



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

[REDACTED]
Docket No. 5326-22
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
[REDACTED] USMC

Ref: (a) Title 10 U.S.C. § 1552
(b) MARADMIN 370/18 of 2 Jul 18

Encl: (1) DD Form 149 w/attachments
(2) HQMC memo 5420 MMEA of 22 Aug 22
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that her naval record be corrected to establish Petitioner was entitled to and received the Air Traffic Control Kicker (ATC) vice the Early Reenlistment Kicker (ERK).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 15 September 2022 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. On 9 September 2015, Petitioner entered active duty for 4 years with an End of Current Contract (ECC) of 8 September 2019.

c. On 2 July 2018, this bulletin announced the SRB program and the BSSRB program authorized for FY19. With the advent of several new SRB programs, Marines were encouraged to thoroughly review the contents of this bulletin. First term Marines (Zone A) and career Marines (Zone B, C, D, and E) who reenlisted on or after 5 July 2018 were eligible for the FY19 SRB program. This included any regular component first term or career Marine with an ECC from 1 October 2018 to 30 September 2019.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]

[REDACTED] USMC

Any Zone A or B Marine who reenlisted with the PMOS of 7257 and held a NMOS of 7252, 7253, or 7254 or any Zone A or B Marine, who entered into a contract with the intent to gain one of the above mentioned NMOSs, for 48 months, rated a 20,000 dollar Air Traffic Controller Kicker in addition to the PMOS bonus listed in section 3.m. and 3.n. The awarding of 7252, 7253, or 7254 predicated the payment of the Air Traffic Controller Kicker. Marines who were in training beyond 30 September 2019 will be authorized payment of the kicker once MCTFS shows they had been awarded the new NMOS.

Zone A applies to those active component Marines with 17 months to 6 years of active military service. Zone A PMOS bonus payments for Marines who reenlist for at least 48 months obligated service are authorized as listed below in dollars (bonuses for Marines who reenlist for 36 to 47 months obligated service will be calculated as per para 3.j).

Furthermore, a zone "A" SRB for MOS 7257, E-4, which is capped at \$7,200 for 48 months of additional obligated service was authorized.

d. On 6 August 2018, Petitioner's first term Active Duty Reenlistment request was submitted, and was approved by HQMC on 31 October 2018. Furthermore, the following was noted by the Career Planner (CP): "SNM does not have the required NMOS for ATC kicker or have intentions to gain NMOS"

e. On 2 November 2018, Petitioner reenlisted for 4 years and 11 months with an ECC of 1 October 2023.

f. On 1 March 2020, Petitioner was promoted to Sergeant/E-5.

g. On 16 July 2020, Petitioner was assigned ADMOS1 7254.

h. On 17 July 2020, Air Traffic Control Facility Officer, Marine Corps Air Station, [REDACTED], [REDACTED] notified Director, Installation Personnel Administrative Center that per MCO P1200.17, NAVAIR 00-80T-114, and NAVMC 3500.94, Petitioner has met the requirements for assignment of Necessary Military Occupational Specialty (NMOS). Petitioner was qualified on Approach East on 16 Jul 2020. Furthermore, request that Petitioner's NMOS of 7254 be effective 16 Jul 2020, appropriate unit diaries be made and Service Record Book (SRB) updated. In addition, check Petitioner's SRB contract for any MOS bonuses and, if, applicable, initiate payment of said bonus.

i. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The board concluded that Petitioner's first term Active Duty Reenlistment request contained a comment that she did not have the required NMOS for ATC kicker or have

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
[REDACTED] USMC

intentions to gain NMOS; therefore, she was only approved for the Early Reenlistment Kicker. Petitioner reenlisted and received SRB and Early reenlistment Kicker. Because Petitioner subsequently gained ADMOS1 7254, the Board concluded that had Petitioner communicated her intent to gain the requisite NMOS for the ATC Kicker at the time of reenlistment, she would have been awarded an Air Traffic Control Kicker vice the Early Reenlistment Kicker.

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Paragraph 8b (Remarks) of the DD Form 4 executed on 2 November 2018 listed the following: "REENLISTED FOR THE FOLLOWING INCENTIVE(S): ZONE A SRBP AMOUNT "\$27,200" VICE "\$17,200". PER MARADMIN 370/18 THIS MARINE IS ELIGIBLE FOR A SELECTIVE REENLISTMENT BONUS (SRB) "AIR TRAFFIC CONTROL (ATC) KICKER" VICE "EARLY REENLISTMENT KICKER" ESTIMATED AT \$10,000, LESS APPLICABLE STATE AND GOVERNMENT TAXES."

Note: Defense Finance and Accounting Service (DFAS) will complete an audit of Petitioner's records to determine if Petitioner is due any back pay.

A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.
5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of the reference, has been approved by the Board on behalf of the Secretary of the Navy.

9/28/2022

