



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

JRE
Docket No: 7584-01
28 December 2001

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 29 November 2001. 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-enlistment physical examination on 24 January 1998. You denied a history of asthma and shortness of breath, but disclosed that you had been treated for pneumonia. You enlisted in the Navy on 17 June 1998. A medical record entry dated 30 June 1998 indicates that you had a six week history of wheezing and gasping for breath, and that you had not played sports while in high school because you were limited by dyspnea (shortness of breath). You underwent pulmonary function testing on 1 July 1998. Although baseline spirometry results were within normal limits, severe bronchial hypersensitivity was noted during the course of methacholine challenge testing. On the basis of those results, you were given a diagnosis of asthma and recommended for an entry level medical separation. You did not object to the proposed separation, and you were discharged on 13 July 1998 by reason of your failure to meet medical/physical procurement standards. You were assigned a reenlistment code of RE-4.

The Board considered the medical evidence submitted in support of your application insufficient to demonstrate that you do not suffer from asthma, or to establish that you are

physically qualified for military service. In this regard, it noted that although your doctor apparently disagrees with the findings made by Navy physicians, he does not discuss your pre-service history of dyspnea, or attempt to explain the symptoms you experienced while in the Navy. In addition, he did not repeat the methacholine challenge testing which Navy physicians used to confirm the diagnosis of asthma. The Board was also concerned that you did not fully disclose your pertinent pre-service medical history to him.

In view of the foregoing, the Board was unable to recommend any corrective action in your case. 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