

## **RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2022-02350

XXXXXXXXXX

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

### **APPLICANT'S REQUEST**

His Fiscal Year 2021 (FY21) Aviation Bonus (AvB) Agreement for the period of 19 Dec 21 through 18 Dec 23 be approved.

### **APPLICANT'S CONTENTIONS**

He signed his AvB Agreement with an effective date of 19 Dec 21 and the agreement was endorsed by his wing commander on 6 Jan 22; however, through no fault of his own, it was not submitted in the Case Management System (CMS) until 2 Mar 22. He fully met the AvB policy eligibility requirements, but the delayed submission caused his agreement to be submitted after the deadline.

The applicant's complete submission is at Exhibit A.

### **STATEMENT OF FACTS**

The applicant is an Air National Guard lieutenant colonel (O-5).

On 9 Dec 21, according to FY21 AvB Agreement (Statement of Understanding) provided by the applicant, he signed and requested a Tier 1, Option 1 AvB contract for \$35,000 a year for two to four years. The effective start and end date of the agreement is from 19 Dec 21 to 18 Dec 23.

On 24 Oct 22, a pull from the Military Personnel Database System provided the applicant's Point Credit Summary report, which shows he has been on a continuous active-duty status for his Retention and Retirement year 15 Jun 21 through 14 Jun 22, and has continued in that status through 30 Sep 22.

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 granting the application. On 9 Dec 21, the applicant signed a Tier 1, Option 1 agreement for two years for the period of 19 Dec 21 through 18 Dec 23 at the annual rate of \$35,000 per year. While the applicant forwarded to the AvB coordinator for review and signature, the wing commander did not review and sign until 6 Jan 22. The agreement was later submitted to NGB/A1PF via the CMS on 03 Mar 22, after the FY21 AvB policy effective end date. Due to routing processing, the applicant's package was not submitted in a timely manner. Based on the documentation provided by the applicant and analysis of the facts, there is evidence of an error or injustice due to process errors at the unit.

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 11 Oct 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 2021 Tier 1, Option 1 AvB agreement for the period of 19 Dec 21 through 18 Dec 23, at the rate of \$35,000 per year, was approved.

## **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-2022-02350 in Executive Session on 17 Nov 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 31 Aug 22.  
Exhibit B: Documentary evidence, including relevant excerpts from official records.  
Exhibit C: Advisory opinion, NGB/A1P, dated 27 Sep 22.  
Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 11 Oct 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.