



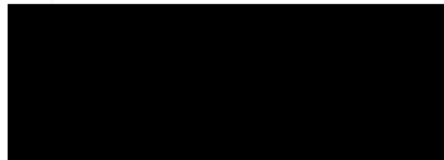
The Board carefully considered your arguments that you deserve CRSC since your headache condition resulted from your exposure to aircraft fumes, chemical smells, and bright lights in your Navy work environment. Unfortunately, the Board disagreed with your rationale for relief. In making their findings, the Board substantially concurred with the advisory opinion in your case.

Section 1413a of Title 10, United States Code, provides the statutory authority for payment of CRSC. Based on procedures and criteria prescribed by the Secretary of Defense, it allows for payment of CRSC for combat-related disabilities incurred as a direct result of armed conflict, while engaged in hazardous service, in the performance of duty under conditions simulating war, or through an instrumentality of war. In addition, CRSC may be awarded if a disability is attributable to an injury for which a Purple Heart was awarded. The Office of the Under Secretary of Defense issued a Directive Type Memorandum on 27 April 2004 that provided guidance on CRSC. Additionally, Department of Defense Regulation 7000.14-R (Financial Management Regulation) was issued that also addressed CRSC. In your case, the Board lacked evidence to support your argument that your headache condition met any of the criteria for payment of CRSC. The Board found that your headaches were, more likely than not, the aftereffects of the craniotomy that you underwent rather than the result of your exposure to fumes, chemicals, or bright lights. Further, the Board took into consideration that your exposure to those irritants, by itself, does not qualify for CRSC without additional evidence that you were engaged in armed conflict, hazardous service, simulated war, or injured by an instrumentality of war. Absent further evidence that supports your claim that your disability condition was incurred under at least one of the qualifying criteria, the Board determined the prior CRSC Board decisions to deny you CRSC remain appropriate. Accordingly, the Board found insufficient evidence of error or injustice to warrant a change to your record.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

7/20/2021

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Deputy Director

Signed by:

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