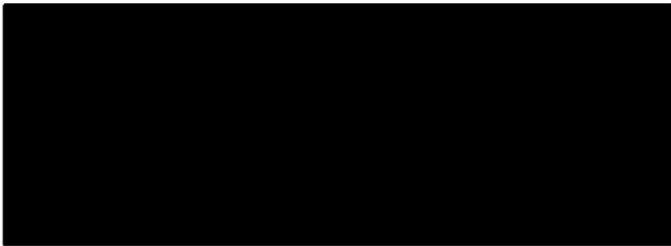




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

[REDACTED]
Docket No: 818-17/
6591-15
JAN 12 2018



Dear [REDACTED]

This is in reference to your reconsideration request received on 26 January 2017. You previously petitioned the Board and were advised in our letter of 12 October 2016, that your application had been denied. Your case was reconsidered in accordance with Board of Correction of Naval Records procedures that conform to *Lipsman v. Secretary of the Army*, 335F.Supp.2d 48 (D.D.C. 2004).

Your current request has been carefully examined by a three-member panel of the Board for Correction of Naval Records, sitting in executive session on 27 November 2017. The names and votes of the members of the panel will be furnished upon request. Documentary material considered by the Board consisted of your application and any material submitted in support of your application. In addition, the Board considered the advisory opinion furnished by the Navy Bureau of Medicine and Surgery (BUMED) dated 18 July 2017 (enclosed), which was previously provided to you and your rebuttal statement dated 15 September 2017.

You presented a statement, DD214, BCNR decision of 25 May 16, Secretary Mabus directive dated 1 June 16, Former Secretary Hagel memo dated 3 September 2014, VA decision date 8 July 2014, VAMC examination dated 16 June 2014, Veterans benefit manual section 2.3.3.2.3, Navy medical records dated 12 July 1991 through 1993.

Your contention that you suffered from Post-Traumatic Stress Disorder (PTSD) was fully and carefully considered by the Board in light of the Secretary of Defense's Memorandum, "Supplemental Guidance to Military Boards for Correction of Military/Naval Records Considering Discharge Upgrade Requested by Veterans Claiming Post Traumatic Stress Disorder" of 3 September 2014 and the "Clarifying Guidance to Military Discharge Review Board and Boards for Correction of Military/Naval Records Considering Requests by Veterans for Modification of their Discharge Due to Mental Health Conditions, Sexual Assault, or Sexual Harassment" memorandum of 25 August 2017. These memorandums recognize that the Board is

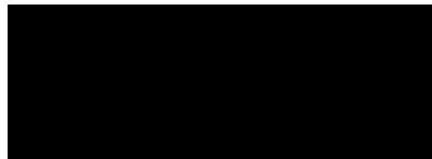
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not an investigative body, but provides supplemental guidance to assist the Board in reaching fair and consistent results when considering whether medical or other evidence indicates PTSD may have contributed to or mitigated the circumstances of a veteran's discharge from the military.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice. The Board carefully weighed all potentially mitigating factors, such as your record of service, desire to have your characterization of service changed and the all evidence provided. However, the Board concluded the information in your service record, was not enough to substantiate your claim of PTSD at the time of your misconduct. In this regard, although the enclosures are new evidence, the Board determined that the evidence submitted was insufficient to establish the existence of probable material error or injustice and substantially concurred with the comments contained in the BUMED advisory opinion. Accordingly, your reconsideration request has been denied.

In the absence of sufficient new and material evidence for reconsideration, the decision of the Board is final, and your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

Sincerely,



Executive Director