HOW TO TRY TO UPGRADE YOUR DISCHARGE

(NO GUARANTEES)

THE DIFFERENT CHARACTERIZATIONS OF SERVICE
(TYPES OF DISCHARGES)

Honorable Discharge: This is a separation with full honors. An honorable discharge will be awarded for proper military behavior and service of duty. If there is no derogatory information contained in the military record, an honorable discharge should be directed. It is the pattern of behavior that is important.
Eligible for all benefits

General Discharge: This is separation under honorable conditions. A general discharge is usually given to soldiers whose record and performance is satisfactory but not unblemished. This characterization of service is usually directed for soldiers who have received non-judicial punishment (Article 15) or have committed minor misconduct as indicated by their military record. The initiating commander must state the specific reason for this discharge.
Eligible for most benefits except MGIB, Post 9/11 GIB, Educational Assistance, & Civil Service Retirement Credit

Other than Honorable Discharge: This is the worst possible discharge that you can receive with an administrative separation and is usually given for serious misconduct or Chapter 10 (Discharge in Lieu of Court-Martial). This discharge is not honorable service or duty. Typically awarded for felonies, AWOL, desertion, and drug offenses. The initiating commander must state the specific reason for this discharge.
Will not qualify for most benefits

Army Discharge Review Board

Mission Statement

Reviews discharges of former soldiers, except those given by reason of a sentence of a General Court Martial or over 15 years since discharge. The purpose of the review is to determine if the discharge was granted in a proper manner, i.e. in accordance with regulatory procedures in effect at the time, and that it was equitable, i.e. giving consideration to current policy, mitigating facts, and the total record.

Overview

The objective of the Army Discharge Review Board (ADRB) is to examine an applicant's administrative discharge and to change the characterization of service and/or the reason for discharge based on standards of equity or propriety. (Exceptions: Discharge or dismissal by general court-martial and discharges over 15 years old. These issues can be addressed by the Army Board for Correction of Military Records by submitting a DD Form 149).

The ADRB is not authorized to revoke any discharge, to reinstate any person who has been separated from the Army, or to recall any person to active duty. Bad-conduct discharges given as a result of a special court-martial may be upgraded only on the basis of clemency.

The ADRB will consider applications on a records review basis only or through a personal appearance in Arlington, VA (Crystal City).

The ADRB conducts reviews in one of three ways at the applicant's option:

1. Applicant personally appears before the Board with or without counsel.
2. Counsel appears on the applicant's behalf.
3. The Board evaluates the case based on documentation in the military record and additional evidence provided by the applicant.

This gives the applicant latitude in presenting evidence, witnesses, and testimony in support of his/her case.

You may engage private counsel at your own expense or you may contact one of the Veterans organizations who provide free counsel or a representative to assist in case preparation.

Application Procedures

"NOTICE: Personal hearing before the Army Discharge Review Board (ADRB) is available only in the Washington, DC Metropolitan area (Arlington, Virginia) at the applicant's own expense. Travel panels of the ADRB to locations elsewhere have been discontinued due to government budget limitations."

Who May Apply

Former members of the Regular Army, the Army Reserve, and the Army National Guard may submit an application (DD Form 293) to the Army Discharge Review Board. If the former member is deceased or incompetent, the surviving spouse, next of kin, or a legal representative may apply. However, the application must include supporting documentation such as a certified copy of a marriage license, death certificate, or power of attorney as appropriate. If you were discharged by reason of General Court Martial or it has been over 15 years since your discharge, you are not eligible to apply to the ADRB but should submit a DD Form 149 to the ABCMR.

How to Apply

You may submit an application online
- or -
you may submit by mail a DD Form 149, Application for Correction of Military Record, available in fillable PDF format at http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd0149.pdf.

You will need Acrobat Reader to view and use the PDF format. You may download Acrobat Reader to your computer for free from the Adobe web site.

Blank application forms can also be obtained from any military personnel/human resource office or by sending a request to the address below.

Army Review Boards Agency (ARBA)
251 18th Street South, Suite 385
Arlington, VA 22202-3531
Email for assistance - army.arbainquiry@mail.mil

What to Include with an Application

To support your application, please provide copies of all relevant military records in your possession and any evidence to support your request. Do not send originals. As part of your evidence, you need to provide copies of any correspondence you have had with other agencies to try and resolve your issue. The Army Board for Correction of Military Records can only address issues after all administrative recourse/appeals available to the applicant has been exhausted.

With a comparison between Personal Appearance Hearings and Records Review Hearings

APPLICATION FOR THE REVIEW OF DISCHARGE FROM THE ARMED FORCES OF THE UNITED STATES

(Please read instructions on Pages 3 and 4 BEFORE completing this application.)

OMB No. 0704-0004
OMB approval expires Oct 31, 2014

The public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Washington Headquarters Services, Executive Services Directorate, Information Management Division, 4800 Mark Center Drive, Alexandria, VA 22340-3100 (0704-0004). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. **PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ORGANIZATION. RETURN COMPLETED FORM TO THE APPROPRIATE ADDRESS ON BACK OF THIS PAGE.**

PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. 1553; DoD Instruction 1332.28; and E.O. 9397 (SSN), as amended.
PRINCIPAL PURPOSE(S): To apply for a change in the characterization or reason for military discharge issued to an individual. The appropriate Military Service Discharge Review Board, reviews submitted packages and makes determinations. Completed forms are covered by the correction of discharge review board and official military records SORNs maintained by each of the Military Services. The DoD Systems of Records Notices can be located at http://privacy.defense.gov/notices/index.shtml
ROUTINE USE(S): The DoD Blanket Routine Uses found at http://privacy.defense.gov/blanket_uses.shtml apply to this collection.
DISCLOSURE: Voluntary; however, failure to provide identifying information may impede processing of this application. The SSN is used by the Military Services to ensure the correct individual's official military personnel file is updated.

