



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

JRE
Docket No: 3579-99
7 September 1999

Dear 

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 2 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.

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-separation physical examination on 19 May 1987, and were found physically qualified for separation. You did not disclose any potentially disqualifying conditions, and none were noted by the examining physician. You completed a Report of Medical History on 3 October 1987, in connection with your enlistment in the Marine Corps Reserve, and denied a history of shortness of breath, pain or pressure in chest, and palpitation or pounding heart. On 10 February 1994, the Department of Veterans Affairs (VA) denied your request for service connection for paroxysmal atrial tachycardia. On 15 January 1999, the VA reversed its earlier decision, and awarded you a 30% rating for the aforementioned condition. The VA determined, after resolving reasonable doubt in your favor, that the condition was probably congenital in nature, but first manifested during your service in the Marine Corps.

The Board noted that unlike the military departments, the VA awards disability ratings without regard to the issue of fitness for military service. It noted that paroxysmal atrial tachycardia is not unfitting per se, and concluded that although you may have suffered from

that condition prior to your separation from the Marine Corps, you have not demonstrated that it rendered you unfit to perform the duties of your office, grade, rank or rating at that time. 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