



**CUI//SP-MIL/SP-PRVCY**

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

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**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

*Work-Product*

**DOCKET NUMBER:** BC-2023-00563

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

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**APPLICANT'S REQUEST**

He be authorized a 10 percent increase in retired pay for extraordinary heroism.

**APPLICANT'S CONTENTIONS**

In May 13, he was awarded the Air Force Commendation Medal for heroism, after saving the life of a man who was unconscious in a van engulfed in flames. He rendered first aid and resuscitated the accident victim before emergency personnel could arrive. He was unaware of the 10 percent retired pay increase when he was awarded the Air Force Commendation Medal, so he did not request to receive the increase. In an effort to request the 10 percent retired pay increase, he uploaded a copy of the Air Force Commendation Medal citation with his retirement application. However, the Air Force Personnel Center informed him an order accompanying the decoration was required for the Defense Finance and Accounting Service to update the 10 percent retired pay increase.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is an Air Force master sergeant (E-7).

On 27 May 15, according to Special Order *Work-Product*, the applicant was awarded the Air Force Commendation Medal (Second Oak Leaf Cluster) when he distinguished himself by an act of courage on 13 Feb 13, involving voluntary risk of life.

On 1 Jan 24, according to Special Orders *Work-Product*, dated 31 Jan 23, the applicant is projected to retire from active service.

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

**APPLICABLE AUTHORITY/GUIDANCE**

Air Force Instruction 36-3203, *Service Retirements*, paragraph 8.11.2, the Secretary of the Air Force has the authority to evaluate the heroic actions that have earned the Silver Star,

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Distinguished Flying Cross (Noncombat), and the Airman's Medal to determine if extraordinary heroism was involved, which would entitle the recipient to the increase in retired pay.

10 U.S.C. §8991 paragraph (a)(2) states an additional 10 percent may be credited for certain enlisted members who demonstrated with extraordinary heroism. If a member who is retired under § 8914 of this title has been credited by the Secretary of the Air Force with extraordinary heroism in the line of duty, the member's retired pay shall be increased by 10 percent of the amount determined under paragraph (1). The Secretary's determination as to extraordinary heroism is conclusive for all purposes.

**AIR FORCE EVALUATION**

SAF/MRBP recommends denying the application. Department of the Air Force policy allows only members awarded the Silver Star, Distinguished Flying Cross (non-combat), and the Airmen's Medal to be awarded an additional 10 percent in retired pay for extraordinary heroism. On 15 Jan 15, the Air Force Decorations Board considered a recommendation for the applicant to receive the Airmen's Medal for his efforts to render assistance at the scene of a car accident on 13 Feb 13. However, after a thorough review of the recommendation and evidence provided, the Air Force Decorations Board concluded the applicant's efforts, while noteworthy, did not meet the criteria for the Airmen's Medal. As such, the applicant's command awarded him the Air Force Commendation Medal. However, in accordance with AFI 36-3203, paragraph 8.11.2., recipients of the Air Force Commendation Medal are not authorized to receive the additional 10 percent in retired pay.

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 28 Apr 23, for comment (Exhibit D), but has received no response.

The applicant's complete response is at Exhibit E.

**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 applicant distinguished himself by an act of courage involving voluntary risk of life and was awarded the Air Force Commendation Medal for his efforts. Nevertheless, while his efforts were noteworthy, recipients of the Air Force Commendation Medal are not entitled to a 10 percent increase in retired pay. Therefore, the Board concurs with the rationale and recommendation of SAF/MRBP and finds a preponderance of the evidence does not substantiate the applicant's contentions. Accordingly, the Board recommends against correcting the applicant's records.

**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-2023-00563 in Executive Session on 6 Jul 23:

*Work-Product*

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

- Exhibit A: Application, DD Form 149, w/atch, dated 15 Feb 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, SAF/MRBP, w/atchs, dated 24 Apr 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 28 Apr 23.

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.

8/8/2023

X

*Work-Product*

Board Operations Manager, AFBCMR

Signed by *Work-Product*