



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

JRE  
Docket No: 6718-98  
12 October 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 30 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 on 4 November 1991, the Record Review Panel of the Physical Evaluation Board made preliminary findings that you were unfit for duty because of mild impingement syndrome of the right shoulder and left elbow lateral epicondylitis, rated together at 10% by analogy to osteoarthritis. On 27 February 1992, you accepted those findings, and you were discharged with entitlement to disability severance pay on 23 March 1992.

The Board noted that unlike the VA, which rates all conditions is classifies as service connected, the Physical Evaluation Board generally rates only those conditions which render a service member unfit for duty. In the absence of evidence which demonstrates that you were entitled to a higher rating for the conditions rated by the Physical Evaluation Board, or that you suffered from any other conditions which should have been rated, the Board was unable to recommend any corrective action in your case. 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