons: On 29 May 2013, the applicant signed a refusal of continued rehabilitation memorandum for the applicant's substance abuse behavior which resulted in the applicants release from ASAP as a rehabilitation failure.

(3) Recommended Characterization: Honorable

(4) Legal Consultation Date: On 17 July 2013, the applicant waived legal counsel.

(5) Administrative Separation Board: On 17 July 2013, the applicant unconditionally waived consideration of the case before an administrative separation board.

(6) Separation Decision Date / Characterization: 17 July 2013 / Honorable

4. SERVICE DETAILS:

- a. **Date / Period of Enlistment/Reenlistment Under Review:** 21 November 2008 / 6 years
- b. **Age at Enlistment / Education / GT Score:** 20 / HS Letter / 91
- c. **Highest Grade Achieved / MOS / Total Service:** E-5 / 14T2O, Patriot Missile Crewmember / Operator-Maintainer / 7 years, 1 month, 12 days
- d. **Prior Service / Characterizations:** USAR, 15 May 2007 – 19 June 2007 / HD (Concurrent Service)
- e. **Overseas Service / Combat Service:** Japan / None
- f. **Awards and Decorations:** AAM-2, AGCM -2, NDSM, GWOTSM, ASR
- g. **Performance Ratings:** 1 February 2012 – 31 January 2013 / Successful-2, Superior-2
1 February 2013 – 31 July 2013 / Successful-2, Superior-2
- h. **Disciplinary Action(s) / Evidentiary Record:**
 - (1) Patient Progress Report dated 29 May 2013, shows the applicant was released from program due to separation/termination as an Alcohol/Drug Abuse Rehab Failure. The applicant's progress was determined to be poor and unsatisfactory and did not meet the criteria for successful rehabilitation as outlined in AR 600-85, paragraph 3-2 and 3-3.
 - (2) Memorandum, Subject: Refusal of Rehabilitation/Treatment Statement signed by the applicant on 29 May 2013, indicates the applicant refused additional treatment services from Torii Station Army Substance Abuse Program against medical advice.
 - (3) DA Form 4856 (Developmental Counseling Form) dated 4 June 2013 address the command's recommendation for elimination under chapter 9 (Alcohol or Drug Abuse Rehabilitation Failure) because the applicant signed a refusal to continue in the rehabilitation program for substance abuse behavior.
 - (4) DD Form 2697 (Report of Medical Assessment) dated 28 June 2013, shows the applicant completed a medical assessment for the purpose of separation from the military service.
 - (5) Headquarters, U.S. Army Garrison Torii Station, Orders Number 203-0002 dated 22 July 2013, reflect the applicant was to be reassigned to the U.S. Army Transition Point and discharged on 27 August 2013 from the Regular Army.
 - (6) The applicant's DD Form 214 (Certificate of Release or Discharge from Active Duty) indicates the applicant had completed the first full term of service. The applicant was discharged under the authority of AR 635-200, chapter 9, with a narrative reason of Alcohol Rehabilitation Failure. The DD Form 214 was authenticated with the applicant's electronic signature.
- 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: Report of Mental Status Evaluation dated 7 June 2013, indicates the applicant was diagnosed with Axis I (psychiatric conditions) alcohol dependence in early/full remission and Axis II (personality and intelligence disorders deferred). However, the applicant was cleared for any administrative actions the command deemed appropriate. The applicant demonstrated the ability to understand and participate in administrative proceedings, appreciated the difference between right and wrong, and met medical retention requirements. PTSD and mTBI screenings were conducted, but the conditions were either absent or did not meet AR 40-501 criteria for a medical evaluation board. The command was advised to consider their influence.

5. APPLICANT-PROVIDED EVIDENCE: DD Form 293 (Application for the Review of Discharge) and DD Form 214 for the period ending 27 August 2013.

6. POST SERVICE ACCOMPLISHMENTS: None submitted in support of 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) 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.
- RE-4 Applies to: Person separated from last period of service with a nonwaivable 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.

g. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations) 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.

