



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

JRE
Docket No: 6427-98
15 January 2002

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 10 January 2002. 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. In addition, the Board considered the advisory opinions furnished by the Director, Naval Council of Personnel Boards (NCPB) dated 26 September 2000 and 14 August 2001, the Specialty Leader for Tropical Medicine, dated 19 April 2001, and the Rheumatology Service Chief, National Naval Medicine Center, dated 15 July 2001. A copy of each opinion is attached.

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. It was not persuaded that you suffered from Congo Crimean Hemorrhagic Fever or any related condition or disability. In this regard, it substantially concurred with the comments contained in the 14 August 2001 opinion of the Director, NCPB, and opinion provided by the Specialty Leader for Tropical Medicine. In addition, although it concurred with the determination of the Director, NCPB, that your disability at the time of your permanent retirement is more accurately reflected by the rating recommended by the Director in the 14 August 2001 opinion, correcting your record in accordance with his recommendation would not accord you any effective relief, because your combined rating would remain at 70%, and it would have no effect on your Department of Veterans Affairs disability rating. 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

Enclosure

