

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-00903

XXXXXXXXXXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

His Fiscal Year 2021 Aviation Retention Bonus (AvB) Agreement dated 25 May 21, for the period of 24 May 21 to 23 May 23 be approved.

APPLICANT'S CONTENTIONS

On 25 May 21, he submitted his two-year contract for \$35,000 per year. The AvB Coordinator asked for corrections, which he submitted the following day. The AvB Coordinator then advised she had everything she needed and that his new contract was processed. On 9 Mar 22, he asked the new AvB coordinator for the status and discovered there was no case management system (CMS) request or record of his FY21 AvB Agreement.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is lieutenant colonel (O-5) in the Air National Guard (ANG).

The applicant provides Fiscal Year 2021 Aviation Bonus (AvB) Agreement (Statement of Understanding) signed on 25 May 21, for the period of 24 May 21 to 23 May 23, for Tier 1, Option 1, \$35,000 per year, length two to four years.

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

AIR FORCE EVALUATION

NGB/A1PF recommends granting the application. Due to negligence by the AvB Coordinator, the request for an agreement for the period of 24 May 21 to 23 May 23 was not submitted. A review of the documents reflect the applicant digitally signed the agreement on 25 May 21. The AvB coordinator did not forward the agreement for wing commander (WG/CC) approval and endorsements. On 30 Mar 22, the new AvB coordinator forwarded the agreement and the WG/CC signed on 31 Mar 22.

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 21 Sep 22 for comment (Exhibit D), and the applicant replied on 21 Sep 22. He concurs with the advisory to grant his request. 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 the victim of an error or injustice. The Board concurs with the rationale and recommendation of NGB/A1P and finds a preponderance of the evidence substantiates the applicant's contentions. Therefore, the Board recommends correcting the applicant's records as indicated below.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show

a. His Fiscal Year 2021 Aviation Bonus (AvB) Agreement (Statement of Understanding) signed on 25 May 21, for the period of 24 May 21 to 23 May 23, for Tier 1, Option 1, \$35,000 per year, length two to four years be approved.

b. He be paid his AvB per the FY21 AvB Agreement dated 25 May 21.

CERTIFICATION

The following quorum of the Board, as defined in Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2022-00903 in Executive Session on 20 Oct 22:

, Panel Chair
, Panel Member
, Panel Member

All members voted to correct the record. The panel considered the following:

Exhibit A: Application, DD Form 149, w/atchs, dated 23 Mar 22.
Exhibit B: Documentary evidence, including relevant excerpts from official records.
Exhibit C: Advisory opinion, NGB/A1PF, dated 10 Aug 22.
Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 21 Sep 22.
Exhibit E: Applicant's response, dated 21 Sep 22.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.