

1. Applicant's Name: [REDACTED]

- a. **Application Date:** 11 August 2022
- b. **Date Received:** 17 August 2022
- 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 General (Under Honorable Conditions). The applicant requests an upgrade to show their characterization of service as Honorable.

b. **Board Type and Decision:** In a records review conducted on 13 December 2023, and by a 5-0 vote, the Board determined the discharge was improper based on the 24 February 2023 SECARMY Policy Memo "Army Policy Implementing the Secretary of Defense Coronavirus Disease 2019 (COVID-19) Vaccination Mandate Rescission". The Board considered the applicant's exemption request based on the distinction between the Emergency Use Authorization Pfizer vaccine and the FDA Comirnaty vaccine, and his request to receive the Comirnaty vaccine. Additionally, the Board members discussed the applicant's file and based on an administrative error-the option for the brigade commander to elect Honorable discharge was not provided as an election- and no prior misconduct, the Board concurred the current discharge is inequitable and warranted an upgrade. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable and changed to the separation authority to AR 635-200, the narrative reason for separation to Secretarial Authority, with a corresponding separation code of JFF, and the reentry code to RE-1.

3. DISCHARGE DETAILS:

a. **Reason / Authority / Codes / Characterization:** Misconduct (Serious Offense) / AR 635-200 / JKQ / RE-3/ Under Honorable Conditions (General)

b. **Date of Discharge:** 29 June 2022

c. Separation Facts:

(1) **Date of Notification of Intent to Separate:** 22 April 2022

(2) **Basis for Separation:** Failure to become fully vaccinated with COVID-19 Vaccine

(3) **CDR Recommended Characterization:** Honorable

(4) **Legal Consultation Date:** 29 April 2022

(5) **Administrative Separation Board:** NA

(6) **Separation Decision Date / Characterization:** 8 June 2022 / General (Under Honorable Conditions) (It is noted the separation authority was not given the option to direct an honorable discharge)

4. SERVICE DETAILS:

- a. **Date / Period of Enlistment:** 25 February 2020 / 4 Years, 24 Weeks
- b. **Age at Enlistment / Education / GT Score:** 19 / High School / 127
- c. **Highest Grade Achieved / MOS / Total Service:** E-3 / 11B10 (Infantryman) / 1 Year, 11 months, 2 days
- d. **Prior Service / Characterizations:** NA
- e. **Overseas Service / Combat Service:** Operational Tour: Romania (20210519 – 20210812) / None
- f. **Awards and Decorations:** NDSM, ASR
- g. **Performance Ratings:** NA
- h. **Disciplinary Action(s) / Evidentiary Record:**

(1) On 1 November the applicant was counseled and notified they were to be flagged for adverse action for declining to receive the COVID-19 action.

(2) On 2 November 2021 the applicant received a General Officer Memorandum of Reprimand (GOMOR) for failing to become fully vaccinated with the COVID-19 vaccination. The applicant verified receipt and elected to submit statements or documents on their behalf prior to final determination of filing the GOMOR in their local or official records; it states, one of the many reasons for refusal is that the approved Comirnaty vaccine is not available in the United States; only the EUA vaccine is available which is not approved in Secretary of Defense Executive Order (EXORD) Fragmented Order (FRAGO). Even though DOD deems the vaccines interchangeable, they are legally distinct from one another per Pfizer and the FDA which is available to the public on their website and releases, which is a violation of the Secretary of Defense orders. In support of their statement, they submitted the following:

(a) A Memorandum, Secretary of Defense, subject: Mandatory Coronavirus Disease 2019 Vaccination of Department of Defense Service Members, dated 24 August 2021, with the following highlighted, *“Mandatory vaccination against COVID-19 vaccines that receive full licensure from the Food and Drug Administration (FDA), in accordance with FDA approved labeling and guidance.”*

(b) An excerpt from HQDA EXORD, FRAGO 5, COVID 19 Steady State Operations with the following highlighted under paragraph 3.D.8.B.1 (U) [ADD] PHASE 1... *“Commanders will ensure sufficient doses of Department of Defense approved vaccines are on hand and available for their unit.”*

(c) A 14-page information packet for COMIRNATY vs. Pfizer BioNTech COVID-19 Vaccine that appears to be pulled from the FDA website and provides all the distinct and specific information regarding the two vaccines.

(d) Four pages of excerpts from United States Code to support their contentions that indicates DOD may administer an investigational new drug or drug unapproved for its applied use to service members after obtaining prior and/or informed consent. Informed consent required human subject to agree to the receipt of the drug... upon a disclosure that the product is not yet FDA approved, and the receipt of such product is voluntary. In cases of Emergency

use the President of the United States my waive the aforementioned, that individuals are informed of an option to accept or refuse of administration of product.

