



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

JRE  
Docket No. 03531-03  
4 September 2003

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: FORMER [REDACTED]  
REVIEW OF NAVAL RECORD

Ref: (a) 10 U.S.C. 1552

Encl: (1) Subject's naval record  
(2) Capt. B.C. Gumpert, MC, USN, ltr, 10 Aug 30

1. Pursuant to the provisions of reference (a), Petitioner, an enlisted member of the Marine Corps, applied to this Board requesting that his record be corrected to show that he does not suffer from asthma or allergic rhinitis.

2. The Board, consisting of Messrs. Adams, Geisler and Pfeiffer, reviewed Petitioner's allegations of error and injustice on 28 August 2003 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Petitioner's application to the Board was filed in a timely manner.

c. In correspondence attached as enclosure (2), the Board was advised by the Specialty Advisor for Pulmonary Medicine, in effect, that the diagnoses of chronic persistent asthma and allergic rhinitis should be removed from Petitioner's record, as

there is insufficient documentation, at present, to make those diagnoses. He recommended, however, that if Petitioner applies for reenlistment, he should receive a pre-entry pulmonary medicine evaluation, to include a methacholine challenge test. If the test results show bronchial hyper-responsiveness, they would support a diagnosis of chronic mild asthma and preclude military service based on current instruction.

CONCLUSION:

After careful consideration of all of the evidence of record, and especially in view of the comments contained in enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that he was discharged on 12 December 2002 by reason of Secretarial plenary authority.

b. That the diagnoses of chronic persistent asthma and allergic rhinitis, and all references thereto, be removed from Petitioner's naval record.

c. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

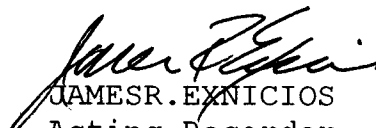
d. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

e. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of the Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and

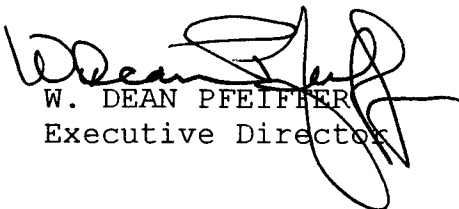
complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder



JAMES R. EXNICIOS  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6e of the Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6e, and having ensured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the provisions of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



W. DEAN PFEIFFER  
Executive Director