1. APPLICANT DATA *(The person whose discharge is to be reviewed).* **PLEASE PRINT OR TYPE INFORMATION.**

a. BRANCH OF SERVICE *(X one)*	☐ ARMY	☐ MARINE CORPS	☐ NAVY	☐ AIR FORCE	☐ COAST GUARD

b. NAME *(Last, First, Middle Initial)*	c. GRADE/RANK AT DISCHARGE	d. SOCIAL SECURITY NUMBER

e. CURRENT MAILING ADDRESS OF APPLICANT OR PERSON NAMED IN ITEM 11 *(Forward notification of any change in address.)*	f. TELEPHONE NUMBER *(Include Area Code)* g. E-MAIL h. FAX NUMBER *(Include Area Code)*

2. DATE OF DISCHARGE OR SEPARATION *(YYYYMMDD) (If date is more than 15 years ago, submit a DD Form 149)*

3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION

4. DISCHARGE CHARACTERIZATION RECEIVED *(X one)*

- ☐ HONORABLE
- ☐ GENERAL/UNDER HONORABLE CONDITIONS
- ☐ UNDER OTHER THAN HONORABLE CONDITIONS
- ☐ BAD CONDUCT *(Special Court-Martial only)*
- ☐ UNCHARACTERIZED
- ☐ OTHER *(Explain)*

5. BOARD ACTION REQUESTED *(X all that apply)*

- ☐ CHANGE TO HONORABLE
- ☐ CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS
- ☐ CHANGE TO UNCHARACTERIZED *(Not applicable to Air Force or service members with over 6 months of service)*
- ☐ CHANGE NARRATIVE REASON FOR SEPARATION:

6. ISSUES: WHY AN UPGRADE OR CHANGE IS REQUESTED AND JUSTIFICATION FOR THE REQUEST *(Continue in Item 13. See instructions on Page 3.)*

☐ **7.** *(X if applicable)* **AN APPLICATION WAS PREVIOUSLY SUBMITTED ON** *(YYYYMMDD)* _____
AND THIS FORM IS SUBMITTED TO ADD ADDITIONAL ISSUES, JUSTIFICATION, OR EVIDENCE.

8. IN SUPPORT OF THIS APPLICATION, THE FOLLOWING ATTACHED DOCUMENTS ARE SUBMITTED AS EVIDENCE: *(Continue in Item 14. If military documents or medical records are relevant to your case, please send copies.)*

9. TYPE OF REVIEW REQUESTED *(X one)*

- ☐ CONDUCT A RECORD REVIEW OF MY DISCHARGE BASED ON MY MILITARY PERSONNEL FILE AND ANY ADDITIONAL DOCUMENTATION SUBMITTED BY ME. I AND/OR *(counsel/representative)* WILL NOT APPEAR BEFORE THE BOARD.
- ☐ I AND/OR *(counsel/representative)* WISH TO APPEAR AT A HEARING AT NO EXPENSE TO THE GOVERNMENT BEFORE THE BOARD IN THE WASHINGTON, D.C. METROPOLITAN AREA.
- ☐ I AND/OR *(counsel/representative)* WISH TO APPEAR AT A HEARING AT NO EXPENSE TO THE GOVERNMENT BEFORE A TRAVELING PANEL CLOSEST TO *(enter city and state)* _____ (**NOTE:** The Naval and Coast Guard Discharge Review Boards do not have traveling panels.)

10.a. COUNSEL/REPRESENTATIVE *(If any)* NAME *(Last, First, Middle Initial)* AND ADDRESS *(See Item 10 of the instructions about counsel/representative.)*	b. TELEPHONE NUMBER *(Include Area Code)* c. E-MAIL d. FAX NUMBER *(Include Area Code)*

11. APPLICANT MUST SIGN IN ITEM 12.a. BELOW. If the record in question is that of a deceased or incompetent person, LEGAL PROOF OF DEATH OR INCOMPETENCY MUST ACCOMPANY THE APPLICATION. If the application is signed by other than the applicant, indicate the name *(print)* _____ **and relationship by marking a box below.**

☐ SPOUSE ☐ WIDOW ☐ WIDOWER ☐ NEXT OF KIN ☐ LEGAL REPRESENTATIVE ☐ OTHER *(Specify)*

12. CERTIFICATION. I make the foregoing statements, as part of my claim, with full knowledge of the penalties involved for willfully making a false statement or claim. *(U.S. Code, Title 18, Sections 287 and 1001, provide that an individual shall be fined under this title or imprisoned not more than 5 years, or both.)*

CASE NUMBER *(Do not write in this space.)*

a. SIGNATURE - REQUIRED *(Applicant or person in Item 11 above)*	b. DATE SIGNED - REQUIRED *(YYYYMMDD)*

13. CONTINUATION OF ITEM 6, ISSUES *(If applicable)*

14. CONTINUATION OF ITEM 8, SUPPORTING DOCUMENTS *(If applicable)*

15. REMARKS *(If applicable)*

MAIL COMPLETED APPLICATIONS TO APPROPRIATE ADDRESS BELOW.

ARMY	NAVY AND MARINE CORPS
Army Review Boards Agency 251 18th Street South Suite 385 Arlington, VA 22202-3531 (See http://arba.army.pentagon.mil)	Secretary of the Navy Council of Review Boards ATTN: Naval Discharge Review Board 720 Kennon Ave S.E., Suite 309 Washington Navy Yard, DC 20374-5023
AIR FORCE	**COAST GUARD**
Air Force Review Boards Agency SAF/MRBR 550-C Street West, Suite 40 Randolph AFB, TX 78150-4742	Commandant (CG-122) Attn: Office of Military Personnel US Coast Guard 2100 2nd Street S.W., Stop 7801 Washington, DC 20593-7801

INSTRUCTIONS FOR COMPLETION OF DD FORM 293

REQUESTING COPIES OF YOUR OFFICIAL MILITARY PERSONNEL FILE

Information on how to obtain military or health records is available at the National Personnel Records Center website at www.nara.gov/regional/mpr.html or at your local Veterans Administration office.