(3) On 22 April 2022 the Commander notified the applicant of their intent to separate them under the provisions of AR 635-200, Chapter 14-12c (Misconduct) for failure to become fully vaccinated with the COVID-19 vaccination with a general (under honorable conditions) characterization of service. Paragraph 3 of this memorandum appears to have administrative error, and should read, "intermediate commanders are not bound by the commander recommendation and may recommend a characterization of service of Honorable, and the separation authority may approve their service is characterized as Honorable.

(4) On 29 April 2022, after having been advised by consulting counsel, the applicant executed their election or rights and elected to be represented by counsel and submit a statement on their behalf. On the same day the Trial Defense noncommissioned officer in charge completed a memorandum for record and added a hand-written note "Please make correction to COL's Characterization Options. Add Honorable Option."

(a) The applicant submitted a statement on their behalf, which states in pertinent part, they have taken the oath made very seriously and given the U.S. Army every aspect of themselves. They have not received a derogatory mark on their record, prior to receiving the GOMOR for refusal of the vaccine; however, they have remained diligent in their service, and will continue to honor the oath even after separated. They are a sole provider for many members of their immediate family and spent the majority of their money providing a place to live for their aging mom, who is unable to work and his sister, who is a single parent of five children. They were concerned about not being eligible for education benefits to further their education upon separation. Although they are able to request an upgrade after 6 months, there is no guarantee, and it also will prolong time taken for them to establish a stable life. Due to COVID-19 Vaccine being a highly contentious and politicized issue, having to explain why they received a general discharge could open the up to potential discrimination when applying for employment, which is why they believed Congress allowed the option for an Honorable discharge under the National Defense Authorization Act (NDAA), [Fiscal Year] 2022. A general discharge also carries a negative connotation that implies their service is undeserving of the highest level of discharge due to performance or conduct issues. It would be an injustice to receive the same characterization assigned to people who knowingly use drugs or commit petty crimes while enlisted.

(b) In support of their separation the applicant submitted seven letters of character from their leaders and peers which all identify in detail the high level of professionalism, integrity, and character of the applicant in all facets of leading, following, teaching, as well as their honorable and loyal service; not retaining the applicant is a massive loss of an asset to the U.S. Army.

(5) On 16 May 2022, the commander submitted their report recommending the applicant receive an Honorable Characterization of Service. The intermediate commanders endorsed separation action with the Battalion Commander recommending a General characterization, the Brigade Commander also recommended a General; however, there was administrative error introduced in that the option to elect from did NOT include an Honorable election.

(6) On 8 June 2022, the appropriate authority approved the separation and directed the applicant be discharged with a general (under other than honorable) characterization of service. The memorandum is missing an election to be discharged honorably.

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

j. **Behavioral Health Condition(s):**

(1) **Applicant provided:** None

(2) **AMHRR Listed:** None

5. APPLICANT-PROVIDED EVIDENCE: In support of their petition, the applicant provides several pages of military personnel records which includes a self-authored stated submitted in support of their separation process with excerpts of what appears to be a Department of Army Directive, Fragmented Order relating to COVID-19, Six letters of character references that attest to the applicant's high level of professionalism, work ethic, and reliability, copies of their separation approval with a "post-it note" requesting "Honorable" be an added choice to the separation authority approval memorandum, and a copy of a Developmental Counseling Form that commends the applicant for their professionalism while undergoing training at the National Training Center, Fort Irwin, CA, that states:

a. In spite of the applicant's awareness of future separation action, the applicant performed every task assigned, volunteered to better the platoon, and company, and continued to maintain a professional and disciplined image and mind set. The applicant had to assume an unfamiliar position as an Anti-armor specialist and maintaining their leader SAW Gun and Javelin. In the absence of leadership during an ambush, the applicant took control, not only suppressing the enemy but acquiring 13 simulated confirmed enemy kills while defending the machine gun nest.

b. The applicant showed excelling individual soldier discipline with calling up anything that could help complete the mission; a professional role model for new soldiers.

6. POST SERVICE ACCOMPLISHMENTS: None submitted in support of submitted petition.

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. 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.

c. 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.

d. 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.

e. 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.

f. Office, Secretary of Defense memorandum (Rescission of August 24, 2021 and November 30, 2021 Coronavirus Disease 2019 Vaccination Requirements for Member of the Armed Forces) 10 January 2023, implemented 23 December 2022, James M. Inhofe National Defense Authorization Act (NDAA) for Fiscal Year 2023 which rescinded the mandate for members of the Armed Forces to be vaccinated against Corona Virus 2019 (COVID-19), as issued on 24 August 2021 in the now-rescinded Secretary of Defense Guidance for Mandatory

