



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

JRE
Docket No: 4215-02
17 December 2002



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 12 December 2002. 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 underwent a pre-enlistment physical examination on 30 June 1997. You completed a Statement of Medical History on that date in which you denied any history of treatment or symptoms of a heart condition, palpitations, and shortness of breath. You enlisted on 18 February 1998. Shortly thereafter, you disclosed a long history of exercise related chest pain and shortness of breath, which increased with exercise. You were noted to have a heart murmur as well as an abnormal EKG. You were discharged on 12 March 1998 by reason of your failure to meet procurement medical fitness standards. You were assigned a reenlistment code of RE-4, as permitted by regulations.

The Board concluded that you were not qualified for enlistment, and would not have been accepted for enlistment had you not concealed your history of chest pain and shortness of breath. The statement from your physician dated 21 December 1999 was insufficient to demonstrate that your discharge was erroneous, because it does not appear that you provided him with an accurate medical history, and he did not conduct and EKG. In addition, he noted on the second page of the statement that you do have a heart murmur, which he

describes as benign and of no clinical significance. The Board was unable to conclude that you were improperly assigned a reenlistment code of RE-4, or that it would be in the interest of justice for it to take any action which might facilitate your reenlistment. Accordingly, 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