Applicants are strongly encouraged to submit any request for their military records prior to applying for a discharge review rather than after submitting a DD Form 293 in order to avoid substantial delays in processing of the application and scheduling of review. Applicants and their counsel may also examine their military personnel records at the site of their scheduled review prior to the review. The Board shall notify applicants of the date of availability of the records for examination in their standard scheduling information.

Submission of a request for an applicant's military records (including a request pursuant to the Freedom of Information Act or Privacy Act) after the DD Form 293 has been submitted will automatically result in the suspension of processing of the application for discharge review until the requested records are sent to an appropriate location for copying, are copied, and are returned to the possession of the headquarters of the Discharge Review Board. Processing of the application shall then be resumed at whatever stage of the discharge review process is practicable.

DD FORM 293 - PLEASE PRINT OR TYPE INFORMATION. (Items on the form are self-explanatory unless otherwise noted below.)

ITEM 1b. Use the name which you served under while in the Armed Forces. If your name has since changed, then also include your current name after adding the abbreviation "AKA". If the former member is deceased or incompetent, see Item 11.

ITEM 1e. Indicate the address to be used for all future correspondence regarding this application. If you change this address while this application is pending, you must notify the Discharge Review Board immediately. Failure to attend a hearing as a result of an unreported change in address may result in a waiver of your right to a hearing.

ITEM 2. If you received more than one discharge, the information in this item should refer to the discharge that you want changed. Discharge Review Boards cannot consider any type of discharge resulting from a sentence given by a general court-martial.

ITEM 3. If the discharge you want reviewed was issued over 15 years ago, instead of applying on a DD Form 293, you must petition the appropriate Board for Correction of Military Record using DD Form 149, Application for Correction of Military Record Under the Provisions of Title 10, U.S. Code, Section 1552.

ITEM 5. If you request a change of narrative reason for separation, you must list the specific reason for discharge that you believe to be appropriate, otherwise the Board will presume that you do not want a change in reason for discharge. If you do not request a change of discharge characterization in this item, the Board will presume you want to change discharge to Honorable.

If you were separated on or after 1 October 1982 while in an entry level status with an under other than honorable conditions discharge and less than 180 days of active service, you can request a change of discharge characterization to "Uncharacterized" and discharge reason to "Entry Level Separation".

ITEM 6. "Issues" are the reasons why you think your discharge should be changed. You are not required to submit any issues with your application. However, if you want the Board to respond in writing to the issues of concern, you must list your specific issues in accordance with those instructions and regulations governing the Board. Issues must be stated clearly and specifically. Your issues should address the reasons why you believe that the discharge received was improper or inequitable. It is important to focus on matters that occurred while you served in the Armed Forces.

The following examples demonstrate one way in which issues may be stated (the example issues do not indicate, in any way, the only type of issues that should be submitted to the Board):

Example 1. My discharge was inequitable because it was based on one isolated incident in 28 months of service with no other adverse action.

Example 2. The discharge is improper because the applicant's pre-service civilian conviction, properly listed on his enlistment documents, was used in the discharge proceedings.

In Item 6 list each of your issues that you want the Board to address. There is no limit to the number of issues that you may submit. If you need additional space, continue in Item 14 or on a plain sheet of paper and attach it to this application.

NOTE: If an issue is not listed in Item 6, it may result in the Board not addressing the issue even if the issue is discussed in a legal brief or other written submissions or at the hearing. Changes or additions to the list may be made on the DD Form 293 anytime before the Discharge Review Board closes the review process for deliberation. Please be sure that your issues are consistent with the Board Action Requested (Item 5). If there is a conflict between what you say in your issues and what you requested in Item 5, the Board will respond to your issue in the context of the action requested in Item 5. For example, if you request a General Discharge in Item 5 but your issue in Item 6 indicated you want an Honorable Discharge, the Board will respond to the issue in terms of your request for a General Discharge. Therefore, if you are submitting issues for the purpose of obtaining an Honorable Discharge, be sure to mark the box for an Honorable Discharge in Item 5.

Incorporation by Reference. Issues that are listed on a legal brief or other written submissions may be incorporated by reference in Item 6. The reference must be specific enough for the Board to clearly identify the matter being submitted as an issue. At a minimum, it shall identify the page, paragraph, and sentence incorporated.
Example: Issue 1. Brief, page 2, paragraph 1, sentences one and two.

Applicants should be as specific as possible with all references so the Board can clearly distinguish the scope of the issue. Because it is to your benefit to bring such issues to the Board's attention as early as possible in the review, if you submit a brief, you are strongly urged to set forth all such issues as a separate item at the beginning of the brief.

ITEM 8. Evidence not in your official records should be submitted to the Board before the review date. It is to your advantage to submit such documentation with this application. This also applies to legal briefs or counsel submissions. However, you have the right to submit evidence until the time, the Discharge Review Board closes the review process for deliberation. Documents that are of the most benefit are those which substantiate or relate directly to your issues in Item 6. Other documents that may be helpful are character references, criminal, credit and employment reports, educational achievements, exemplary post-service conduct, and medical reports. You should add your name and Social Security Number to each document submitted. The Board will consider all documents submitted in your behalf, but will respond in writing only to those issues set forth in Item 6.

ITEM 9. TYPE OF REVIEW REQUESTED

A Discharge Review is conducted in two basic ways:
(1) Records Review or (2) Hearing.

