



Work-Product

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

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### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-00951

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COUNSEL: NONE

HEARING REQUESTED: NO

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### APPLICANT'S REQUEST

He be authorized a 10 percent increase in retirement pay for extraordinary heroism as evidenced by his award of the Bronze Star Medal, with Valor (BSM w/V) for extraordinary heroism.

### APPLICANT'S CONTENTIONS

He does not believe his BSM w/V was automatically reviewed for extraordinary heroism as required.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a currently serving Air Force senior master sergeant (SMSgt/E-8).

According to Special Order **Work-Product** dated 28 April 2006, the applicant was awarded the BSM for heroism while engaged in ground operations against an opposing Armed Force on 5 December 2005.

According to the *Citation to Accompany the Award of The Bronze Star Medal*, with Valor, the applicant distinguished himself by heroism while engaged in ground operations against the enemy near Balad Air Base, Iraq on 5 December 2005.

According to the Retrieval Applications Web (RAW), the applicant was awarded the BSM w/V, for the period 5 December 2005.

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

### AIR FORCE EVALUATION

SAF/MRBP recommends denying the application. DAFI 36-3203, *Service Retirements* authorizes the SecAF to consider the additional 10 percent for certain decorations; however, the Bronze Star is not one of them.

According to paragraph 8.11. of DAFI 36-3203, award of the Medal of Honor and Air Force Cross automatically entitle an enlisted member to an additional 10 percent in retired pay. However, SecAF has the authority to evaluate the heroic actions of enlisted members

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Silver Star, Distinguished Flying Cross (non-combat), and the Airman's Medal to determine if extraordinary heroism was involved, which would entitle the recipient to the increase in retired pay. Because DAFI 36-3203 limits the possibility of earning the 10 percent entitlement to the Medal of Honor, Air Force Cross, Silver Star, Distinguished Flying Cross (non-combat), and the Airman's Medal, recipients of the Bronze Star Medal are not eligible for consideration for the additional 10 percent retired pay.

Below is an excerpt from DAFI 36-3203 of all the pertinent guidance in its proper context:

8.11. Retired Pay Increase Due to Extraordinary Heroism (Enlisted Only). AC enlisted members who had deeds of extraordinary heroism may be entitled to receive 10 percent additional retired pay if a member retires under 10 USC § 9314 (10 USC § 9361). For ARC enlisted members, payments for acts or deeds begin 1 October 2002, (10 USC § 12739, Computation of Retired Pay, 10 USC § 12741) although the act or deed may have occurred prior to this date.

8.11.1. Since regulations require extraordinary heroism as the criterion for award of the Medal of Honor, Air Force Cross, or equivalent Army or Navy decorations, these awards provide automatic entitlement to the additional 10 percent retirement pay (not to exceed 75 of the member's AD basic pay at the time of retirement) for enlisted members. If heroism is involved in the award of any other medal to an enlisted member, SecAF will determine, coincident to awarding the medal, whether or not the additional 10 percent retirement pay will be authorized.

8.11.2. Because the law is not restrictive with regard to the types of decorations that may qualify an individual for this increase in retired pay, the SecAF has the authority to evaluate the heroic actions that have earned the Silver Star, 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.

8.11.3. Since 1969, enlisted members who have been awarded the Silver Star, the Distinguished Flying Cross for heroism in a non-combat action, or the Airman's Medal have been automatically considered for the additional 10 percent retired pay increase. If a member was approved for the additional 10 percent increase in retirement pay, the member's special order approving the decoration will include a statement to that fact. If an enlisted member believes consideration was not made at the time the medal was awarded, the member may ask for a Secretarial decision through the Air Force Board for Correction of Military Records process.

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 18 June 2024 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 SAF/MRBP and finds a preponderance of the evidence does not substantiate the applicant's contentions. The Board notes

DAFI 36-3203, *Service Retirements*, authorizes the SecAF to consider the additional 10 percent for certain decorations; however, the Bronze Star is not one of them. The personal sacrifice the applicant endured for his country and the recommendation to deny the requested relief in no way diminishes the high regard we have for his service. Nevertheless, in the absence of evidence to the contrary, 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-2024-00951 in Executive Session on 12 November 2024:

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 14 March 2024.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, SAF/MRBP, w/atch, dated 11 June 2024.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 18 June 2024.

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.

4/2/2025

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