



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

JRE  
Docket No: 3236-01  
12 February 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 7 February 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 appeared before a medical board on 28 June 1966, and were given diagnoses of chronic mastoiditis, left ear, post mastoidectomy, and severe hearing loss in the left ear. The medical board determined that notwithstanding those conditions, you were fit for duty, and recommended that you be returned to full duty. You were advised of those findings and recommendation on 28 June 1966, and declined to submit a statement in rebuttal. You were released from active duty on 5 August 1966, and transferred to the Fleet Reserve at your request.

The Board noted that although you incurred a severe hearing loss in your left ear during your naval service, you had good hearing in your right. There is no indication in the available records that your partial hearing loss rendered you unfit to perform the duties of your office, grade, rank or rating at the time of your release from active duty. The fact that the Department of Veterans Affairs awarded you disability compensation is not probative of the existence of error or injustice in your record, because that agency awards such benefits for all conditions it classifies as "service connected", not matter how slight, and without regard

to the issue of fitness for military duty. 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