



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

JRE  
Docket No. 00107-10  
26 March 2010

[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 25 March 2010. 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.

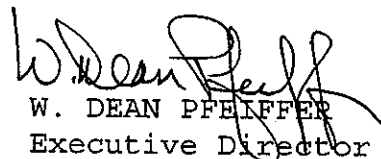
You enlisted in the Marine Corps on 12 February 1969. It appears that your enlistment was fraudulent, in that you concealed your history of intermittent atopic dermatitis when you applied for enlistment. The report of a medical board which convened on 11 September 1969 indicates that you disclosed a history of intermittent atopic dermatitis since the age of three. The medical board gave you a diagnosis of atopic dermatitis that existed prior to your enlistment and was not aggravated by your service, and recommended that you be discharged without entitlement to disability benefits administered by the Department of the Navy. After being advised

of the findings and recommendation of the medical board, you declined to submit a statement in rebuttal thereto. In addition, you waived your right to a hearing before a physical evaluation board, and requested that you be discharged as soon as possible. You were discharged in accordance with your request and the approved findings and recommendation of the medical board on 1 October 1969.

In view of the foregoing, and as you have not demonstrated that you met the criteria for the award of the Combat Action Ribbon during the twelve days you served in Vietnam, 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