

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

Work-Product

RECORD OF PROCEEDINGS**IN THE MATTER OF:****DOCKET NUMBER:** BC-2023-01022

Work-Product

COUNSEL: Work-Product**HEARING REQUESTED:** NO

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APPLICANT'S REQUEST

His Fiscal Year 2022 (FY22) Tier 2 Aviation Bonus (AvB) Agreement for the period of 1 Dec 22 through 30 Nov 23 at the rate of \$15,000 annually be approved.

APPLICANT'S CONTENTIONS

He submitted his FY22 AvB agreement on 9 Jan 23, which was within the agreement application window. The agreement was returned by the National Guard Bureau (NGB) AvB coordinator for corrections, which were made, and returned the same day. Unfortunately, the AvB coordinator did not review the application again until 23 Feb 23, which was past the 31 Jan 23 official policy end date.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 1 Aug 20, according to Order Number Work-Product Jul 20, provided by the applicant, he was issued Active Guard Reserve - Initial Tour (Title 32) orders in accordance with 32 U.S.C. § 502(f)(1) and 32 U.S.C. §328 for the period 1 Aug 20 through 30 Sep 24.

On 1 Dec 22, according to the *Fiscal Year 2022 (FY22) Aviation (AvB) Agreement (Statement of Understanding)* provided by the applicant, he signed and requested a Tier 2 AvB contract for \$15,000 a year for one to two years. The effective start and end date of the agreement is from 1 Dec 22 through 30 Nov 23. On 1 Jan 23, the applicant's commander approved his request.

On 1 Jun 23, 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/Retirement years Work-Product 18 thorough present.

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. Based on the documentation provided by the applicant and analysis of the facts, there is evidence of an error or injustice. The applicant is

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

eligible for an FY22 Tier 2 AvB agreement for the period of 1 Dec 22 through 30 Nov 23 at the annual rate of \$15,000 per annum. The FY 22 agreement was digitally signed and submitted by the applicant on 21 Dec 22. It was then signed by the AvB coordinator on 29 Dec 22 and then reviewed and approved by the applicant's wing commander on 1 Jan 23. On 9 Jan 23 it was forwarded to NGB/A1PF and returned the same date for corrections. However, it was not returned to NGB/A1PF until after the official policy end date.

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 23 May 23 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 2022 Tier 2 Aviation Bonus (AvB) Agreement for the period of 1 Dec 22 through 30 Nov 23, at the rate of \$15,000 per year, was approved.

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-2023-01022 in Executive Session on 6 Jul 23:

<i>Work-Product</i>	Chair, AFBCMR
<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 13 Mar 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, NGB/A1P dated 15 May 23.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 23 May 23.

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.

8/9/2023

X

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Board Operations Manager, AFBCMR

Signed by: *Work-Product*