



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No: 2100-99
14 July 1999



Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 17 June 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you underwent a pre-separation physical examination on 13 September 1996, and were found physically qualified for discharge. You stated that you were in good health at that time, and had no conditions which limited your ability to work in your primary military specialty. You disclosed a history of treatment for post traumatic stress disorder during the 1990-1991 period, but denied suffering from symptoms of depression or excessive worry or nervous trouble of any sort. You were discharged on 16 February 1997, and assigned a reenlistment code of RE-R1, to indicate that you were eligible and recommended for reenlistment.

The Board noted that unlike the Department of Veterans Affairs, which rates conditions it classifies as "service connected", i.e., incurred in, aggravated by, or traceable to a period of military service, the military departments may assign disability ratings only in those cases where the service member has been found unfit to perform the duties of his or her office, grade, rate or rating by reason of physical disability. Although you suffered severe injuries when brutally assaulted early in your career, and developed symptoms of post traumatic

stress disorder as a result thereof, you were able to continue to perform your duties in an outstanding manner after a period of convalescence. There is no indication in your record that you were unfit for duty at the time of your discharge on 16 February 1997. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director