1. Records Review. You may have the Board conduct a discharge review based solely on military records and any additional documentation that you provide. This review is conducted without personal appearance by you and/or your counsel appearing. A personal appearance hearing can be requested, however, you forfeit your right to a record review.

2. Hearing. You may appear personally (alone or assisted by a representative/counsel) before the Board in the Washington, D.C. Metro Area or before a Traveling Panel of the Board in selected locations throughout the U.S., if appropriate. The Department of Defense is not responsible for, nor will it pay for, any costs incurred by the applicant or representative/counsel for appearance or providing testimony or documentation. Detailed notification and/or scheduling information for all personal appearances will be provided after the application has been processed. In addition, without appearing yourself, you may have your case presented by a representative/counsel of your choice.

Applicants participating in a personal appearance or hearing examination may make sworn or unsworn statements, introduce witnesses, documents, or other information on their behalf. Applicants may make oral or written arguments personally and/or through representative/ counsel. Applicants and witnesses who present sworn or unsworn statements may be questioned by the Board.

FAILURE TO APPEAR AT A HEARING OR RESPOND TO A SCHEDULING NOTICE. If you do not appear at a scheduled hearing or respond as required to a scheduling notice, and you did not make a prior, timely request for a continuance, postponement, or withdrawal of the application, you will forfeit the right to a personal appearance and the Board shall complete its review of the discharge based upon the evidence of record.

ITEM 10.a - d. Omit if you do not have a representative/counsel. If you later obtain the services of either, inform the Board immediately.

The military services do not provide counsel representation or evidence for you, nor do they pay the cost of such representation under any circumstance. The following organizations regularly furnish representation at no charge to you. Representatives may or may not be lawyers.

1. American Legion
2. Disabled American Veterans
3. Veterans of Foreign Wars
4. State or Regional Veterans Offices

In addition, there are other organizations willing to assist you in completing this application and to provide representation at no cost. It is to your advantage to coordinate with your counsel prior to submitting this application. This will insure that your counsel is able to appear at the location you listed in Item 9. Please note that some of the organizations listed above only represent applicants who appear before the Board in the Washington, D.C. Metro Area. Contact your local veterans affairs office, Veterans Administration Office or veterans service organization for further information.

ITEM 11. If the former member is deceased or incompetent, the application may be submitted by the next of kin, a surviving spouse or a legal representative. Legal proof of death or incompetency and satisfactory evidence of the relationship to the former member must accompany this application.

ITEM 12.a. and b. A signature and date entered by the applicant or person identified in Item 11 are required.

Frequently Asked Questions

Question: What is the purpose of the Army Discharge Review Board?
Answer: The Army Discharge Review Board is authorized to review the character, reason and authority of a discharge of any service member discharged from active military service within the past 15 years. The authority for ADRB review comes from Public Law 95-126 and Title 10 U.S.C. § 1553. The Department of Defense Directive 1332.28, Discharge Review Board Procedures and Standards, establishes uniform policies and procedures and standards for review of discharges and dismissals. Army Regulation 15-180, Army Discharge Review Board, governs the actions and composition of the ADRB.

Question: Is my discharge automatically upgraded after six months?
Answer: No. There is no automatic upgrade of a discharge after six months or any other time period. Changes or upgrades in discharges are only made if there is a proven error, injustice, or inequity in the discharge. You must provide with your application evidence and supporting documents to show that there is an error, injustice, or inequity in your discharge. You may apply for a discharge review online at http://actsonline.army.mil and send the signature page and evidence as instructed by the online program – or - you may print a blank DD Form 293 from this website under Army Discharge Review Board application procedures, fill in the form and mail it with your evidence to the address shown on the reverse of the form.

Question: Can the Army Discharge Review Board change my Reentry Eligibility (RE) code?
Answer: The RE code (Reentry Eligibility code) is determined by the reason for separation, not the character of separation.

According to Army Regulation 601-210 (Regular Army and Army Reserve Enlistment Program), the Reentry Eligibility (RE) code can only be changed if an incorrect code was entered. For this type of correction, please send a letter and a copy of your DD Form 214 to the following address requesting the correction:

- **Commander**
- US Army Human Resources Command
- Attention: Retention Branch (AHRC-EPF)
- 1600 Spearhead Division Drive, Dept 365
- Fort Knox, KY 40121
-

The RE code is not upgraded to allow enlistment. Soldiers separated with an RE-3 or RE-4 code must seek a waiver from a recruiter to enlist. Depending on the type of discharge and disqualification, a waiver may not be possible.

If however, a former Soldier can provide evidence that the RE code is an error or unjust, the former Soldier may apply to the Army Board for Correction of Military Records for a correction of the RE code. If the former Soldier can provide evidence that their discharge character or reason for discharge issued in the last 15 years are erroneous or unjust, the former Soldier can apply to the Army Discharge Review Board for a discharge review and request that their RE code be changed according to the correct reason for discharge.

The former Soldier may complete an online application at http://actsonline.army.mil and send the signature page and evidence as instructed by the online program – or - may print a blank DD Form from the Army Review Boards Agency website at http://arba.army.pentagon.mil/ fill in the requested information, and mail it to the address shown on the reverse of the form. Please provide copies of all relevant military records in your possession and any evidence to support your request.

Question: Is there a time limit to apply to the Army Discharge Review Board (ADRB)?
Answer: Yes, there is a 15 year statute of limitation from the date of discharge for applying for a discharge review by the ADRB. If it has been more than 15 years since the date of discharge, the applicant may apply for a change or upgrade of discharge to the Army Board for Correction of Military Records (ABCMR) online at http://actsonline.army.mil or on a DD Form 149 which can be found on this website under ABCMR application procedures. Changes or upgrades in discharges are only made if there is a proven error, injustice, or inequity in the discharge. You must provide with your application evidence and supporting documents to show that there is an error, injustice, or inequity in your discharge.