COVID-19 Vaccination for Department of Defense Service Members issued on 30 November 2021. It further states, for Service members administratively discharged on the sole bases of failure to obey a lawful order to receive vaccine for COVID-19, the Department precluded by law from awarding any characterization less than a general (under honorable conditions) discharge. Former service members may petition the Military Departments DRBs and BCM/NRs to individually request correction to their personnel records, including records regarding the characterization of their discharge.

g. Office, Secretary of the Army memorandum (Army Policy Implementing the Secretary of Defense Coronavirus 2019 (COVID-19) Vaccination Mandate Recission), 24 February 2023 implemented policy mandating the COVID-19 vaccination, applicable to Soldiers servicing in the Regular Army (RA), Army National Guard (ARNG)/Army National Guard of the United States (ARNGUS), and the U.S. Army Reserve (USAR), cadets of the US. Military Academy (USMA), cadet candidates at the U.S. Military Academy Preparatory School (USAMPS), and cadets in the Senior Reserve Officer Training Corps (SROTC). It provides that Soldiers currently serving shall not be separated solely on their refusal to receive the COVID-19 vaccine if they sought an exemption on religious, administrative, or medical grounds. Furthermore, the guidance provides details for updating records of current Soldiers, however, former Soldiers may petition the Army Discharge Review Board or the Army Board for Correction of Military Records to request corrections to their personnel records regarding the characterization of their discharge.

h. Office, Assistant Secretary of the Army, Manpower and Reserve Affairs (SAMR) memorandum (Correction of Military Records for Former Members of the Army Following Recission of August 24, 2001 and November 30, 2021, Coronavirus Disease 2019 Vaccination Requirements for Former Soldiers), 6 September 2023, provided supplemental guidance to the Army Discharge Review Board (ADRB) and the Army Board for Correction of Military Records (ABCMR) when considering requests for discharge upgrade requests involving former service members who did not meet the COVID-19 vaccination mandate. If the Board determines relief is warranted, this does not imply the vaccination mandate or involuntary separation itself constituted an "injustice" or "inequity" as the vaccination mandate was a valid lawful policy at the time. Consistent with previous published Under Secretary of Defense, Personnel and Readiness Guidance and Board processes regarding changes to policy and/or standards, the COVID-19 vaccination requirement rescission is a relevant factor in evaluating an application for upgrade of the characterization of service. Reinstatement is not under the purview of the Military Review Board. Former Soldier would need to submit their requests for reinstatement to the Army Board for Correction of Military Records. Additionally, the Board should:

(1) Generally grant a request to upgrade the characterization of service from a former Soldier when they were involuntarily separated, and the Reentry Code would prevent them from rejoining the military without a waiver should they desire to do so; and meet three conditions: (1) The original action was based solely on refusal to receive the COVID-19 vaccination, (2) The former Soldier formally sought an accommodation on religious or medical grounds prior to contemporaneous with official initiation of the action; and (3) there are no aggravating factors in the member's record, such as misconduct.

(2) If the above conditions are met, normally grant enlisted requests to show the following correction:

- Separation Authority: Army Regulation 635-200, Chapter 15
- Separation Code: JKA
- Reenlistment Code: RE1

- Narrative Reason for Separation: Secretarial Plenary Authority
- Character of Service: Honorable

(3) Officer records should be changed to have similar effect.

(4) It further states to apply existing policy that requires the former Soldier to establish evidence of an error, impropriety, inequity, or injustice in support of their petition in cases with multiple reasons for separation.

i. Army Regulation 635-200 provides the basic authority for the separation of enlisted personnel.

(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) An Under Other Than Honorable Conditions discharge is an administrative separation from the Service under conditions other than honorable and it may be issued for misconduct, fraudulent entry, security reasons, or in lieu of trial by court martial based on certain circumstances or patterns of behavior or acts or omissions that constitute a significant departure from the conduct expected of Soldiers in the Army.

(4) Chapter 14 establishes policy and prescribes procedures for separating members for misconduct. Specific categories include minor disciplinary infractions, a pattern of misconduct, and commission of a serious offense, to include abuse of illegal drugs, convictions by civil authorities and desertion or being absent without leave. Action will be taken to separate a member for misconduct when it is clearly established that rehabilitation is impractical or unlikely to succeed. A discharge under other than honorable conditions is normally appropriate for a Soldier discharged under this chapter. However, the separation authority may direct a general discharge if such is merited by the Soldier's overall record. Paragraph 14-12c, states a Soldier is subject to action per this section for commission of a serious military or civilian offense, if the specific circumstances of the offense warrant separation and a punitive discharge is, or would be, authorized for the same or a closely related offense under the Manual for Courts-Martial.

(5) 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.

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 "JKQ" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 14, paragraph 12c, misconduct (serious offense).

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 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:

(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 waivable. Eligibility: Ineligible unless a waiver is granted.

