

**UNITED STATES AIR FORCE
BOARD FOR CORRECTION OF MILITARY RECORDS****RECORD OF PROCEEDINGS****IN THE MATTER OF:**

Work-Product

DOCKET NUMBER: BC-2024-02845**COUNSEL:** Work-Product**HEARING REQUESTED:** Work-Pr...**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).

APPLICANT'S CONTENTIONS

He displayed extraordinary heroism when during a post-mission down cycle, he and his Special Forces team defended the Air Base from a sapper attack at dawn. As the enemy attempted to breach the perimeter, he and five teammates engaged, coordinating attacks from AH-64 helicopters and an aerial quick reaction force while exchanging grenades over the perimeter wall. After clearing the perimeter, he was wounded by an anti-personnel mine but continued to coordinate medevac for two injured soldiers. Their actions successfully thwarted the suicide vest-armed attackers, preventing mass casualties.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired chief master sergeant (E-9) from the Regular Air Force.

On Work-Product, Permanent Order Work-Product was published which indicates the applicant was awarded the Purple Heart Medal for "wounds received in action."

On 20 October 2010, the applicant was awarded the Bronze Star Medal with Valor for "exceptionally valorous service while assigned as a Joint Tactical Air Controller. His leadership and actions during a full-scale assault on a coalition of eight enemy insurgents were instrumental in the success of his team to seize the initiative and thwart the insurgent assault of the Airfield north perimeter."

On 31 January 2025, according to DD Form 214, *Certificate of Uniformed Service*, the applicant retired from the Regular Air Force. He was credited with 22 years, 8 months and 17 days of total active service.

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

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AIR FORCE EVALUATION

SAF/MRBP (Personnel Council) recommends denying the application. The applicant is not eligible for the additional retired pay under 10 USC 8991 because the BSM w/V nor Purple Heart qualify per DAFI 36-3203, *Service Retirements*: 8.11. Retired Pay Increase Due to Extraordinary Heroism (Enlisted Only). Active Component 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 Air Reserve Component 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 percent of the member's active-duty 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.

Because DAFI 36-3203 authorizes the SecAF to consider the additional 10 percent in retired pay for certain decorations, and the BSM 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 presented any evidence he has been treated differently than other similarly situated airmen (those awarded the BSM 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 7 March 2025 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 applicant does not meet the eligibility requirements outlined in 10 USC 8991 and DAFI 36-3203 for the additional 10 percent retired pay due to extraordinary heroism. The Bronze Star Medal with Valor (BSM w/V) and Purple Heart, while commendable awards, are not among the decorations automatically qualifying an individual for this benefit as defined by the regulation. Furthermore, the applicant has not provided any evidence suggesting an error, injustice, or disparate treatment in the processing of their case compared to other airmen receiving the BSM w/V. 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-2024-02845 in Executive Session on 24 April 2025:

Work-Product [REDACTED], Panel Chair
Work-Product [REDACTED], Panel Member
Work-Product [REDACTED], Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 8 August 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.

9/30/2025

X Work-Product

Board Operations Manager, AFBCMR
Signed by: Work-Product

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