



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]

[Addressee]

EVIDENCE YOU MAY WISH TO SUBMIT IN SUPPORT OF YOUR APPLICATION

You are receiving this notice because you have a pending application before the Naval Discharge Review Board (NDRB). The 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), which includes sexual harassment and intimate partner violence as well as sexual assault. You are permitted to submit evidence to the board for consideration to support your pending application. Below is some information that may assist you when determining what materials you would like to submit to the board to support your application.

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

If you believe you have one or more of PTSD, TBI, MST, or any other mental health condition, you can provide evidence to support your claim to the board. 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, however, all evidence must be received before your case is presented to the board for consideration. Evidence received after the board has met and considered your case will not be considered, and a new board will not be reconvened. It is recommended that you submit your evidence as soon as possible to ensure its timely consideration. You should contact the board if you have questions or concerns about when your case is scheduled for consideration, or regarding submission deadlines for your supporting materials.

II. Mental-Health Treatment at VA Facilities.

Certain veterans are eligible to receive mental-health treatment and evaluation from the Department of Veterans Affairs, 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 legal 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.

Sincerely,

R. C. POWERS
President, Naval Discharge Review Board