



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

JRE

Docket No: 1550-99

22 September 1999

[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 16 September 1999. 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. In addition, it considered records and a rating decision provided by the Department of Veterans Affairs.

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 were evaluated by a medical board on 26 February 1998, and given diagnoses of post traumatic stress disorder and personality disorder, which existed prior to your enlistment (EPTE), and were not aggravated by your service. According to the medical board report, you did not attribute your symptoms to any particular exogenous stimuli. You disclosed, however, that you had been the victim of emotional, physical, and sexual abuse as a child, that you were hospitalized at age thirteen because of suicidal thoughts, and that you had attempted suicide on numerous occasions before you enlisted in the Navy. You submitted a rebuttal to the report in which you contended, in effect, that you had performed your duties well and that you were fit for duty, notwithstanding the diagnoses made in your case. On 31 March 1998, the Physical Evaluation Board made preliminary findings that you were unfit for duty because of post traumatic stress disorder, which was not ratable because it was classified as EPTE, not service aggravated. You accepted those findings on 8 April 1998, and you were discharged without entitlement to disability benefits administered by the Department of the Navy.

The Board was not persuaded that your preexisting mental disorder, which you failed to disclose when you underwent your pre-enlistment physical examination, was increased in severity beyond natural progression during your period of service in the Navy. 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