



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

Month, DD, Year

Applicant Name
Address Line 1
Address Line 2
City, ST #####

NOTICE OF AUTOMATIC RECONSIDERATION

Dear Sir or Madam:

You are receiving this letter as part of a settlement agreement in a class-action lawsuit filed in federal court in Connecticut, *Manker v. Del Toro*. As part of the settlement, the Department of the Navy has agreed to automatically reconsider the application you submitted to the Naval Discharge Review Board (NDRB). You may submit additional evidence in support of your reconsideration, which may occur as early as 60 days from the date of this notice. Any supplemental materials submitted after the Board has heard your case will not be considered

Review of the NDRB's file system indicates that you submitted an application that qualifies for automatic reconsideration. Accordingly, your application records are being retrieved from archives for review under current guidance for reconsideration.

Your application will receive automatic reconsideration because: (1) you applied to the NDRB on or after March 2, 2012 through [effective date of settlement]; (2) you did not receive an upgrade to an "Honorable" characterization of service; and (3) your application may have raised evidence of Post-Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), or other related mental health conditions.

Your case is being automatically reconsidered to ensure appropriate application of recent Department of Defense and Department of the Navy guidance regarding the effect of post-traumatic stress disorder, traumatic brain injuries, mental health conditions, and military sexual trauma (MST) upon service members, and how such effects may have affected conduct ultimately leading to an individual's discharge.

You are not required to take any action regarding this reconsideration, and will receive reconsideration whether you submit additional documentation to the NDRB or not. It is important to understand the following about this process:

- You do not need to submit an application to the NDRB. The NDRB will take a fresh look at your previous application. You may receive a discharge upgrade even if you choose not to contact the NDRB.

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- However, you are entitled to supplement your previous application by submitting a new DD Form 293 application (available online at <https://www.esd.whs.mil/Portals/54/Documents/DD/forms/dd/dd0293.pdf>) and/or additional evidence to assist with reconsideration if you choose.
- Submitting additional evidence, including medical evidence, in support of your application may benefit you and your application's reconsideration. 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.

- 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 to learn more.
- 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/>.

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 using an organization for assistance.

All additional materials to be considered by the NDRB for your application's reconsideration must be received before the NDRB considers your case, which may be as early as 60 days from the date of this notice. Submit any materials to the following address:

Department of the Navy
Secretary of the Navy Council of Review Boards

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Attn: NDRB Special Cases
720 Kennon Avenue SE, Ste 309
Washington Navy Yard, DC 20374-5023

More information about the NDRB, application process, resources, and frequently asked questions can be located on the NDRB's website, follow the link labeled NDRB Special Reconsiderations available online at the link below or by downloading our mobile APP.

- Web Link: <https://www.secnav.navy.mil/mra/CORB/pages/ndrb/default.aspx>.
- Mobile APP Search: Naval Discharge Review Board

You may additionally review Department of Defense and Department of the Navy guidance documents, on the NDRB's website. The guidance documents most applicable to the automatic reconsiderations include the September 3, 2014 Department of Defense memorandum signed by Secretary Chuck Hagel (often referred to as the "Hagel Memo"), and the August 25, 2017 Department of Defense memorandum signed by Under Secretary A.M. Kurta (often referred to as the "Kurta Memo").

If you have any questions regarding this notice, or if you believe you will need more than 60 days to provide additional materials to the NDRB for their review, please contact the NDRB Administrative Staff, available via email at ndrb@navy.mil, or by telephone at 202-685-6600.

Sincerely,

R. C. POWERS
President, Naval Discharge Review Board