



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

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Docket No. 1925-24
Ref: Signature Date

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Dear Petitioner:

This is in reference to your reconsideration request for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 22 August 2024. The names and votes of the members of the panel will be furnished upon request. 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, relevant portions of your naval record, applicable statutes, regulations, and policies.

A review of your record revealed that you entered naval service on 1 September 1987 and served on active duty until 31 August 1991 at which time you received an honorable characterization of service and were subsequently transferred to the Naval Reserve. You were mobilized to active duty on 24 May 2001 and deployed to Afghanistan from 17 October 2006 until 6 March 2007. On 31 May 2017, you retired due to sufficient service for retirement. The Department of Veterans Affairs service connected the following conditions: Post Traumatic Stress Disorder (PTSD), Chronic Kidney Disease, Obstructive Sleep Apnea, Fibromyalgia, Lumbosacral Strain, Pseudofolliculitis Barbae, Right Knee Osteoarthritis, Left Lower Extremity Radiculopathy, Hypertension, Right Lower Extremity Radiculopathy, Left Lower Extremity Radiculopathy (Femoral Nerve), Left Knee Osteoarthritis, Erectile Dysfunction, and Tinnitus.

On 26 April 2019, the Combat Related Special Compensation (CRSC) Board denied your initial request for CRSC for PTSD. You applied for reconsideration, adding the conditions of chronic kidney disease, obstructive sleep apnea, pseudo folliculitis barbae, left knee joint osteoarthritis, lumbosacral strain, right knee strain, hypertension, radiculopathy, and tinnitus. The CRSC Board denied this request on 10 March 2020. You applied for reconsideration and on 3 November 2022, the CRSC Board approved CRSC at a 60% rating for fibromyalgia, lumbosacral strain, and tinnitus; the CRSC Board denied CRSC for PTSD, chronic kidney

disease, obstructive sleep apnea, pseudo-folliculitis barbae, left knee joint osteoarthritis, lumbosacral strain, right knee strain, hypertension, radiculopathy and erectile dysfunction. You applied for reconsideration and on 16 March 2023, the CRSC Board approved CRSC for fibromyalgia, lumbosacral strain, tinnitus, hypertension, and radiculopathy; you were denied for PTSD, chronic kidney disease, obstructive sleep apnea, pseudo folliculitis barbae, left knee joint osteoarthritis, right knee strain, and erectile dysfunction. You submitted a request for reconsideration and the CRSC Board determined the following conditions as combat related: Fibromyalgia, Lumbosacral Strain, Radiculopathy Left Lower Extremity, Left Lower Extremity Radiculopathy, Right Lower Extremity Radiculopathy, Tinnitus, and Hypertension. You were further informed that you had exhausted all measures within the scope of the CRSC Board in your request for combat-related determination for other conditions and that future appeals should be directed to the Board.

On 6 January 2024, the Assistant General Counsel, Manpower and Reserve Affairs denied your request for entitlement for CRSC for PTSD; Docket number 5055-23.

For this reconsideration you argue your PTSD condition should be identified as combat related due to several traumatic events you experienced during your deployment to Afghanistan in 2006. You submitted a statement as well as numerous news articles to support your contention. The Board, however, substantially concurred with the prior decision denying your request. Although you provided some details apparently not submitted with your multiple applications to the CRSC Board and this Board, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

In the absence of sufficient new 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,

9/19/2024

