



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

JRE
Docket No: 4596-01
17 August 2001

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 9 August 2001. 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. In this connection, the Board rejected your contentions to the effect that you suffered from post traumatic stress disorder at the time of your release from active duty in 1971, and that you were unfit by reason of physical disability at that time. It noted that although the physician's notes on the reverse side of the Report of Medical History you completed on 2 March 1971 indicate that you had a non-disqualifying history of acute anxiety reaction, you specifically denied that you suffered from depression, excessive worry, sleep difficulties, or nervous trouble of any sort on the front of the form, which you completed. There is no credible evidence that you suffered from post traumatic stress disorder at that time. Following your release from active duty, you filed multiple claims with the Veterans Administration (VA) for a number of minor conditions which had not rendered you unfit for military service. You did not claim to be suffering from symptoms of post traumatic stress disorder for almost twenty years after you filed your initial disability claim with the VA. It is notable that when you were evaluated at a VA facility on 3 April 1991, you failed to endorse most of the hallmark symptoms of post traumatic stress disorder, and were thought to be suffering from "possible" mild post traumatic stress disorder at that time.

In the absence of evidence which demonstrates that you were unfit for duty at the time of

your release from active duty, 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