



CUI//SP-MIL/SP-PRVCY
UNITED STATES AIR FORCE
BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-01164

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His Fiscal Year 2020 Aviation Retention Bonus (AvB) Agreement for the period of 30 Apr 20 to 29 Apr 22 be approved.

APPLICANT'S CONTENTIONS

On 2 Feb 19, he started Full Time National Guard (FTNG) duties. His first AvB Agreement for the period of 25 Apr 19 to 24 Apr 20 was paid; however, he did not receive his subsequent AvB payments. The AvB Coordinator failed to staff the contract to the wing commander (WG/CC) or submit his application in the case management system (CMS) for payment. After much apologizing, he was told to sign a new one-year AvB agreement for 2021; however, he has not received payment and was told the request was never submitted. The AvB Coordinator was removed from their duties following a commander directed investigation (CDI), which found programmatic failures and negligence or naivety. He should be credited and paid two bonus payments from 30 Apr 2020 until present, \$15,000 annually, for a total of \$30,000. He provides email thread to show the administrative errors.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a major (O-4) in the ANG.

Per Special Order dated 29 Sep 20, the applicant was placed on FTNG Duty orders per 32 U.S.C. § 502f for the period of 1 Feb 19 to 31 Dec 20.

Per Special Order dated 23 Feb 21, the applicant was placed on FTNG Duty orders per 32 U.S.C. § 502f for the period of 1 Jan 21 to 30 Sep 21.

Per Special Order dated 1 Mar 21, the applicant was placed on FTNG Duty orders per 32 U.S.C. §502f for the period of 1 Oct 21 to 31 Aug 22.

The applicant provides Fiscal Year 2020 Aviation Bonus (AvB) Agreement (Statement of Understanding) signed on 10 Dec 20, for the period 30 Apr 20 to 29 Apr 23, for Tier 3: \$15,000 for one to two years, Drill Status Guardsman (DSGs) serving a minimum of one year orders or. AGR/Statutory tour for Pilot/CSO/ABM/RPA (All) in qualifying missions, at the annual rate of \$15,000.

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Controlled by: SAF/MRB
CUI Categories: SP-MIL/SP-PRVCY
Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil

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

AIR FORCE EVALUATION

NGB/A1P recommends approval for AvB contract for the period of 30 Apr 20 through 29 Apr 22, in the amount of \$15,000 per annum. He would be due a total of \$30,000, two payments of \$15,000. The applicant digitally signed a three year agreement for the period of 30 Apr 20 through 29 Apr 23 at the annual rate of \$15,000. Due to an oversight, it was not submitted for endorsements and forwarded to NGB/A1PF for approval. It was incumbent on the AvB Coordinator to submit the agreement as requested by the applicant, which was not done.

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), 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 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.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show his Fiscal Year 2020 Aviation Bonus (AvB) Agreement signed 10 Dec 20, for the period 30 Apr 20 to 29 Apr 23, for Tier 3: \$15,000 for one to two years, Drill Status Guardsman (DSGs) serving a minimum of one year orders or Active Guard Reserve/Statutory tour for Pilot/CSO/ABM/RPA (All) in qualifying missions, at the annual rate of \$15,000 be approved and he be paid per the AvB Agreement.

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-2022-01164 in Executive Session on 11 Oct 22 and 21 Oct 22.

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| <i>Work-Product</i> | Panel Chair |
| <i>Work-Product</i> | Panel Member |
| <i>Work-Product</i> | Panel Member |

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 9 Apr 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.

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Exhibit C: Advisory opinion, NGB/A1P, dated 10 Aug 22.

Exhibit D: Notification of advisory, SAF/MRBC to applicant, 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.

4/8/2024

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Board Operations Manager, AFBCMR

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