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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-01672

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COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His Reserve Aviation Bonus (AvB) with an agreement length of 20 months for an annual rate (prorated by month) of \$35K be approved.

APPLICANT'S CONTENTIONS

He extended his Air Guard Reserve (AGR) orders as he was informed his AvB would be extended concurrently with the orders. The Air Reserve Personnel Center (ARPC) approved the extension for 20 months. He specifically asked the question regarding whether he needed to extend in full years and would have done so, but he was told the bonus would be prorated.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air Force Reserve (AFR) lieutenant colonel (O-5).

According to the documents provided by the applicant and ARPC/DPAT:

On 1 Aug 19, the applicant signed an "Aviation Bonus (AvB) Program Agreement" for Fiscal Year (FY) 19 and requested a 36-month AvB at the annual rate of \$35K. On 22 Aug 19, the AvB agreement was approved by ARPC with a start date of 1 May 19 but shows an amended agreement length of 51 months and an end date of 31 Jul 23.

On 30 Jun 23, the applicant signed "Air Force Reserve Aviation Bonus (AvB) Renegotiation Agreement" requesting his FY19 AvB be extended an additional 20 months. On 12 Jul 23, ARPC approved the contract with a new end date of 30 Dec 23.

According to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant was honorably discharged after completing a period of active duty service from 1 May 19 through 31 Dec 23. He was credited with four years and eight months of net active service.

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

AIR FORCE EVALUATION

ARPC/DPAT, recommends granting the application. The applicant requests he be awarded \$20,412.00 for his AvB agreement for which he was supposed to receive on 30 Dec 23. ARPC/DPAT acknowledges the injustice on behalf of the applicant, who, through his unwavering

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dedication and service, was eligible for payment under the AvB program. However, due to Air Force errors he did not receive the AvB payments.

The AvB program, designed to retain and recruit fully qualified and experienced aviators for time served in the AFR, was not able to honor several aviators as intended. In Sep 23, the Defense Finance and Accounting Service (DFAS) notified ARPC/DPATI they could not make payments under flawed AvB contract extensions that incorporated the terms of an existing contract into a contract for future service. In response, DPATI conducted an internal audit of records for the AFR AvB program. As a result of this audit, DPATI identified multiple aviators who have been adversely affected. These individuals, despite their belief in the validity of their contracts, have experienced denial of payment.

ARPC's audit identified three categories of errors relating to the AvB program, for which DFAS refuses to make AvB payments. These categories are as follows:

1. The aviator attempted to extend/renege an AvB but signed a new contract after the prior contract had expired.
2. The aviator requested an AvB extension under the authority of an ETP from AFRC/A3.
3. ARPC committed administrative errors when reviewing and approving AvB contracts.

Based on ARPC's internal audit and analysis of the facts, there is evidence an error or injustice has occurred. These highly skilled aviators successfully and faithfully executed their assigned duties. They remained qualified for AvB contract extensions, but DFAS denied payment due to ARPC's errors in administering the AvB contract extension process. Granting the AvB payment will ensure both the applicant and the AFR receive what was originally intended: a well-deserved bonus paid to these critically needed aviators for a term of service to which both parties believed they had agreed.

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 19 Aug 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 ARPC/DPAT and finds a preponderance of the evidence substantiates the applicant's contentions. The Board notes in good faith the applicant extended his AGR tour and in exchange for his extended service the Air Force agreed and informed the applicant he would receive a bonus. However, due to procedural and administrative errors with the execution of the AvB program, the applicant has not received the bonus for which he has earned. Furthermore, the Board notes the purpose of the AvB program is to retain our talented and skilled Airmen and denying the applicant a bonus he earned would not only be a detriment to the applicant, but the Air Force as well. 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:

- a) The applicant's Fiscal Year (FY) 2019 Aviation Bonus (AvB) be amended to reflect an agreement length of 56 months with effective dates 1 May 2019 through 31 December 2023 and a competent authority approved the agreement at the annual rate of \$35K.
- b) He receives all associated payments not already received based on the amended Aviation Bonus (AvB) agreement.

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-2024-01672 in Executive Session on 8 Oct 24:

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

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 6 May 24.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, ARPC/DPAT, w/atchs, dated 7 Aug 24.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 19 Aug 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.

3/6/2025

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