

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02780

XXXXXXXXXXXXXX

COUNSEL: XXXXX

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His Fiscal Year 2021 (FY21) Aviation Bonus (AvB) Agreement for the period of 1 May 21 through 30 Apr 24 be approved.

APPLICANT'S CONTENTIONS

He complied with the requirements and submitted his signed AvB Agreement to his AvB coordinator on 18 Jun 21. However, his Agreement was not properly staffed and did not reach the Air National Guard Readiness Center Commander (ANGRC/CC) for final endorsement until May 21.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 4 Jun 20, according to Order Number XXXXXX provided by the applicant, he was issued Statutory Tour – Extended Active Duty orders in accordance with 10 U.S.C §12301(d) and §12310 for the period of 1 Jul 20 through 30 Jun 24.

On 18 Jul 21, according to FY21 AvB Agreement (Statement of Understanding) provided by the applicant, he signed and requested a Tier 1 AvB contract for \$35,000 a year for two to four years. The effective start and end date of the agreement is from 1 May 21 to 30 Apr 24.

On 16 Dec 22, a pull from the Military Personnel Database System provided the applicant's Point Credit Summary report, which confirms he has been on continuous active-duty status for his Retention and Retirement years 14 Aug 19 thorough 13 Aug 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. The applicant is eligible for an AvB for the period on 1 May 21 through 30 Apr 24 at the annual rate of \$35,000 per year. The applicant digitally signed the FY 21 Tier 1 agreement on 18 Jun 21, but the AvB coordinator failed to forward the request to NGB/A1PF until after the FY21 AvB Policy effective end date. Due to coordinator oversight and administrative error, the applicant's package was not submitted in a timely manner.

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 12 Dec 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 Aviation Bonus (AvB) agreement for the period of 1 May 21 through 30 Apr 24, 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-2022-02780 in Executive Session on 10 Jan 23:

- , 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 20 Oct 22
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, NGB/A1P 30 Nov 22.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 12 Dec 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.

X

Board Operations Manager, AFBCMR