



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-2023-02716

Work-Product

COUNSEL: *Work-Product*

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His Fiscal Year 2022 (FY22) Aviation Bonus (AvB) Agreement for the period of 14 Nov 22 through 13 Nov 23 be approved.

APPLICANT'S CONTENTIONS

He completed and correctly submitted his FY22 AvB Agreement package to the wing AvB Coordinator within the required timeframe. Through no fault of his own, the AvB Coordinator failed to submit his FY22 AvB Agreement package within the required deadline. Due to errors made by others, his AvB Agreement package was not submitted in a timely manner.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air National Guard captain (O-3).

On 14 Nov 22, according to Order Number *Work-Product* dated 28 Nov 22, provided by the applicant, he was ordered to active duty (voluntary) in accordance with 10 U.S.C § 12301(d) for the period of 14 Nov 22 through 30 Sep 23 in support of Operation ENDURING LOCATIONS.

On 13 Dec 22, according to the *Fiscal Year 2022 Aviation Bonus (AvB) Agreement (Statement of Understanding)*, provided by the applicant, he signed and requested a Tier 3 AvB contract for \$15,000 a year for 1 to 2 years. The effective start and end date of the agreement is from 14 Nov 22 to 13 Nov 23.

On 28 Dec 22, according to an email provided by the applicant, the wing AvB coordinator informed the applicant the "CMS Checklist – FY22 ANG Aviation Bonus" submitted by him was "blank and unsigned. Please complete and return." The applicant responded the checklist needed to be completed and signed by the AvB coordinator.

On 14 Feb 23, according to an email, provided by the applicant, the wing AvB coordinator informed the applicant his AvB package will fall under the FY23 program as NGB is "kicking back" any packages submitted with FY22 paperwork.

On 25 Jul 23, according to CMS case *Work-Product* provided by the applicant, NGB/A1PF informed the applicant they "cannot approve FY22 agreement after the close of the program on 31 Dec 22. Recommend BCMR."

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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

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On 14 Feb 24, according to the applicant’s Point Credit Summary Report from the Military Personnel Data System, confirms he has been on continuous active-duty status for his Retention and Retirement years, 9 May 22 through 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 request. Based on the documentation provided by the applicant and analysis of the facts, there is evidence of an error or injustice. An AvB agreement was initiated for the period of 14 Nov 22 through 13 Nov 23 and the document was signed by the applicant on 13 Dec 22, the AvB Coordinator on 28 Jun 23, and the Wing Commander on 13 Jul 23 and the agreement was then submitted to NGB/A1PF for review and processing on 25 Jul 23. However, in accordance with FY22 AvB Program Policy, the agreement was returned without action on 25 Jul 23 as all agreements must be submitted to NGB/A1PF via CMS for review and processing no later than 30 Jan 23.

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 Feb 24 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 3 AvB agreement for the period of 14 Nov 22 through 13 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-2023-02716 in Executive Session on 9 Apr 24:

| | |
|--------------|--------------|
| Work-Product | Panel Chair |
| Work-Product | Panel Member |
| Work-Product | Panel Member |

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 21 Aug 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, NGB/A1P, dated 4 Feb 24.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 12 Feb 24 .

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.

4/24/2024

Work-Product

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Board Operations Manager, AFBCMR

Signed by: *Work-Product*