



March 11, 2019

**WDVA Bulletin No. 1067**

**TO: County/Tribal Veterans Service Offices**

**SUBJECT: Changes in Evaluation of Uncharacterized Discharges**

In all eligibility determinations conducted by the Wisconsin Department of Veterans Affairs (DVA), uncharacterized discharges will now be reviewed on a case-by-case basis as to whether the basis for discharge has the legal effect of an honorable discharge notwithstanding the absence of the term "honorable," on the applicant's U.S. Department of Defense Form 214. The legal basis for this new construction is found in federal law, DODI 1332.14 and 32 CFR Ch. I Part 41

DODI 1332.14 states the following on page 32:

[O]n a case-by-case basis [a review of a Servicemember's separation documents may evidence] that characterization of service as honorable is clearly warranted by the presence of unusual military duty. The characterization is authorized when the Service member is separated ... by reason of selected changes in service obligation ..., convenience of the U.S. Government..., disability..., secretarial plenary authority..., or an approved reason established by the Military Department. ...<sup>1</sup>

Moving forward, each application received with an uncharacterized discharge will be considered on a case-by-case basis. In such cases where the legal effect of the basis for discharge is honorable, DVA staff will ensure that there is no additional evidence of misconduct evidencing an "other than honorable" or "dishonorable" characterization.

This change will be implemented effective immediately. This applies equally to benefits, programs, and services which WDVA administers directly, as well as certifications and verifications for other State of Wisconsin agencies for which WDVA determines eligibility (e.g. Wisconsin GI Bill Tuition Remission Program, Disabled Veterans and Surviving Spouses Property Tax Credit).

DVA urges the CVSO and VSO communities to re-review applications to ensure that our Wisconsin veterans and their families who might have been previously found ineligible, might now receive a positive determination.

WDVA extends its appreciation to key CVSO's who brought this issue to our attention, including William Rosenau and Rock Larson: two Veterans leaning forward in the fox hole - one fight – one team.

If you have any questions, please contact Matthew Korbol by phone at (608) 266-1309 or by email at [Matthew.Korbol@dva.wisconsin.gov](mailto:Matthew.Korbol@dva.wisconsin.gov).

Encl. *DODI 1332.14*; *32 CFR Ch. I Part 41*.

<sup>1</sup> Almost identical language in the federal regulation, 32 CFR Ch. I Part 41.