



DEPARTMENT OF THE ARMY
ARMY REVIEW BOARDS AGENCY
251 18TH STREET SOUTH, SUITE 385
ARLINGTON, VA 22202-3531

@#!DATE

GROUP A
@#!CASENUMBER
@#!FULLNAME
@#!ADDRESS

Dear @#!SALUTATION:

You are receiving this letter as part of a settlement agreement in a class-action lawsuit filed in federal court in Connecticut, *Kennedy v. McCarthy*. The Army Review Boards Agency (ARBA) has agreed to reconsider the application you previously presented to the Army Discharge Review Board (ADRB). You may submit additional evidence in support of your reconsideration, but the ADRB must receive your evidence within 60 days of the date on this letter. For more information on this settlement, please visit <https://arba.army.pentagon.mil/adrb-overview.html>.

You are eligible for three reasons. First, you have applied to the ADRB before. Second, your application was denied or not fully granted between April 17, 2011 and April 26, 2021. Last, you may have raised evidence related to Post-Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), Military Sexual Trauma (MST), and / or other behavioral health issues.

There have been changes in the laws and in Defense Department guidance since the ADRB decided your case. The ADRB will automatically reconsider your case in light of these new laws and guidance. In particular, the Board will consider whether PTSD, TBI, MST, and / or other behavioral health issues related to your service may have contributed to the reasons you were discharged. Copies of the new guidance memoranda are at <https://arba.army.pentagon.mil/abcmr-overview.html>.

The ADRB will reconsider your application and send you its decision. It is important to understand the following about this process:

- a. You do not need to submit an application to the ADRB. The ADRB will take a fresh look at your previous application. You may receive a discharge upgrade even if you choose not to contact the ADRB.
- b. There is no guarantee you will receive a discharge upgrade. Your application must show that your current discharge characterization is erroneous or unjust. If the ADRB finds there is not enough evidence that your discharge characterization is erroneous or unjust, your current discharge status will stay the same. The ADRB cannot make your current discharge characterization worse. It cannot take any other negative action on your military records.

c. You may provide written materials as evidence to the ADRB to support your case. You can include documents that you did not submit previously. This is an opportunity to persuade the Board that it should upgrade your discharge.

d. Any additional written materials you submit must be received by the ADRB no later than 60 days from the date of this letter. The ADRB may decide your application at any time after the 60-day period.

e. It will help your case if you are able to provide written medical evidence to support your application. ARBA has agreed to have the ADRB follow the guidance memoranda described above. They direct that “liberal consideration” be given to applications that document one or more symptoms of PTSD, TBI, MST, or other behavioral health issues.

f. By submitting relevant evidence, you will help the ADRB understand whether your experiences, conditions, and / or mental health conditions are related to any misconduct in your military record. Relevant evidence includes, but is not limited to:

- Diagnoses from a medical professional, either in service or after service, of PTSD, TBI, and / or other behavioral health issues;
- Documentation from a medical professional or licensed social worker recording symptoms that are associated with PTSD, TBI, MST, and / or other behavioral health issues, even if a formal diagnosis was not made; and
- Letters from people who knew you before, during, or after your service that can describe any behavioral changes or symptoms of PTSD, TBI, and / or other behavioral health issues.

If possible, you or a medical professional should explain how these symptoms or diagnoses mitigate or outweigh any misconduct contained in your military record.

g. This evidence may come from evaluation and treatment you received from a private medical practitioner. You may also be eligible for mental health evaluation and treatment at the Department of Veterans Affairs, even if you do not have an Honorable or General discharge status. You may contact the Department of Veterans Affairs at 1-844-698-2311.

h. You can get help to submit written materials. A directory of free legal service programs is available through Stateside Legal at <https://www.statesidelegal.org>. The Department of Veterans Affairs also publishes a Directory of Veterans Service Organizations at <https://www.va.gov/vso/>.

i. You can send additional materials by mail or email. Your documents must include your case number. Your case number is the number beginning with “AR” referenced at the top of this letter. Please ensure the entire case number, beginning with the letters “AR” is written clearly near the top of the first page of your documents. Please also include your preferred mailing address, your phone number, and an email address that you check frequently. If the ADRB must contact you, it will first use your

email address. If that is unsuccessful, it will use your phone number or mailing address.
To send by mail, please send to:

Army Review Boards Agency
Army Discharge Review Board
ATTN: Court Reconsideration
251 18th Street S., Suite 385
Arlington, VA 22202-3531

To send by email, please send to:

usarmy.pentagon.hqda-arba.mbx.adrb-grpa@army.mil.

Thank you for your attention. We hope you will take advantage of the opportunity to provide additional written materials to the ADRB. As a reminder, any written materials you submit must be received by the ADRB no later than 60 days from the date of this letter. If you have questions about this letter or about your case, you may contact usarmy.pentagon.hqda-arba.mbx.adrb-grpa@army.mil.

Sincerely,

Army Review Boards Agency