



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

JRE
Docket No: 5264-01
7 January 2002

[REDACTED]

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 3 January 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 was not persuaded that your record contains an "incomplete recording of medical problems while on sick bay on the Elizabeth Stanton" during World War II, as you allege, or that a 12 day period of hospitalization for treatment of rheumatic fever was not recorded in your record. It noted that available records show that you were hospitalized for 40 days with a diagnosis of rheumatic fever. There is no evidence supporting your contention that you were hospitalized for an additional 12 days. In addition, the Board noted that as the Department of Veterans Affairs (VA) has granted you service connection for rheumatic fever. Creating a record of additional treatment of that condition would not accord you effective relief. Such corrective action would not result in an increased VA rating for the residuals of the rheumatic fever, and it would not provide a basis for correcting your record to show that you were discharged by reason of physical disability. 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