(3) 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.

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 their characterization of service be upgraded to show as Honorable. A review of the record shows the applicant declined the COVID-19 vaccination based on conflict between the types of vaccine and the vaccine availability because they were not FDA approved. Their declination resulted in a GOMOR being filed in their permanent records and separation under the provisions of AR 635-200, Chapter 14-12c (Serious Misconduct).

(1) The available evidence reflects administrative error was introduced in the endorsement memoranda for the Brigade Commander and separation authority by not including the option to 'elect' Honorable for a characterization of service. Secretary of Defense guidance at the time of separation provides that by law, Soldiers separated for the sole purpose of failure to vaccinate for COVID-19 could not receive a characterization of less than general (under honorable conditions).

(2) The available evidence shows the applicant performed exceptionally throughout their time in service, even while undergoing the separation process, they received multiple accolades and character references lauding their tenacity, calm and collected demeanor, exceptional drive, high morale, and willingness to learn in spite of going through the separation process. The records are void of any indiscipline or misconduct either prior to and/or after declining to fully vaccinate with the COVID-19 vaccination. They completed 1 year, 11 months, and 2 days of their 4-year, 24 weeks [6 months] enlistment contractual obligation.

(3) The applicant did not receive any performance awards. However, while at the National Training Center, Fort Irwin, CA, they received an outstanding counseling commending them for exceptional performance and initiative demonstrated when they selflessly volunteered for unfamiliar positions in the absence of leadership. These actions resulted in taking control of

the team and assisting in suppressing the enemy by taking out a 240-machine gun nest and acquiring 13 simulated confirmed enemy kills, while defending the offensive machine gun nest.

(4) The available evidence reflects the applicant did not seek a religious or medical exemption request to the COVID-19 vaccination mandate.

c. The rescission of the COVID-19 vaccination mandate does not negate the propriety of the discharges or separations that occurred prior to this policy change or imply the vaccination mandate or involuntary separation constituted an inequity; it was a valid lawful policy at the time. However, the COVID-19 vaccination requirement rescission is a relevant factor in evaluating an application for discharge upgrade relief based on religious or medical grounds prior to or simultaneously with the official initiation of the separation action; and there are no aggravating factors of indiscipline and/or misconduct.

d. 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.

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 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. Response to Contention(s):

(1) The applicant contends their discharge based on COVID-19 vaccine refusal is inequitable based on their quality of service and should be upgraded to Honorable. The Board considered this contention and voted to upgrade the discharge based on the 24 February 2023 SECARMY Policy Memo "Army Policy Implementing the Secretary of Defense Coronavirus Disease 2019 (COVID-19) Vaccination Mandate Rescission", administrative error on the applicant's discharge paperwork and no prior misconduct.

c. The Board determined the discharge was improper based on the 24 February 2023 SECARMY Policy Memo "Army Policy Implementing the Secretary of Defense Coronavirus Disease 2019 (COVID-19) Vaccination Mandate Rescission". The Board considered the applicant's exemption request based on the distinction between the Emergency Use Authorization Pfizer vaccine and the FDA Comirnaty vaccine, and his request to receive the Comirnaty vaccine. Additionally, the Board members discussed the applicant's file and based on an administrative error-the option for the brigade commander to elect Honorable discharge was

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not provided as an election- and no prior misconduct, the Board concurred the current discharge is inequitable and warranted an upgrade. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable and changed to the separation authority to AR 635-200, the narrative reason for separation to Secretarial Authority, with a corresponding separation code of JFF, and the reentry code to RE-1.

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d. Rationale for Decision:

(1) The Board voted to change the applicant’s characterization of service to Honorable based on the 24 February 2023 SECARMY Policy Memo “Army Policy Implementing the Secretary of Defense Coronavirus Disease 2019 (COVID-19) Vaccination Mandate Rescission”, administrative error on the applicant’s discharge documents and no prior misconduct. Thus, the prior characterization is no longer appropriate.

(2) The Board voted to change the reason for discharge to Secretarial Authority under the same pretexts, thus the reason for discharge is no longer appropriate. The SPD code associated with the new reason for discharge is JFF.

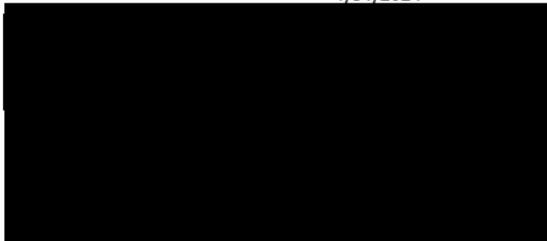
(3) The Board voted to change the RE code to RE-1.

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: RE-1**
- e. Change Authority to: AR 635-200**

Authenticating Official:

1/31/2024



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