



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

JRE
Docket No. 06247-03
8 September 2003



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 5 September 2003. 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. In this regard, the Board noted that a service member is entitled to a disability rating from the Navy only in those cases where the service member has been found unfit for duty. The receipt of a Purple Heart does not entitle a service member to a disability rating. As you have not demonstrated that you were unfit for duty in 1981 because of the residual effects of the shrapnel wound you sustained in 1967, 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.

Please note that if you have received a disability rating of at least 10% from the Department of Veterans Affairs for disabilities you believe were caused by your wound, you may qualify for Combat Related Special Compensation. If you have received such a rating, you should complete the enclosed DD Form 2860 TEST, and submit it to the Naval Council of Personnel Boards, Combat-Related Special Compensation Branch, 720 Kennon Street SE STE 309, Washington Navy Yard DC 20374-5023 for further information. Alternatively, you can obtain an on-line fillable form at the following internet address:
<http://www.dior.whs.mil/forms/DD2860.PDF>

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

Enclosure