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Attorney-Client

UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-01818

Attorney-Client

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

He be authorized a ten (10) percent increase in retirement pay for extraordinary heroism as evidenced by his award of the Distinguished Flying Cross (DFC) with Valor (w/V) for heroism.

APPLICANT'S CONTENTIONS

He believes if a noncombat DFC warrants an increase in retirement pay - a DFC w/valor for heroism should be considered for the same 10 percent increase in pay. DAFI 36-3203 paragraph 8.11.3 states, "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." He never received the special order approving the increase when he received his decoration in 2012; therefore, he believes the consideration was never made after it was awarded.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a currently serving chief master sergeant (E-9).

According to the certificate for award of the DFC w/V provided by the applicant, he was awarded the DFC w/V for heroism while participating in aerial flight on 10 December 2012.

According to the citation to accompany award of the DFC w/V, the applicant distinguished himself by heroism while participating in aerial flight as a HH-60G Flight Engineer on 10 December 2012.

According to the Retrieval Applications Web (RAW), the applicant's date of separation reflects 8 August 3888.

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. The applicant acknowledges that he is actually not eligible for the additional retired pay under 10 USC 8991 because the DFC w/V does not

Controlled by: SAF/MRB

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Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil

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qualify per DAFI 36-3203, *Service Retirements*. Below is an excerpt from the applicable DAFI which includes the paragraph cited by the applicant in 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, Secretary of the Air Force (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.

DAFI 36-3203 authorizes the SecAF to consider the additional 10 percent in retired pay for certain decorations, and the DFC w/V is not one of them, the applicant is not eligible for the additional 10 percent in retired pay. The applicant has presented no evidence of an error or injustice, nor has he presented any evidence he has been treated differently than other similarly situated airmen (those awarded the DFC w/V).

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 6 December 2024 for comment (Exhibit D), but has received no response.

FINDINGS AND CONCLUSION

1. The application was timely filed.
2. The applicant exhausted all other available administrative remedies 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. Therefore, 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-2024-01818 in Executive Session on 27 February 2025:

Attorney-Client, Panel Chair

Attorney-Client, Panel Member

Attorney-Client, Panel Member

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

Exhibit A: Application, DD Form 149, w/atchs, dated 17 May 2024.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory Opinion, SAF/MRBP, dated 26 November 2024.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 6 December 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.

9/27/2025

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Associate Director, AFBCMR

Signed by: USAF

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