



**DEPARTMENT OF THE NAVY**  
SECRETARY OF THE NAVY COUNCIL OF REVIEW BOARDS  
720 KENNON AVENUE SE STE 309  
WASHINGTON NAVY YARD DC 20374-5023

[Date]

**SUBJECT: RECEIPT OF APPLICATION FOR DISCHARGE REVIEW**

Dear Applicant:

The Naval Discharge Review Board (NDRB) is considering your application for a discharge review. Below is additional information pertinent to many of our applicants regarding their military service and circumstances surrounding their discharge, as well as additional information regarding resources that may aid your application and your rights to counsel. In the event you choose to submit additional records or materials to the NDRB, your materials **must** be submitted to the NDRB before your hearing date to ensure their inclusion in your application file and consideration by the board.

**I. Evidence of PTSD, TBI, MST, or Related Mental-Health Conditions:**

The Naval Discharge Review Board (NDRB) is required to give liberal or special consideration to applicants seeking discharge status upgrades or changes when their application is based on matters relating to mental-health conditions, including Post-Traumatic Stress Disorder (PTSD); Traumatic Brain Injury (TBI); or Military Sexual Trauma (MST).

If you believe you have one or more of these conditions, you can provide evidence to support your claim. Evidence can include documentation of a diagnosis. Evidence also includes documentation of or testimony about symptoms or signs of any of these conditions or experiences, even without a diagnosis. In addition to medical records or other similar documentation, you may also submit signed, sworn statements from many different sources, such as family, peers, doctors, counselors, or other service members you served with, who can testify or assert that you experienced signs or symptoms of these conditions during your period of service. In some instances, misconduct, including any misconduct underlying your discharge, may also be evidence of a mental health condition that would receive liberal consideration. Misconduct, including misconduct that underlies your discharge, may also be subject to review for mitigation due to any then-existing mental-health conditions. Some misconduct, however, may outweigh any mitigation from mental health conditions, including PTSD; TBI; sexual assault; or sexual harassment.

It is to your benefit to provide this type of evidence. All evidence must be received prior to your Document Review or Personal Appearance Hearing. Evidence received after your review or personal appearance will be unable to be considered by your discharge review board.

**II. Mental-Health Treatment at VA Facilities.**

Certain veterans are eligible to receive mental-health treatment and evaluation, even with a less-than-honorable discharge characterization. If you qualify, this means you may be able to

access certain mental-health treatment and evaluation even while your application is pending with the NDRB and regardless of the outcome. To access this type of care, you can contact your nearest VA facility or Vet Center or call 866-222-8387. If you have hearing loss, you can call TTY: 800-877-8339.

### **III. Finding VA facilities**

To find a VA facility, in-network community care provider, or a Vet Center near you, visit <https://www.va.gov/find-locations/>.

### **IV. Right to Retain Counsel**

The NDRB is committed to reviewing all applications for relief fairly and impartially, but data reflects that applicants represented by attorneys before the NDRB tend to have a higher rate of receiving requested relief, including discharge upgrade determinations, than those not represented by an attorney. An attorney may be able to assist you in identifying additional areas of evidence available for your case, to obtain statements in support of your case, and to present your claims and support for relief in a clear and comprehensive manner. Numerous state and volunteer Veteran Aid organizations exist and may be available to you based on each program's eligibility guidelines and resource availability. One resource, Stateside Legal, provides a database of legal service organizations that serve members of the military, veterans, and their families as well as other online resources. Their website is <https://www.statesidelegal.org>. Additionally, visit <https://www.va.gov/vso/> for a directory of Veterans Service Organizations (VSOs), many of which provide representation or assistance to former service members in discharge upgrade cases.

Please be advised that the NDRB cannot endorse any particular legal aid, veteran, or referral organizations. Many organizations provide free or low-cost legal assistance to veterans. Applicants should conduct appropriate research before identifying an organization for assistance.

Finally, please be advised that you have the right to request a personal hearing before the NDRB. If you would like to request a personal hearing with the NDRB, please ensure you mark your choice in your application that you would like to appear in person, by telephone, or by video teleconference (VTC).

Sincerely,

R. C. POWERS  
President, Naval Discharge Review Board