

RECORD VERSION

STATEMENT BY

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UNITED STATES ARMY

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HOUSE ARMED SERVICES COMMITTEE**

Chairman Coffman, Representative Speier, Distinguished Members of this Committee, I thank you for the opportunity to appear before you on behalf of the Army Review Boards Agency.

The Army Review Boards Agency provides the highest administrative level of review for personnel actions taken at lower levels of the Army. The Agency administers 13 boards, to include three statutory boards: the Army Board for Correction of Military Records, the Army Discharge Review Board and the Army Grade Determination Review Board. The remaining boards are policy boards, such as the Army Special Review Board (for evaluation appeals), the Suitability Evaluation Board (for removal of derogatory information from Soldier's personnel files), and the Ad Hoc Board (for consideration of officer elimination cases).

The Army Review Boards Agency staff consists of 112 civilian employees and 16 Soldiers. In addition, 120 Army employees serve as volunteer board members for the Army Board for Correction of Military Records (ABCMR). These volunteers are senior civilian employees drawn from across the Army Secretariat and Army Staff.

The Army Review Boards Agency administratively reviews and corrects service member records involving impropriety, inequity, changes in policy and law, and even human error. The Army remains steadfast in its effort to enhance the accuracy and integrity of Army military records by performing strategic-level, administrative reviews.

The Army Review Boards Agency acts in the interests of justice, applying equity and compassion when considering the merits of an individual case. The agency processes approximately 22,000 cases annually.

The Army Review Boards Agency is not an investigative body. It relies on evidence submitted by applicants, and in some cases, Army staff advisory opinions, to adjudicate the merits of a case. All cases are unique.

My vision is for the Agency to be an adaptable, cohesive and collaborative team of highly qualified, responsive and compassionate professionals. I expect them to be dedicated to customer service, transparency, justice and equity, and to carefully weigh the interests of Soldiers, Veterans, the Army, and the public. We strive to implement efficient and effective processes with the best technology available. We've accomplished a significant number of objectives at the Army Review Boards Agency over the past several years and look forward to achieving more in the future.

We recognize that upgrading discharges is one of the most important functions of this agency. The Army has successfully implemented the Secretary of Defense's 2014 guidance to the Boards for Correction of Military Records (BCMR) for requests to upgrade a Veteran's discharge characterization where PTSD may have been a contributing factor. In those cases for Veterans who claimed PTSD to include those who served before PTSD was a recognized diagnosis, Boards give liberal consideration to evidence of PTSD symptoms in the service record or in a diagnosis provided by

civilian providers. Moreover, special consideration is given to a Department of Veterans Affairs diagnosis of PTSD or PTSD-related conditions. For FY 15, the ABCMR has processed 114 applications from veterans discharged under other than honorable conditions, claiming PTSD/TBI and requesting discharge upgrades. Of these, the ABCMR upgraded 66 to general and 4 to honorable (61%). Similarly, for FY 16 the ABCMR processed 124 applications from veterans discharged under other than honorable conditions, and upgraded 52 to general and 3 to honorable (44%). In addition, the Army has extended the guidance to the Army Discharge Review Board. We apply the same liberal consideration guidance to veterans seeking upgrades who were discharged within the past 15 years. This policy was codified into law by the fiscal year 2017 National Defense Authorization Act (NDAA). For FY 15, the ADRB processed 91 applications from veterans discharged under other than honorable conditions, and upgraded 37 to general and 9 to honorable (51%). For FY 16, the ADRB processed 127 applications from veterans discharged under other than honorable conditions, and upgraded 60 to general and 6 to honorable (52%).

To fully implement requirements in the fiscal year 2015 NDAA to enhance participation of behavioral health professionals on these boards, we have added a neurologist, a psychiatrist, and three clinical psychologists to our medical advisor's office. This additional staff has enabled us to reduce the amount of time to get an advisory opinion from 400 days to less than 100 days. ARBA currently has 589 cases in process (401 at the ABCMR and 188 at the ADRB) in which the applicant contends Post traumatic Stress Disorder or Traumatic Brain Injury. Agency medical professionals provide in-

person or written input for board consideration for each of these types of cases. In compliance with applicable law, any written advisory opinion they render is provided to the applicant for review and response prior to consideration of the case by the board.

