



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

JRE
Docket No. 11594-08
15 June 2009

[REDACTED]

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 11 June 2009. 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 enlisted in the Navy Reserve on 23 February 1963, and served on extended active duty from 4 July 1964 to 21 July 1966. You enlisted in the Regular Navy 10 April 1967. You were hospitalized on 5 June 1968 and given a diagnosis of situational reaction that was thought to be related to your experiences aboard the USS Forrestal on 29 July 1967 when a major fire occurred and caused hundreds of deaths and non-fatal casualties. You were returned to full duty on 12 June 1968 and considered fit for duty in any billet not aboard the Forrestal. You underwent a pre-separation physical examination on 2 April 1969 and were found fit for separation. The report of that examination does not indicate that you were suffering from

symptoms of an anxiety disorder on that date. You were released from active duty on 11 April 1969 at the expiration of your term of service. On 19 February 1976, the Veterans Administration (VA) awarded you a disability rating of 10% for residuals of a meniscectomy, right knee. The available records from the VA do not indicate that you submitted for a claim for any conditions incurred as a result of the fire on the USS Forrestal.

The Board was not persuaded that you were unfit to reasonably perform the duties of your office, grade, rank or rating by reason of physical disability on 11 April 1969. The fact that the VA granted you a disability rating in 1976 is not probative of the existence of error or injustice in your naval record because that rating was assigned without regard to the issue of your fitness for military duty on 11 April 1969. Accordingly, the Board denied your application. 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,



FR W. DEAN PFEIFFER
Executive Director