



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

[REDACTED]
Docket No. 1802-23
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) MARADMIN 295/22, 15 Jun 22

Encl: (1) DD Form 149 w/attachments
(2) Advisory opinion by HQMC (MMEA), 21 Mar 23
(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 his naval record be corrected to show Petitioner was eligible for and received the Air Traffic Controller (ATC) Kicker vice the Early Reenlistment Kicker.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 30 March 2023 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. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. On 13 August 2018, Petitioner entered active duty for 5 years with an End of Current Contract (ECC) of 12 August 2023, and was assigned Primary Military Occupational Specialties 7257 on 14 July 2020 and assigned Additional Military Occupational Specialty-1 7253 on 16 July 2021.

b. On 17 August 2022, Petitioner's First Term Active Duty Reenlistment request was submitted and approved by Headquarters, U.S. Marine Corps on 12 September 2022, and was promoted to Sergeant/E-5 on 1 September 2022. On 24 September 2022, Petitioner reenlisted for 4 years and 11 months with an ECC of 23 August 2027. Furthermore, Petitioner received a Zone A Selective Retention Bonus and an Early Reenlistment Kicker.

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CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2),¹ the Board finds the existence of an injustice warranting relief. The Board concluded on 12 September 2022, Petitioner was approved for a 48-month reenlistment with the \$8,000 FY23 Early Reenlistment Kicker. Due to administrative error, the Petitioner's NMOS of 7253 was not reported on the unit diary, therefore it was not reflected on the reenlistment request. The Board determined that Petitioner was incorrectly awarded the FY23 Early Reenlistment Kicker instead of the FY23 ATC kicker at the time of reenlistment.

RECOMMENDATION

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

Paragraph B8b (Remarks) of the DD Form 4 executed on 24 September 2022 listed the following: REENLISTED FOR THE FOLLOWING INCENTIVE: ZONE A SRBP AMOUNT "\$50,000" vice "\$28,000". PER MARADMIN 295/22 THIS MARINE IS ELIGIBLE FOR A SELECTIVE RETENTION BONUS KICKER IN THE AMOUNT OF "\$30,000" vice "\$8,000." LESS APPLICABLE STATE AND GOVERNMENT TAXES. SNM MUST MAINTAIN REQUIREMENTS IN ACCORDANCE WITH MARADMIN 295/22.²

Note: Defense Finance and Accounting Service 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.

4/6/2023

[REDACTED]

Deputy Director

Signed by: [REDACTED]

¹ 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.

² Reference (b), FY23 Zone A Sgt reenlists into PMOS 7257 for 48 months, SMN agrees to gain the NMOS of 7253 at the time of reenlistment. 50,000(bonus received) = 20,000(PMOS bonus amount) + 30,000(Air Traffic Controller Kicker).