

EXHIBIT E

[Date]

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

NOTICE OF AUTOMATIC RECONSIDERATION

You are receiving this letter as part of a settlement agreement in a class-action lawsuit filed in federal court in Connecticut, *Johnson et al. v. Kendall*, Case No. 3:21-cv-01214. As part of the settlement, the Department of the Air Force has agreed to automatically reconsider the application you submitted to the Air Force Discharge Review Board (AFDRB). You may submit additional evidence in support of your reconsideration. However, it is important to note that reconsideration may occur as early as 60 days from the date of this notice. Any supplemental materials submitted after the Board has reconsidered your case will not be considered.

Review of the AFDRB'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 AFDRB and requested an upgrade of your discharge characterization; (2) you did not receive an upgrade to an Honorable service characterization; (3) you submitted a request to upgrade your discharge between September 13, 2015 and [effective date of settlement]; and (4) your application may have raised evidence of Post-Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), other mental health conditions, or sexual assault or sexual harassment.

Your case is being automatically reconsidered to ensure appropriate application of Department of Defense and Department of the Air Force guidance regarding the effect of PTSD, TBIs, mental health conditions, sexual assault or sexual harassment upon service members, and how such effects may have affected conduct ultimately leading to an individual's discharge characterization.

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

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

- 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, such as a physician, clinical psychologist, or psychiatrist, either in military service or after military service, of PTSD or TBI (including if related to sexual trauma or intimate partner violence) and/or other mental health conditions that existed during military service;
 - Documentation, either from military service or after such service, of in-service traumatic experiences;
 - Documentation from a medical professional (such as a physician, clinical psychologist or psychiatrist) or licensed social worker recording symptoms that are associated with PTSD, TBI, sexual assault, sexual harassment, 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 military service that can describe any behavioral changes or symptoms as a result of PTSD, TBI, sexual assault, sexual harassment and/or other behavioral health issues.
 - This evidence may come from evaluation and treatment you received from a private medical practitioner.

If possible, you or a medical professional should explain how these symptoms or diagnoses mitigate or outweigh any misconduct contained in your military record.

- 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 service characterization. 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 AFDRB cannot endorse any particular legal aid, veteran, or referral organization and will not be held liable for actions of any third-party organizations in this Notice. 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 AFDRB for your application's reconsideration must be received before the AFDRB reconsiders your case, which may be as early as 60 days from the date of this notice. Submit any materials to the following address:

Air Force Discharge Review Board
3351 Celmers Lane
Joint Base Andrews, MD 20762

More information about the AFDRB, application process, resources, and frequently asked questions can be located on the AFDRB's website. Follow the link labeled AFDRB Special Reconsiderations available online at the link below.

- Web Link: <https://afrba-portal.cce.af.mil/>.

You may additionally review Department of Defense and Department of the Air Force guidance documents, on the AFDRB's website. The guidance documents most applicable to the automatic reconsiderations include the (1) September 3, 2014 Department of Defense memorandum signed by Secretary Chuck Hagel (often referred to as the "Hagel Memo"); (2) the August 25, 2017 Department of Defense memorandum signed by Under Secretary A.M. Kurta (often referred to as the "Kurta Memo"); and (3) the July 25, 2018 Department of Defense memorandum signed by Secretary Robert K. Wilkie (often referred to as the "Wilkie 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 AFDRB for their review, please contact the AFDRB Administrative Staff, available via e-mail at SAF.MR.DRB.workflow@us.af.mil, or by telephone at [telephone number to be provided after AFDRB moves offices]. Reasonable extensions will be granted upon request.

Sincerely,

Air Force Discharge Review Board