



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

[REDACTED]
Docket No. 7954-16

APR 08 2017

[REDACTED]
Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 23 March 2017. 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.

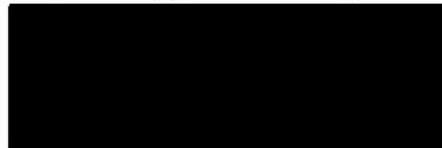
A review of your record shows you entered active duty with the Navy in September 1976. On 22 September 1986, a medical board diagnosed you with manic episode with psychotic features based on behavior you were exhibiting at work. You were placed on the Temporary Disability Retirement List on 1 December 1986 and later permanently retired on 2 December 1991. In 2016, you applied for Combat Related Special Compensation (CRSC) based on your bi-polar disorder condition and were denied on 29 July 2016 by the CRSC Board.

The Board carefully considered your arguments that you deserve CRSC based on your bi-polar disorder. You assert that you incurred your condition while participating in Operation Eagle Claw in 1979 and a long deployment at sea. Unfortunately, the Board disagreed with your rationale for relief. The Board concluded you did not meet the criteria for CRSC since there was no evidence to support a finding that your condition was incurred as a result of armed conflict. Based on the evidence in your record, your symptoms first appeared in July 1986. In order to qualify for CRSC, your qualifying disability or disabilities must be incurred as a direct result of armed conflict. Incurring a disability during a period of war or in an area of armed conflict or while participating in combat operation is not sufficient to qualify for CRSC. A service member must be engaged with a hostile or belligerent which resulted in the disability. In your case, it appears you may have been supporting a combat operation in 1979 but were not directly engaged with the enemy as required by Department of Defense guidelines. In addition, even if there was

evidence you were engaged with the enemy, the Board could find no nexus between your 1979 experiences and the manifestation of your mental condition in 1986. Therefore, the Board concluded you did not qualify for CRSC and affirmed the decision of the CRSC Board. Accordingly, the Board was unable to find an error or injustice warranting a correction to your record and 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 at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence 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,

A large black rectangular redaction box covering the signature of the Executive Director.

Executive Director