Question: If I was discharged by a court-martial, can the Army Discharge Review Board review my request for a discharge upgrade?
Answer: If you were discharged as a result of a Special Court-Martial, you can apply on a DD Form 293 to the Army Discharge Review Board for a discharge upgrade review. If you were discharged as a result of a General Court-Martial sentence, you must apply on a DD Form 149 to the Army Board for Correction of Military Records for a discharge upgrade review.

Question: If I received a disability discharge and my contention is that I should have received disability retirement, can I apply to the Army Discharge Review Board?
Answer: No, issues on disability and retirement must be submitted to the Army Board for Correction of Military Records on a DD Form 149 for review.

Question: What do I need to send with my application?
Answer: Attach to your application copies of all relevant military records in your possession and any evidence to support your request. Send photo copies; do not send originals. As part of your evidence, you need to provide copies of any correspondence you have had with other agencies concerning your discharge.

Question: What is evidence to support an application?
Answer: Evidence is any military record document, witness statement, your written statement, correspondence or other documents that supports your contention of error, injustice, or inequity in your discharge. Please provide only photo copies of documents as they will be retained permanently with your application.

Question: How long does it take to process an application?
Answer: The Board reviews applications in the order in which they are received. Due to the number of applications already on hand and the complexity of many of the cases, it may be as long as twelve months before you receive notification of the decision on your request. Be assured that the Board will consider your application as soon as possible and will notify you by mail as soon as a decision is made. If you request a personal appearance before the Board in Arlington, Virginia at your own expense, that appearance can normally be scheduled within six months.

Question: What are my options regarding hearings?
Answer: You may choose to have your discharge reviewed before an Army Discharge Review Board records review hearing or a personal appearance hearing or by both types of hearings. However, if you first appear before a personal appearance hearing, you are not entitled to a subsequent records review hearing. If you first apply for a record review hearing and do not receive a favorable decision, you can then apply for a personal appearance review. Due to the statute of limitation on the Army Discharge Review Board reviews, both hearings must be conducted within 15 years of the date of discharge.

Question: What is a record review hearing?
Answer: A records review hearing is conducted by a panel of senior active duty officers following a thorough review of your record of service. In such a hearing, you do not appear, but you may submit documentary evidence on your own behalf related to your military service and/or your post service achievements. The Board sends a written decision by mail to your current address. If you move after submitting an application, it is important to notify the Board of your new address and phone number. You can do this by sending an email to the webmaster of this website.

Question: What is a personal appearance hearing?
Answer: A personal appearance hearing is conducted by a panel of senior active duty officers in Arlington, Virginia. You may appear before the panel in person, be represented by counsel, make a statement, provide witness testimony, and present documentary evidence on your own behalf, related to your military service and/or your post service achievements. You are strongly urged to provide the Board with documentary evidence pertaining to post service accomplishments related to work, school, letters of reference, your resume, community or any achievement that enables the Board an opportunity to more thoroughly evaluate your after service record. After the hearing, the Board sends a written decision by mail to your current address. If you move before you receive a decision on your application, please provide your new address and phone number by email to ARBA_I@hqda.army.mil or by mail to Army Review Boards Agency, Discharge Review Board, 1901 South Bell Street, Arlington, VA 22202-4508.

Question: Am I required to have a records review hearing?
Answer: Many applicants apply for the personal appearance hearings as a first step and skip their records review hearing. A records review hearing is not mandatory. However, if an applicant has a personal appearance hearing, they are not then entitled to a records review hearing. Requesting a records review hearing as a first step gives the applicant two opportunities (two hearings) to have a review by the Board, a records review and then a personal appearance review. A records review provides the applicant a board decision that can be helpful in preparing for a personal appearance hearing. Personal appearance hearings allow the Board the opportunity to evaluate your evidence, your testimony, and your witnesses through questions and answers.

Question: What are the advantages of choosing a records review as a first step in the discharge review process?
Answer: While a records review hearing is limited in its scope of evaluation of you and your post service conduct, the decision can give you an idea of the types of issues the Board may consider in your case. Choosing a records review hearing as a first step, then proceeding later to a personal appearance hearing if the records review Board does not upgrade the discharge, will provide opportunity for two different reviews. Applying for a records review hearing first provides the applicant a board decision that can be helpful in preparing for a personal

appearance hearing. Additionally, having both the records review hearing and the personal appearance hearing may increase the probability of a decision in the favor of the applicant.

Question: Do I need a lawyer to attend an appearance hearing?
Answer: A lawyer is not required but you may have representation by an experienced advocate of your own choice and at your own expense. There are free advocacy groups that will represent you at the hearing. These Veterans service organizations are very experienced in preparing you for your hearing. Some include the American Legion, Disabled American Veterans, the Order of Purple Heart, and your local county Veteran Service Officer. These organizations require advanced notice to prepare for your hearings so you should contact them as early in the process as possible to make arrangements.

Question: What should I bring with me to my appearance hearing?
Answer: Bring a photo ID. Also bring any documents that support your issues such as your written statement and the documents that substantiate your claims, documents such as letters of reference, military documents pertinent to your case, references from employers, people who know you, any community involvement or work you have completed, school transcripts, resume, medical documents if they apply, etc. Any witnesses that will testify on your behalf should also bring photo ID.

