



Work-Product

## UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

Work-Product

DOCKET NUMBER: BC-2024-04185

COUNSEL: NONE

HEARING REQUESTED: NO

### APPLICANT'S REQUEST

He be placed back on the Temporary Disability Retirement List (TDRL) and be evaluated and permanently retired.

### APPLICANT'S CONTENTIONS

During the time he was on the TDRL, he was never contacted for reevaluation at any point in the three to five years in which reevaluation was expected. The reevaluation should have been made no later than 24 Aug 21. The lack of a final evaluation or placement on the Permanent Disability Retired List (PDRL) limits his access to work and other benefits. The delay in processing his case was due to the challenges presented by the COVID-19 pandemic and he was unaware his case expired and his name was removed from the TDRL.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a former United States Air Force Academy (USAFA) cadet.

Dated 7 Jul 16, Special Order **Work-Product** indicates the applicant was relieved from assignment from the USAFA and transferred to the regular Air Force for the sole purpose of processing for retirement, placement on the TDRL, effective 26 Jun 16.

Dated 4 Aug 16, Special Order **Work-Product** indicates the applicant was placed on the TDRL in the grade of senior airman (E-4) with a compensable percentage for physical disability of 40 percent, effective 25 Aug 16.

On 24 Aug 16, DD Form 214, *Certificate of Release or Discharge from Active Duty*, reflects the applicant was honorably discharged, separating from the USAFA, with a narrative reason for separation of "Retirement: Disability Temporary."

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Controlled by: SAF/MRB  
CUI Categories: **Work-Product**  
Limited Dissemination Control: N/A  
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On 21 Mar 18, the applicant's TDRL evaluation indicated he was overall, performing very well on all cognitive measures, including memory tasks with scores ranging from average to superior with no evidence of current cognitive dysfunction. Psychological test results were valid and interpretable. His profile suggested significant psychological distress, with depression and anxiety as predominant moods with the applicant also endorsing a range of somatic complaints, including head pain. All objective indicators supported the applicant made a full recovery from his prior concussions and therefore, was considered fit for service. However, the applicant did not realize his brain was fully recovered and this inaccurate perception appeared to perpetuate his symptoms of anxiety and depression.

On 13 Jul 18, AF Form 356, *Informal Findings and Recommended Disposition of USAF Physical Evaluation Board*, indicates the applicant was found unfit due to his medical condition of residuals of multiple Traumatic Brain Injuries (TBI) with unspecified Depressive Disorder with a disability compensation rating of 10 percent with a recommendation of "discharge with severance pay (DWSP)." The board determined his condition was improved and became stable, making a full cognitive recovery from his TBIs. However, it was noted his significant distress with depression and anxiety convinced the board to find him unfit for continued service from a behavioral health perspective.

On 20 Jul 18, the applicant was sent a letter with the board decision, a fact sheet and an acknowledgement form as to whether he agreed or disagreed with the board decision. He was asked to make an acknowledgement no later than 14 Aug 18.

On 1 Aug 18, the applicant concurred with the recommended findings.

Dated 16 Aug 18, Special Order **Work-Product** indicates the applicant was removed from the TDRL with entitlement to severance pay for physical disability, effective 5 Sep 18.

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

## APPLICABLE AUTHORITY/GUIDANCE

Per AFI 36-3212, *Physical Evaluation for Retention, Retirement, and Separation*, dated 2 Feb 06 with incorporated changes through 27 Nov 09, paragraph 7.1 and 10 U.S.C. § 1210, reexamination of all members on the TDRL at least once every 18 months to determine if there has been a change in the disability that resulted in their placement on the TDRL is required. These periodic examinations continue until final disposition or until the statutory period expires (currently five years) whichever is earlier. HQ AFPC/DPPD usually schedules the initial examination 16 months after placing the member on the TDRL so the medical facility can complete it before the end of the 18th month. They schedule the examination at the Air Force medical facility closest to the member's home that has the required capability, or the closest DoD medical facility if indicated by the member's medical condition.

## AIR FORCE EVALUATION

AFPC/DPFDC recommends denying the application finding no evidence of an error or injustice occurring during the processing of his TDRL case. Supporting documentation confirms the disability office was in communication with the applicant throughout his time on the TDRL. Between 27 and 29 Oct 18, the applicant completed and signed the initial evaluation documents requesting his civilian provider conduct his TDRL reevaluation. However, due to a missed suspense, the TDRL office scheduled a military treatment facility (MTF) appointment at Madigan Army Medical Center and coordinated and arranged travel for the applicant for his 21 Mar 18 TDRL reevaluation. The PEB removed the applicant from the TDRL and discharged him with severance pay to which the applicant concurred with the decision.

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 30 Jun 25 and again on 21 Aug 25, due to the attachments not being originally sent, 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. The applicant was placed on the TDRL on 25 Aug 16 and was scheduled for his medical evaluation on 21 Mar 18, which was right before the 18-month requirement mandated by law. This medical evaluation determined a change in the disability that resulted in his placement on the TDRL had occurred, finding he fully recovered from his prior concussions and was fit for service. However, the applicant did not recognize his brain had fully recovered from his head injuries and this inaccurate perception appeared to perpetuate his symptoms of depression and anxiety. Due to these findings, the applicant's case was presented to the PEB, and a final disposition was made which removed the applicant from the TDRL and recommended he be DWSP at 10 percent for his residuals of multiple TBIs with unspecified depressive disorder. Since the applicant's condition as determined by the PEB had improved and stabilized, a final disposition was made he was not entitled to remain on the TDRL for the five-year statutory period. Hence, the Board recommends against correcting the applicant's records.

## **RECOMMENDATION**

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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-2024-04185 in Executive Session on 4 Sep 25 and 22 Sep 25:

<i>Work-Product</i>	Panel Chair
<i>Work-Product</i>	Panel Member
<i>Work-Product</i>	Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 16 Dec 24.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DPFDC, w/atchs, dated 27 Jun 25.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 30 Jun 25 and 21 Aug 25.

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.

10/14/2025

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Board Operations Manager, AFBCMR  
Signed by: USAF

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