



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

JRE

Docket No. 06930-07

6 May 2008

[REDACTED]

[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 1 May 2008. 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.

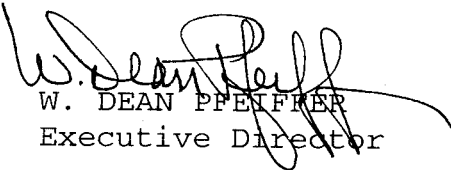
After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you served on active duty in the Navy from 20 November 1991 to 22 May 1992, when you were discharged by reason of a personality disorder. The DD Form 214, Certificate of Release from Active Duty, you were issued on that date indicates in Item 28, Narrative Reason for Separation, that you were discharged by reason of a personality disorder. The entry was made as required by regulations then in effect, and is for use by authorized agencies only. The current regulation governing the preparation of the DD Form 214, BUPERS Instruction 1910.8B, also requires that the words "Personality Disorder" be entered in item 28 when a Sailor is discharged for that reason.

Your belief that the entry in question may stigmatize you, and that it represents a violation of the Health Insurance Portability and Accountability Act of 1996, was considered insufficient to warrant removing the words in question from your DD Form 214. 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