(a) Paragraph 3-5c, provides the reasons for separation, including the specific circumstances that form the basis for the separation, will be considered on the issue of characterization. As a general matter, characterization will be based upon a pattern of behavior other than an isolated incident. There are circumstances, however, in which the conduct or performance of duty reflected by a single incident provides the basis for characterization.

(b) 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) Chapter 9 outlines the procedures for discharging individuals because of alcohol or other drug abuse. A member who has been referred to the Army Substance Abuse Program (ASAP) for alcohol or drug abuse may be separated because of inability or refusal to participate in, cooperate in, or successfully complete such a program if there is a lack of potential for continued Army service and rehabilitation efforts are no longer practical.

(a) Paragraph 9-4 stipulates the 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.

(b) An honorable discharge is mandated in any case in which the Government initially introduces into the final discharge process limited use evidence as defined by AR 600-85.

(3) Chapter 15 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. If Secretarial Authority is granted normally correct the record to show the following:

- Separation Authority: Army Regulation 635-200, Chapter 15
- Separation Code: JFF
- Reenlistment Code: RE1
- Narrative Reason for Separation: Secretarial Plenary Authority
- Character of Service: Honorable

(4) 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, for alcohol rehabilitation failure.

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 a change to the RE code to RE-3 with a desire to rejoin the military. The applicant's Army Military Human Resources Record (AMHRR), the issues, and documents submitted with the application were carefully reviewed.

b. The evidence of the AMHRR indicates on 29 May 2013, the unit commander, in consultation with the Clinical Director/Army Substance Abuse Program (ASAP), declared the applicant a rehabilitation failure. The applicant did not have the potential for continued military service because the applicant refused to continue treatment in the program and progress in the program was poor and unsatisfactory. The applicant acknowledged notification of administrative separation with an honorable discharge recommendation on 16 July 2013 and on 17 July 2013 waived consult with legal and unconditionally waived consideration of the case before an administrative separation board. On 17 July 2013, the separation authority reviewed the separation action and all supporting documents pertaining to the applicant and approved the applicant's administrative separation and characterized the applicant's service as Honorable.

c. The applicant contends a change to the applicant's RE code from RE-4 to RE-3 would allow the applicant the ability to return to active duty. Soldiers receive reentry codes during separation based on service records or discharge reasons. Army Regulation 601-210 assigns the applicant an RE code of "4," which is appropriate under the circumstances. An RE code of "4" remains ineligible for waiver, preventing reenlistment. Army Regulation 601-210 assigns the applicant an RE code of "3," which is appropriate under the circumstances. No justification exists for changing the reason or the RE code. An RE Code of "3" requires a waiver before reenlistment. Recruiters can provide the best guidance on the Army's current needs and determine whether processing a waiver is 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 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: None

c. Response to Contention: The applicant contends a RE code from RE-4 to RE-3 would allow the applicant the ability to return to active duty. The Board considered this contention and determined that the applicant's request supported relief, as the overall record of service and

overseas performance warranted adjustment of the reentry code. The Board concluded that assigning an RE-3 was appropriate and equitable in this case.

d. The Board determined that the discharge was inequitable based on the applicant's length and quality of service, as well as overseas performance, in relation to the basis of separation. The Board concluded that an Honorable characterization with no change to the narrative reason and an adjustment of the reentry code to RE-3 was appropriate.

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 application, available records and any supporting documents included with the application.

(2) The Board voted not to change the applicant's characterization of service because it was already Honorable and properly reflected the applicant's overall record.

(3) The Board voted not to change the applicant's reason for discharge or the associated SPD code of Alcohol Rehabilitation Failure, JPD, as both accurately reflected the circumstances of the applicant's separation and were already appropriate for this case.

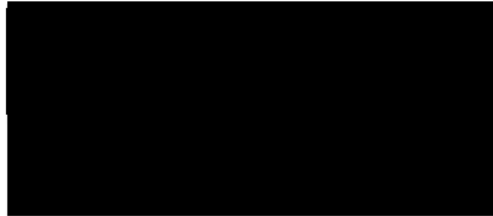
(4) The RE code will be change to RE-3.

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-3
- e. Change Authority to: AR 635-200

Authenticating Official:

2/19/2026



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