Question: What other information can you tell me to prepare for my Personal Appearance Hearings?
Answer: The Army Discharge Review Board convenes administrative hearings. The hearing is not a court martial or a trial, but you do have certain rights. You may present documentary evidence or evidence material to your case, remain silent, present witnesses to speak on your behalf, or be represented by counsel. Hearings are in duration anywhere from one half hour to an hour. Some hearings last longer because there may be many issues that are to be presented. As the rules of evidence are relaxed, you may present evidence related or not related directly to your issues. The board consists of five officers of rank O-5 to O-6, each with a one vote count. An applicant must have a majority of the voting officers in order to receive the relief that is requested. The Board may vote to leave alone or change the character, reason, or authority of the discharge, but will not make it any worse than it already is.

A typical hearing will be preceded by several formalities, a briefing to tell you what to expect, you will be sworn in, and then have an opportunity to make an opening statement of length of your choosing, or, if represented by counsel, for counsel to present your case for you. You will then be questioned by the Board, with each member asking questions to clarify or to determine facts and circumstances not fully known before hand.

It is in your interest to have an idea of what you want to tell the Board before hand. Any additional evidence to be sent after the application has been submitted (or on-line signature page), should be sent by mail directly to our address (not by fax please) at least four weeks before the hearing is to be convened. This is a courtesy request and also one to your advantage, though not compulsory. Since there are many hearings scheduled the day of your hearing, the Board requires advance time to review and be aware of evidence that may potentially help your case or shed light on the issues.

We have several briefings before the hearing, one by the Secretary Recorder in order to discuss administrative aspects of the case, and another briefing by the Board President to welcome and give you more information about the hearing process. Additionally, this FAQs letter is sent to

your active e-mail address and/or an information letter about hearings is given during the Secretary Recorder's briefing.

Dress or uniform for the hearing: There are no requirements for uniform or manner of dress. An applicant may choose dress in a manner that is appropriate to the occasion. An applicant should not dress in a military uniform if the applicant is no longer a member of the armed forces.

Question: On what does the Army Discharge Review Board (ADRB) base its decisions?
Answer: The ADRB bases its decisions on equity and propriety. Each case is evaluated independently based on its own merit and the evidence submitted by the applicant. The burden of proof rests with the applicant to provide evidence that the discharge was not proper or that the applicant was not given equal treatment.

Question: What is Equity?
Answer: Equal treatment; applying the rules and regulations equally to the same set of circumstances.

Question: What is Propriety?
Answer: An issue of Propriety involves whether or not the Army properly followed its own rules and regulations for your discharge.

Question: What is an "issue"?
Answer: An issue is a specific reason why the applicant believes the discharge received may have been improper or inequitable.

Question: What decisions can the Army Discharge Review Board make?
Answer: The Army Discharge Review Board (ADRB) may decide to upgrade the discharge characterization or determine that the current characterization is proper and equitable. If the Board votes to upgrade change the discharge characterization to General under Honorable Conditions or to Honorable, it may then decide whether to change the Reason, the authority, or the RE Code. For example, a decision might result in a change of character from Under other than Honorable Conditions (UOTHC) to General under Honorable Conditions or to Honorable, with no change to the reason, authority, or RE code. The Board may change a characterization from a Bad Conduct Discharge (BCD) to General under Honorable Conditions with no change of reason or RE code. The Board may change any characterization to fully Honorable with a change of reason to Secretarial Authority and change of RE code – or the Board may change the characterization to fully Honorable with no change to reason, authority, or RE code. The ADRB is not authorized to change the discharge issued by a General Court-Martial. The ADRB may consider only the characterization of the discharge issued by a Special Court-Martial. In such cases, the applicant should provide the Board ample evidence of post service good conduct and achievements with the application.

Question: If my discharge is upgraded, will I get a new DD Form 214 and how long will it take?
Answer: Yes. The new DD Form 214 will be mailed to you from the Army Review Boards Agency approximately 120 days after the date of the decision by the ADRB.

Question: What will happen to my old DD Form 214?
Answer: In your military record, the old DD Form 214 will be voided and your new DD Form 214

will be put in its place. You may need to provide photo copies of your new DD Form 214 to other agencies. Never give away your original new DD Form 214.

Question: Can the Army Discharge Review Board downgrade my discharge?
Answer: No, a Board decision will not change a discharge to a lesser characterization. The ADRB may either upgrade a discharge or confirm the current discharge. However, if the DD Form 214 does not accurately reflect the discharge that was approved, the Board will direct correction of the DD Form 214 even if that would result in the appearance of a downgrade.

Question: Can the Army Discharge Review Board authorize me to return to active duty?
Answer: No, the Army Discharge Review Board does not make decisions regarding return to active military service. For more information regarding requirements for return to active duty, you must contact your recruiter. You should provide your recruiter with your DD Form 214.

Question: There are several other parts of my DD Form 214 that I want to correct.
Answer: If you have issues with your discharge other than the characterization, reason or authority for the discharge, you must address those issues to the Army Board for Correction of Military Records (ABCMR). You may apply to the ABCMR online at http://actsonline.army.mil and send the signature page and evidence as instructed by the online program – or - you may print a blank DD Form 149 from this website under Army Board for Correction of Military Records application procedures, fill in the form and mail it with your evidence to the address shown on the reverse of the form.

Question: What are my chances that my discharge will be upgraded?
Answer: Each case is evaluated independently based on its own merit and the evidence submitted by the applicant. Your case will receive a complete and thorough evaluation and analysis before the Board members convene to review it. A decision is made based on a vote by the five Board members; only three favorable votes are needed to change the any aspect of the discharge.

Question: If my decision did not result in an upgrade or my discharge was not completely upgraded, what can I do to appeal it?
Answer: If you received a decision from a discharge records review records, you may apply for a discharge personal appearance review. For this, you must submit a new DD Form 293 requesting a personal appearance. If you received a decision from a discharge personal appearance review or you do not wish to apply for a personal appearance review, you may appeal the written discharge review decision by applying to the Army Board for Correction of Military Records (ABCMR). You may apply to the ABCMR online at http://actsonline.army.mil and send the signature page and evidence as instructed by the online program – or - you may print a blank DD Form 149 from this website under Army Board for Correction of Military Records application procedures, fill in the form and mail it with your evidence to the address shown on the reverse of the form.

