



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

JRE
Docket No: 864-02
20 March 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 14 March 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 15 April 1991. You specifically denied a history of nervous trouble of any sort. You enlisted in the Navy on 7 May 1991. On 3 February 1992, a medical board gave you diagnoses of simple phobia and dependent and avoidant personality traits, which existed prior to your enlistment, and were not aggravated by your service. The medical board report indicates that you had been unable to endure close and confined spaces since your mother locked you in a dark room when you were a small child. You reported that you experienced a panic-like reaction manifested by heart palpitations, sweating, and nervousness, with an overwhelming avoidant response to the exclusion of everything else. The medical board determined that you did not meet the minimum standards for enlistment, and that you were unfit for further service. You were discharged on 13 March 1992, without entitlement to disability benefits administered by the Department of the Navy. You were assigned a reenlistment code of RE-4, as permitted by governing directives.

The Board rejected your contention that the symptoms described in your medical board

report were caused by an ear infection. It is clear that you had those symptoms before you enlisted, and that you fraudulently procured your enlistment by concealing your history of claustrophobia. That condition precluded you from serving in the Navy. The Board was not persuaded that you are qualified or suitable for further service, notwithstanding your contention that you no longer suffer from the symptoms which resulted in your discharge. 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