



Work-Product

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

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-00952

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

### APPLICANT'S REQUEST

He be authorized a ten (10) percent increase in retirement pay for extraordinary heroism for enlisted members retiring under 10 USC § 9314 (10 USC § 9361), specifically the Distinguished Flying Cross (DFC) for heroism in a non-combat action received for the period 30 to 31 October 2020.

### APPLICANT'S CONTENTIONS

This operation was and still is the longest distance hostage rescue conducted under a single period of darkness in Department of Defense history, resulting in the safe recovery of an American hostage. The mission's overall complexity, short planning-to-execution timeline, and razor-thin margin for error; combined with the adverse effects of fatigue and unpressurized flight at high altitude for a long period; already made this one of the most difficult and high-risk rescue missions ever seen. Additionally, his aircraft's in-flight emergency and the subsequent actions taken to meet the mission's minimum force requirements prevented mission abort and failure, going above and beyond what is normally expected of enlisted aircrew members. In an extremely uncomfortable environment and with an unknown aircraft condition, he refocused his team and regained minimal aircraft systems and communication capability, navigating the crew to a remote operation base, and executing the necessary personnel and equipment transfer to ensure mission success. He has served his country faithfully for 20 years and feels he has given more than what was asked of most airmen. The black-cockpit incident, among many others on the CV-22, have generated a profound sense of patriotism and pride, but also anxiety and long-term psychological effects, for which he is currently under evaluation for Post-Traumatic Stress Disorder (PTSD).

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a retired Air Force senior master sergeant (E-8).

According to the certificate for award of the DFC (First Oak Leaf Cluster), the applicant was awarded the DFC (First Oak Leaf Cluster) for heroism while participating in aerial flight on 31 October 2020.

According to the *Citation to Accompany Award of The Distinguished Flying Cross (First Oak Leaf Cluster)*, the applicant distinguished himself by extraordinary achievement while participating in aerial flight as CV-22B Special Missions Aviator, on 31 October 2020.

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Controlled by: SAF/MRB

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Limited Dissemination Control: N/A

POC: [SAF.MRBC.Workflow@us.af.mil](mailto:SAF.MRBC.Workflow@us.af.mil)

Effective 31 October 2024, according to Special Order Work-Product, dated 15 November 2023, the applicant was relieved from active duty and effective 1 November 2024 retired in the grade of senior master sergeant. He served 21 years, 2 months and 26 days of active service for retirement.

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

## AIR FORCE EVALUATION

AFPC/MRBP recommends denying the application. The following is an excerpt from DAFI 36-3203, *Service Retirements*, which explains the requirements for the retired pay increase due to a finding of extraordinary heroism:

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).

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 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.

The applicant is correct that his DFC was not reviewed at the time it was awarded for extraordinary heroism. However, the fact this review was not accomplished is not an error or injustice. The DFC may be awarded for heroism or extraordinary achievement while participating in aerial flight. However, the DFC awarded to the applicant was not awarded for heroism, but for extraordinary achievement. Because it was not awarded for heroism, it does not meet the criteria for the review, which states, "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."

We note the applicant's DFC certificate does indicate "Heroism" as the condition for the decoration. However, a thorough review of the recommendation and citation accompanying the award indicates the condition for the decoration is extraordinary achievement. SAF MRBP reached out to the award approval authority (AFSOC) and asked them to clarify whether the DFC was awarded for heroism or extraordinary achievement. After a thorough review of the documents provided by the applicant and their own records, AFSOC personnel determined the applicant's DFC was awarded for extraordinary achievement and will administratively correct the certificate to reflect this.

In order for the applicant to be eligible for the additional retired pay, a finding of extraordinary heroism must be made collateral to the award of his DFC. However, because his DFC was awarded for extraordinary achievement, such a finding is not appropriate. While we are grateful for the applicant's noteworthy accomplishments, for which he was awarded the DFC, these accomplishments do not rise to the level of extraordinary heroism required to trigger the entitlement for additional retired pay. This recommendation in no way diminishes our appreciation for the applicant's long and faithful service to the Nation.

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 October 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 the applicant's DFC was awarded for extraordinary achievement. To be authorized an additional ten percent increase in retired pay, his DFC would have been awarded for extraordinary heroism rather than extraordinary achievement. 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-2024-00952 in Executive Session on 19 December 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, dated 30 October 2024.

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Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 30 October 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.

9/19/2025

X

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Associate Director, AFBCMR

Signed by: USAF