



Work-Product

UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

Work-Product

DOCKET NUMBER: BC-2024-01401

COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

Her Post-Traumatic Stress Disorder (PTSD) be assessed as combat-related in order to qualify for compensation under the Combat-Related Special Compensation (CRSC) Act.

APPLICANT'S CONTENTIONS

Due to her deployment during Operation ENDURING FREEDOM, she suffered from PTSD. Since her retirement, she has been awarded 100 percent disability rating by the Department of Veterans Affairs (DVA) and awarded Social Security Disability Insurance (SSDI). Her deployment experiences had a direct impact on her life and her ability to thrive. In her personal statement she contends, while on Bagram she was subjected to regular, unguided mortar rounds and cared for many wounded amputees.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a medically retired Air Force technical sergeant (E-6).

On 10 Sep 12, AF Form 356, *Informal Findings and Recommended Disposition of USAF Physical Evaluation Board*, indicates the applicant was found unfit due to her medical conditions of PTSD with Major Depression Disorder (MDD) at 70 percent, lower extremity peripheral neuropathy (right and left) at 21 percent, upper extremity peripheral neuropathy (right and left) at 0 percent with a combined disability compensation rating of 80 percent with a recommendation of "Temporary Retirement-Reevaluate in Six Months." Her PTSD with MDD was found as combat-related as a direct result of armed conflict as defined in 26 U.S.C. 104. It was noted her PTSD was determined to be combat-related as she was repeatedly under mortar fire and also felt threatened by a local national when she had to chambered a round to prepare to shoot.

Dated 3 Oct 12, Special Order *Work-Product* indicates the applicant was placed on the Temporary Disability Retired List (TDRL) in the grade of technical sergeant with a compensable percentage for physical disability of 80 percent, effective 29 Dec 12.

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Controlled by: SAF/MRB
CUI Categories: *Work-Product*
Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil

On 28 Dec 123, DD Form 214, *Certificate of Release or Discharge from Active Duty*, reflects the applicant was honorably discharged in the grade of technical sergeant (E-6) after serving 18 years, 2 months, and 9 days of active duty. She was discharged, with a narrative reason for separation of “Disability-Temporary.”

On 19 Sep 13, AF Form 356 indicates the applicant was found unfit due to her medical conditions of PTSD with MDD at 10 percent, lower extremity peripheral neuropathy (right and left) at 21 percent, upper extremity peripheral neuropathy (right and left) at 0 percent with a disability with a combined disability compensation rating of 30 percent with a recommendation of “TDRL to Permanent Retirement.”

Dated 17 Oct 13, Special Order *Work-Product* indicates the applicant was removed from the TDRL and permanently retired in the grade of technical sergeant with a compensable percentage for physical disability of 40 percent, effective 6 Nov 13. (Special Order *Work-Product* Amendment corrected the disability rating to 30 percent).

On 27 Feb 24, the applicant’s request for CRSC was denied for PTSD. It is noted although the medical documentation may confirm a mental health disease, it did not identify a specific combat related event (nexus) that attributed to the claimed disability. Medical documentation for such disabilities is often related from a patient's account (point of view) of what happened and not objective documentary evidence the claimed combat-related stressors occurred. The documentation she provided did not confirm her PTSD was a direct result of Armed Conflict, Hazardous Service, Simulation of War or an Instrument of War and she was directed to submit additional documentation such as decoration citations or performance reports confirming direct exposure to a combat-related event.

On 12 Mar 24, the applicant’s reconsideration for CRSC was denied for PTSD. It is noted the additional documentation, her Performance Report and personal statement, did not confirm her PTSD was the direct result of armed conflict. She was advised to contact the United States Air Forces Central Command (USAFCENT) Historian’s Office for a personalized attack history covering the time and place of her deployment.

For more information, see the excerpt of the applicant’s record at Exhibit B and the advisory at Exhibit C.

AIR FORCE EVALUATION

AFPC/DPFDC recommends denying the applicant’s request for CRSC finding no evidence of an error or injustice. The fact a member incurred a disability during a period of war; while serving in an area of armed conflict; and/or while participating in combat operations is not sufficient by itself to support a combat-related determination. When making combat-related determinations, with regard to Armed Conflict, Hazardous Service, Simulation of War or an Instrument of War, the Board looks for definite, documented, causal relationship between the combat-related event and the resulting disability.

The applicant contends her disability was caused by multiple incoming mortar attacks in very close proximity throughout the camp and caring for locals and Americans who sustained injuries in the war; however, the evidence she submitted (decorations, performance reports, etc.) contained no evidence confirming she was directly involved in mortar/rocket attacks, enemy attacks, aircraft ejections/crashes, etc. This lack of evidence prevents consideration under current CRSC criteria. Although her medical documentation may confirm her PTSD, it does not identify a specific combat related event (nexus) that attributed to the claimed disability. Medical documentation for such disabilities is often related from a patient's account (point of view) of what happened and not objective documentary evidence the claimed combat-related stressors occurred.

The complete advisory opinion is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 15 Oct 24 for comment (Exhibit D) but has received no response.

FINDINGS AND CONCLUSION

1. The application was timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is not the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFPC/DPFDC and finds a preponderance of the evidence does not substantiate the applicant's contentions. Specifically, the Board finds no evidence to link the applicant's diagnosis of PTSD to a specific combat related event that attributed to her PTSD. The fact a member incurred the disability during a period of war; while serving in an area of armed conflict; and/or while participating in combat operations is not sufficient by itself to support a combat-related determination. When making combat-related determinations, with regard to Armed Conflict, Hazardous Service, Simulation of War or an Instrument of War, the board looks for definite, documented, causal relationship between the armed conflict and the resulting disability. Besides her own statement and the statement from her commander and another airman, no official documentation was submitted to confirm combat-related attacks. The Board further notes the applicant's PTSD was determined to be combat-related as defined in 26 U.S.C. 104; however, the CRSC board operates under 10 U.S.C. Section 1413a and the DoD Financial Management Regulation, Volume 7B, Chapter 63. Disability Evaluation System (DES) combat-related decisions are made when the preponderance of evidence, including an applicant's subjective testimony, indicate combat relation. In contrast, the evidentiary standard for CRSC entitlement is the preponderance of objective evidence, requiring official and corroborated documentation to show combat relation. Despite the fact the PEB considered the applicant's PTSD to be combat-related, the Board does not find the evidence submitted by the applicant sufficient to conclude it meets the evidentiary standard for CRSC entitlement. Therefore, the Board recommends against correcting the applicant's records.

4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board’s understanding of the issues involved.

RECOMMENDATION

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

CERTIFICATION

The following quorum of the Board, as defined in Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2024-01401 in Executive Session on 15 Jan 25:

Work-Product Panel Chair
Work-Product, Panel Member
Work-Product Panel Member

All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 9 Apr 24.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DPFDC, dated 7 Oct 24.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 15 Oct 24.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

1/22/2025
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Board Operations Manager, AFBCMR
Signed by: USAF