

# How to Upgrade Your Military Discharge

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Your military discharge rating is very important for many reasons, including the ability to qualify for certain VA benefits, government employment, reenlistment eligibility, and more. If you received a discharge that is other than “Honorable,” you may request a military discharge upgrade. To do so, you must submit the proper DD Form to the appropriate Discharge Review Board (DRB) and convince them that your discharge should be upgraded. But there is a catch – the DRB won’t automatically upgrade just any discharge request simply because you ask. You need to convince the Discharge Review Board that your discharge was improper or inequitable. Let’s take a look at what this means, and how you can apply to get your discharge upgraded.



## ❖ Improper or Inequitable Discharge

An improper military discharge is one that was made in error, or one that violates laws or military regulations. In some cases this could be an administrative snafu, or it could be a mis-classification. An inequitable military discharge is one that is inconsistent with military traditions or policies.

There are many circumstances which could qualify for these two classifications, and it is recommended that you seek legal counsel to help you determine the best way to challenge your discharge rating.

## ❖ Military Discharge Review Board (DRB)

Each branch has a Discharge Review Board which reviews discharge upgrade requests (the Navy runs the Discharge Review Board for both the Navy and the USMC). The DRB consists of a five member board consisting of active duty officers and senior enlisted personnel. They can review almost any discharge, with the exception of a discharge or dismissal by sentence of a general court-martial. You can read more about the law governing Discharge Review Boards here: **Title 10, United States Code, Section 1553.**

When you fill out your DD Form 293 (discharge upgrade request form), you will have the option to present your case at the DRB in Washington D.C, in front of a traveling DRB, or have a records review board without presenting your case in person. If you have the means, it is almost always recommended that you have legal representation present your case in person. Regardless of which method you choose, it’s important to understand there are no guarantees, and discharge upgrade request approvals are rare.

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## ❖ There is No Such Thing as an Automatic Upgrade to Honorable

Many people mistakenly believe they can get their discharge automatically upgraded to an Honorable Discharge after 6 months (or some other time period). Unfortunately, this is not the case. In the mid-late 1970s, the Army discharged many soldiers when they used a urinalysis to screen for drug use. The courts later ruled that it was OK to discharge those soldiers on those grounds, but there was an administration snafu when it came to the discharge classification. See the United States District Court for the District of Columbia in "Giles v. Secretary of the Army" (Civil Action No. 77-0904) for more information. Many soldiers who were discharged under those rules prior to January 1, 1975 were able to get a military discharge upgrade on those grounds.

## ❖ Upgrade Requests Must be Made Within 15 Years

Veterans must request an upgrade within 15 years of separating from active duty. Otherwise, they must request a change to their military records, which is an entirely different process.

## ❖ How to Request a Military Discharge Upgrade

To request a discharge upgrade, you will need to download [DD Form 293](#) – *Application for the Review of Discharge or Dismissal from the Armed Forces of the United States*.

Once you have this form, you will need to take the following steps:

- Section 1: personal information (complete section 2 if you are filing this on behalf of a veteran).
- Section 3: your desired result
- Section 4: How you want your records reviewed – appear before the Discharge Review Board in Washington D.C., present your case in front of a traveling board, or submit a records only review.
- Section 5: fill this out if someone else will represent you (for example a lawyer, or veterans organization)
- Section 6: fill this out if you opt to forgo representation from legal counsel
- Section 7: Supporting documentation.
- Section 8: Why the board should consider your discharge upgrade request
- Section 9: Signature and date

You should make sure to include supporting documentation, which can include things such as your **DD 214, military records, and statements from: former supervisors, first sergeants, commanders, and other veterans you served with.**

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## ❖ What You Should Know About Requesting a Military Discharge Upgrade

Your personal statement and statements from those who served with you are invaluable. Do your best to obtain statements from your former supervisors, first sergeant, commander, or others in your chain of command. The board is only concerned with your conduct while you were in the service, not your conduct before or after your service. Because of this, it is best to limit your statements to the time period when you served.

Discharge upgrades are rare, and it is recommended that you seek legal counsel to act on your behalf. This can be costly, and we have some tips on hiring a lawyer. In this case, it is recommended that you use a lawyer with experience arguing these cases in front of a records review board (particularly in the branch where you are seeking an upgrade). If the lawyer does not have experience with these cases, he or she should at the minimum have experience working with military cases.

You may also seek counsel or advice from a veterans' organization for more information. Try your local VFW, American Legion, or similar organization as a starting point, and go from there.

Expect the application, review process and decision to take several months from start to finish. There is no quick fix for a discharge upgrade request, even if you present your case in person.

## ❖ Mail the completed DD Form 293 to the appropriate address:

### **ARMY:**

#### **Army Discharge Review Board**

Army Review Boards Agency

ADRB

1902 South Bell Street

Arlington, VA 22202-4508

### **NAVY & MARINE CORPS:**

#### **Naval Discharge Review Board**

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

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## **AIR FORCE:**

### **Air Force Discharge Review Board**

Air Force Review Boards Agency

SAF/MIBR

550-C Street West, Suite 40

Randolph AFB, TX 78150-4742

## **COAST GUARD:**

Commandant (CG-122)

ATTN: Office of Military Personnel

U.S. Coast Guard

2100 2nd Street S.W., Stop 7801

Washington, DC 20593-7801