Question: What if I move before I receive my decision?
Answer: Decisions are sent in writing by U.S. Postal Service (USPS) mail to the address you provided on your application. If you move before you receive a decision on your application, please provide your new address and phone number by email to ARBA_I@hqda.army.mil or by mail to Army Review Boards Agency, Discharge Review Board, 1901 South Bell Street, Arlington, VA 22202-4508. If your discharge is upgraded, your new DD Form 214 will be mailed separately from the records correction agency approximately 120 days after the decision is

issued. The DD Form 214 will not be forwarded by the USPS so it is important that your address be up to date with the Board.

Question: What can you tell me about my benefits, such as Montgomery GI Bill (MGIB) and/or medical benefits?
Answer: You must contact a representative of the Department of Veteran Affairs (VA) in order for them to make a proper determination regarding any benefits to which you may be entitled. The Army Discharge Review Board does not make determinations regarding benefits. The VA web site http://www.va.gov/index.htm provides information on benefits and contact information for VA representatives.

Question: If my discharge is upgraded, will I receive my Montgomery GI Bill (MGIB) or get the money I paid into it back?
Answer: Policies and procedures related to the Montgomery GI Bill are not under the purview of the ADRB. These questions should be addressed to a representative of the Department of Veteran Affairs (VA). The Army Discharge Review Board does not make determinations regarding benefits. The VA web site http://www.va.gov/index.htm provides information on benefits and contact information for VA representatives.

Publications

- DODI 1332.28 - Discharge Review Board (DRB) Procedures and Standards http://www.dtic.mil/whs/directives/corres/pdf/133228p.pdf
- Army Regulation 15-180 - Army Discharge Review Board http://www.army.mil/usapa/epubs/pdf/r15_180.pdf

BENEFITS AT SEPARATION

E	Eligible
NE	Not Eligible
TBD	To be determined by Administering Agency
DV	Eligibility for these benefits depend upon specific disabilities of the veteran

	Honorable *DD Form 256A*	General *Under Honorable Conditions DD Form 257A "4"*	Other Than Honorable "5"	Bad Conduct Discharge	Dishonorable Discharge *General Court-Martial) "6"*	
1. Payment for Accrued Leave	E	E	NE	NE	NE	37 USC 501-503; DODPEM Par. 40401a
2. Death Gratuity (six months pay)	E	E	E	E	NE	10 USC 1480; DODPEM Par. 40501b
3. Wearing of Military Uniform	E	E	NE	NE	NE	10 USC 771a, 772; AR 670-1
4. Admission to Soldiers' Home "1"	E	E	NE	NE	NE	24 USC 49, 50
5. Burial in Army National Cemeteries	E	E	NE	NE	NE	38 USC 1002; AR 290-5
6. Burial in Army Post Cemeteries "2"	E	E	NE	NE	NE	AR 210-190
7. Army Board for Correction of Military Records	E	E	E	E	E	10 USC 1552; AR 15-185
8. Army Discharge Review Board	E	E	E	NE "9"	NE	10 USC 1553; AR 15-180
9. Transportation to Home "3"	E	E	E	E	E	37 USC 404; JTR par. U7500-7506
10. Transportation of Dependents and Household Goods to Home	E	E	TBD "8"	TBD "8"	TBD "8"	37 USC 406; JTR par. U5225, par. U5370
1. Pre-separation Counseling	E	E	E	E	E	10 USC Section 1142
2. Employment Assistance	E	E	E	E	NE	10 USC Section 1143, 1144
3. Health Benefits	E	E	NE	NE	NE	10 USC Section 1145
4. Commissary/Exchange	E	E	NE	NE	NE	10 USC Section 1146
5. Military Family Housing	E	E	NE	NE	NE	10 USC Section 1147
6. Overseas Relocation Assistance	E	E	NE	NE	NE	10 USC Section 1148
7. Excess Leave/Permissive TDY	E	E	NE	NE	NE	10 USC Section 1149
8. Preference for USAR/ARNG	E	E	NE	NE	NE	10 USC Section 1150
9. Montgomery G.I. Bill (Additional Opportunity)	E	NE	NE	NE	NE	38 USC Section 3011
1. Dependency and Indemnity Compensation	E	E	E	E	NE	38 USC 410(b)
2. Pension for Non-Service Connected Disability or Death	E	E	TBD	TBD	NE	38 USC 521; 38 USC 3103
3. Medal of Honor Roll Pension	E	E	TBD	TBD	NE	38 USC 562; 38 USC 3103
4. Insurance	E	E	TBD "11"	TBD "11"	TBD "11"	38 USC 711, 773; AR 608-2
5. Vocational Rehabilitation (DV)	E	E	TBD	TBD	NE	38 USC 1502, 1503
6. Educational Assistance	E	NE	NE	NE	NE	38 USC 1411
7. Survivors & Dependents Educational Assistance	E	E	E	E	NE	38 USC 1701-1765
8. Home and other Loans	E	E	TBD	TBD	NE	38 USC 1802, 1818
9. Hospitalization & Domiciliary Care	E	E	TBD	TBD	NE	38 USC 610; 38 USC 3103
10. Medical and Dental Services	E	E	TBD	TBD	NE	38 USC 612; 38 USC 3103
11. Prosthetic Appliances (DV)	E	E	TBD	TBD	NE	38 USC 614; 38 USC 612(b); 38 USC 3103
12. Guide Dogs & Equipment For Blindness (DV)	E	E	TBD	TBD	NE	38 USC 614; 38 USC 3103
13. Special Housing (DV)	E	E	TBD	TBD	NE	38 USC 801; 38 USC 3103
14. Automobiles (DV)	E	E	TBD	TBD	NE	38 USC 1901; 38 USC 3103
15. Funeral and Burial Expenses	E	E	TBD	TBD	NE	38 USC 902; 38 USC 3103
16. Burial Flag	E	E	TBD	TBD	NE	38 USC 901; 38 USC 3103
17. Burial in National Cemeteries	E	E	TBD	TBD	NE	38 USC 1002
18. Headstone Marker	E	E	TBD	TBD	NE	38 USC 906; 38 USC 3103
1. Preference for Farm Loan (Dept. of Agriculture)	E	E	E	E	NE	7 USC 1983(5)
2. Preference for Farm & other Rural Housing Loans (Dept. of Agriculture)	E	E	E	E	NE	42 USC 1477
3. Civil Service Preference "13" (Office of Personnel Management)	E	E	NE	NE	NE	5 USC 2108, 3309-3316, 3502, 3504
4. Civil Service Retirement Credit	E	NE	NE	NE	NE	5 USC 8331, 8332
5. Reemployment Rights (Dept. of Labor)	E	E	NE	NE	NE	38 USC 2021-2026
6. Job Counseling & Employment Placement (Dept. of Labor)	E	E	E	E	NE	38 USC 2001-2014
7. Unemployment Compensation for Ex-Service members (Dept. of Labor)	E	E	NE	NE	NE	5 USC 8501, 8521
8. Naturalization Benefits (Dept. of Justice Immigration & Naturalization Service)	E	E	NE	NE	NE	8 USC 1439, 1440; AR 608-3, par. 2-2-3
9. Old Age, Survivors & Disability Insurance (Social Security Administration)	E	E	TBD	TBD	NE "12"	42 USC 417
10. Job Preference, Public Works Projects "13" (Dept. of Commerce)	E	E	TBD	TBD	NE	42 USC 6706; 13 CFR 317.35