In addition to giving special consideration to assertions of the invisible wounds of PTSD, another type of invisible wound in which we liberally consider cases are those in which the applicant contends that they were a victim of sexual assault while in the military. We recognize that many of these assaults were never reported to military law enforcement, meaning there is no corroborating police report for the board to consider. Because of this, in the last year, we have trained all agency personnel on markers of sexual trauma so that victims receive the most favorable possible outcome from their case. This training was provided by a renowned forensic psychologist, and is in addition to the statutory requirement for advisory opinions (for the ABCMR) and mental health professionals serving on the ADRB.

Department-wide policy and Service Review Board procedures are also in place to ensure fair, equitable and consistent review of cases involving separation pursuant to the since-rescinded homosexual conduct policy, "Don't Ask, Don't Tell." The majority of separations pursuant to this policy were honorable. Approximately 332 former service members have requested discharge upgrades since the policy was rescinded in 2011. Average relief rates are almost 91%, with denials only occurring where aggravating circumstances were present. The Department encourages any former service member

who believes that his or her discharge was unjust to apply for discharge review, including those who previously applied for relief and are dissatisfied with the results.

As recently as one year ago, we processed all of our cases using paper. To improve efficiency, we are in the second year of reengineering the Agency's business processes. Major tasks include end-to-end digitization, consolidation of similar intake and promulgation activities into a single office within ARBA, improving our process for obtaining advisory opinions from subject matter experts, replacing an antiquated IT system, reorganizing ARBA manpower where needed to relieve capacity constraints, and creating a mechanism for measuring what ARBA does. Most importantly, ARBA is enhancing relationships with key external stakeholders to ensure all understand ARBA's commitment to quality, fairness, and equity in executing our vital mission. To date, we have fully digitized four of our thirteen boards. The way ahead includes a third year of business process reengineering with a goal to field a new case tracking system and to digitize all ARBA boards, most notably the Army Board for Correction of Military Records, our largest board. We encourage applicants to apply on line, and over the past few months we have scanned almost half a million documents from applicants to help us in this transition from paper to electronic processing of applications.

Our cases have become more complex, and our case processing times are lengthening. Current average processing time for ABCMR cases received in FY 15 is 303 days (10 months), while the average processing time for ADRB cases received in FY 15 is 396 days (13 months). Through our business process reengineering, we've collected data

which helped the United States Army Manpower Analysis Agency to validate a requirement for 25 additional employees for the Army Board for Correction of Military Records, which will return us to our 2002 baseline. We are now working with the Army staff to authorize and hire the additional staff.

We continually look for ways to better serve the Soldiers, Veterans and Family members who apply to one of our boards. To this end, two years ago we made an agency policy change to hold cases open 90 days in order to secure corrections to deficient applications, rather than close and make applicants resubmit their application. Other changes include direct communication with applicants to clarify issues or request additional documentation to help their cases, as well as conducting periodic board member and Agency staff training on current service policies and procedures.

After a three year hiatus, the Army Review Boards Agency has reinstated its regional travel panels for the Army Discharge Review Board with the focus of providing more 'face-to-face' assistance to customers who cannot easily travel to the National Capital Region. We conducted the first travel panel at Robins Air Force Base, Georgia, in November 2016. Our next traveling panel will be at Joint Base San Antonio, Texas from 20 to 24 March, 2017. We plan to conduct these events quarterly around the United States in areas of highest applicant concentration.

We acknowledge the enhanced procedural and reporting requirements contained in the fiscal year 2017 NDAA and are working to implement those changes across the Agency.

Finally, as required by this year's NDAA, we expect the ABCMR to adjudicate approximately 870 California Army National Guard Incentive Recoupment cases that did not meet the waiver threshold. We fully expect to complete that adjudication by the end of July 2017, as required by law.

At the end of the day, the Army is about its people. The men and women who serve our Nation, along with their families, are our most important asset. The Army Review Boards Agency is one of the ways we take care of our most important asset. I thank all of you for your continued support of our All-Volunteer Army and the Army Review Boards Agency.