



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

JRE

Docket No: 5285-01

17 August 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 9 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. In this regard, it noted that in order for a service member to qualify for disability separation or retirement from the Navy, he must be unfit to perform the duties of his office, grade, rate or rating by reason of physical disability at the time his service terminates. The available records do not establish that you suffered from post traumatic stress disorder at the time of your release from active duty or for several years thereafter, or that you were unfit for duty when separated from the Navy. It noted that although you were exposed to traumatic events in 1983, you denied a history of nervous trouble of any sort in the Reports of Medical History you completed on 12 June 1986, 3 March 1988 and 23 September 1989, in connection with physical examinations for extension of your enlistment, separation, and active duty for training in the Naval Reserve, respectively. In addition, the Board noted you apparently served successfully as a member of the Merchant Marine for several years following your Navy service, and that you did not submit a claim to the Department of Veterans Affairs for disability benefits for post traumatic stress disorder many years after you were discharged. Notwithstanding your belief to the contrary, the Board noted that the American Psychiatric Association published diagnostic criteria for post traumatic stress disorder many years prior to your discharge.

In view of the foregoing, 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