General Eligibility. The eligibility of benefits set forth are not the sole determining factors, but only list the various types of discharge. The states also provide various benefits that will be influenced by the type of discharge, but information on state benefits should be obtained from state agencies.

FOOTNOTES:

"1" The veteran must have served "honorably and faithfully" for 20 years or been disabled and excludes convicted felons, deserters, mutineers, or habitual drunkards unless rehabilitated or soldier may become such prior to that person following discharge are involved. If a felony, or is not free from drugs, alcohol, or psychiatric problems.

"2" Only if in immediate relative's current or the cemetery.

"3" Only if not a confinement to civil veil, or confinement is involved, parole or release is from a DC military confinement facility or a confinement facility located outside the US.

"4" This discharge category includes the discharge of an officer under honorable conditions under circumstances resembling other misconduct. See **AR 600-8-24**.

"5" An officer who resigns for the good of the service (usually to avoid court-martial charges) will be ineligible for benefits administered by the Department of Veterans Affairs (DVA). 38 USC 3103.

"6" Including Commissioned and Warrant Officers who have been convicted and sentenced to dismissal as a result of general courts-martial. See **AR 600-8-24**, Chapter 5

"7" Additional references include Once a Veteran, Is Ever, Benefits and Programs, DA Pam 360-520 and Federal Benefits for Veterans and Dependents, (VA Fact Sheet 15-1)

"8" To be determined by the Secretary of the Army on case-by-case basis.

"9" Upon if the Bad Conduct Discharge was a result of court-martial General Court-Martial.

"10" Benefits from the Department of Veterans Affairs are not payable to (1) a person discharged as a conscientious objector who refused to perform military duty or refused to wear the uniform or otherwise comply with lawful orders of competent military authority, (2) by reason of a sentence of a general court-martial, (3) by reason of an officer for the good of the service, (4) as a deserter, and (5) as a alien during a period of hostilities. 38 USC 3103. A discharge (1) by acceptance of an offer that honorable discharge to avoid court-martial (2) for mutiny or spying, (3) for a felony offense involving moral turpitude, (4) for willful and persistent misconduct, or (5) for homosexual acts, involving aggravating circumstances or other factors will be considered to have been issued under dishonorable conditions and thereby bar veterans benefits. 38 CFR 3.12. A discharge under dishonorable conditions from one period of service does not bar payment if there is another period of eligible service on which the claim may be predicated (Administrator's Decision, Veterans Admin. No. 655, 20 June 1946).

"11" Any person who, in time of national emergency, or otherwise, or who, because of conscientious objections, refuses to take an oath to the Armed Forces or refuses to wear the uniform shall forfeit all rights to National Service Life Insurance and Servicemember's Group Life Insurance. 38 USC 711, 773.

"12" Applies to Post-1957 service only. Post-1957 service qualifies for Social Security benefits regardless of type of discharge. Pre-1957 service under conditions other than dishonorable could be used to establish eligibility for a military wage credit for Social Security purposes.

"13" Disabled and Vietnam-era veterans only. Post-Vietnam-era Veterans are those who first entered on active duty as or first became members of the Armed Forces after May 7, 1975. To be eligible, they must have served for a period of more than 180 day active duty and were other than a dishonorable discharge. The 180 day service requirement does not apply to (1) veterans separated from active duty because of a service-connected disability, or (2) reserve and guard members who served on active duty under 10 USC (, 2a, d, or g), or 672(b) during a period of war (such as the Persian Gulf War) or in a military operation for which a campaign or expeditionary medal is authorized.

"14" Training and benefits and services are available only to officers appointed involuntarily under other than adverse conditions.

VA Benefits Handbook - http://www.va.gov/pubaff/fedben/00Fedben.pdf