



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

JRE  
Docket No: 6588-00  
5 September 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 30 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.

The Board rejected your contention to the effect that you were never accorded a periodic physical examination after being placed on the Temporary Disability Retired List (TDRL) in 1964. Available records indicate that you underwent two periodic examinations, and that you were ultimately discharged with entitlement to severance pay, pursuant to the approved findings of the Physical Evaluation Board. Your condition had improved substantially while you were on the TDRL, and it was no longer ratable above 20% disabling. The Veterans Administration made a similar determination when it assigned you a 20% rating effective from 1 November 1964, and confirmed that rating on 24 November 1982.

In view of the foregoing, your request for correction of your record to show that you were permanently retired by reason of physical disability 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