

Docket No. 8582-23 Ref: Signature Date

- From:Chairman, Board for Correction of Naval RecordsTo:Secretary of the Navy
- Subj: REVIEW OF NAVAL RECORD ICO XXX XX USMC
- Ref: (a) Title 10 U.S.C. § 1552 (b) MARADMIN 278/23, 31 May 23
- Encl: (1) DD Form 149 w/attachments
 (2) Advisory opinion by HQMC memo 5420 MMEA, 25 Oct 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 Fiscal Year 2024 (FY 24) Aircraft Maintenance Kicker bonus in the amount of \$25,000 before taxes.

2. The Board, consisting of **Constant of April 2024** 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 6 June 2011, Petitioner entered active duty.

b. On 1 January 2019, Petitioner was promoted to Staff Sergeant/E-6.

c. On 12 December 2019, Petitioner reenlisted for 4 years and 7 months with an Expiration of Current Contract (ECC) of 11 July 2024.

d. On 6 June 2021, Petitioner entered Zone C.

e. On 8 July 2022, Petitioner executed an agreement to extend enlistment for 29 months with an End of Active Service of 11 December 2026.

f. On 2 August 2022, Petitioner was joined to **Example 1** for duty. Petitioner transferred on 1 August 2022.

Subj: REVIEW OF NAVAL RECORD ICO XXX XX USMC

g. On 26 June 2023, Petitioner's Careerist Active-Duty Reenlistment request was submitted and approved by Headquarters, U.S. Marine Corps (HQMC) on 5 July 2023.

h. On 6 July 2023, Petitioner reenlisted for 5 years and 1 month with an ECC of 5 August 2028.

i. On 3 August 2023, Petitioner was joined to **Example 1**. From 29 August 2023 to 12 September 2023 Petitioner was TAD to **Example 2**. Petitioner transferred on 1 March 2024.

j. On 2 March 2024, Petitioner was joined to for duty.

k. In the advisory opinion, 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 in accordance with reference (b), to receive the FY24 Aircraft Maintenance Kicker Bonus, Petitioner must be currently assigned to a listed MCC and agree to remain in a specified Aircraft Maintenance Kicker authorized MCC for the first 24 months following the end of current contract. On 5 July 2023, Petitioner was approved for reenlistment without the Aircraft Maintenance Kicker because he was assigned to attend Recruiters School and would not meet the requirements of remaining in a specified MCC. Petitioner was dropped from Recruiters School due to a medical issue and remains assigned to an Aircraft Maintenance Kicker authorized MCC. If he had not been assigned to recruiting duty, he would have been authorized the FY24 Aircraft Maintenance Kicker. Due to this circumstance, Petitioner should receive a retroactive payment of the Aircraft Maintenance Kicker.

RECOMMENDATION

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

Paragraph B8b (Remarks) of the DD Form 4 executed on 6 July 2023 listed the following: REENLISTED FOR THE FOLLOWING INCENTIVE: "ZONE C SRBP IN THE AMOUNT OF \$16,740, AND AIRCRAFT MAINTENANCE KICKER IN THE AMOUNT OF \$25,000, LESS APPLICABLE STATE AND GOVERNMENT TAXES. SNM MUST MAINTAIN REQUIREMENTS IN ACCORDANCE WITH MARADMIN 278/23."

Petitioner is assigned the Draw Case Code "KC" with a term date of 202607.

Note: This change will entitle the member to a Zone "C" Selective Retention Bonus (SRB) for MOS 6326, E-6, which is capped at \$16,740 for 48 months of additional obligated service. Remaining obligated service to 11 July 2024 will be deducted from SRB computation. Furthermore, Petitioner is entitled to a \$25,000 Aircraft Maintenance Kicker.

Subj: REVIEW OF NAVAL RECORD ICO XXX XX USMC

Note: The Board for Correction of Naval Records (BCNR) will <u>not</u> take any action with the Defense Finance and Accounting Service for the SRB payment. Petitioner's SRB payment will <u>not</u> be funded by the BCNR's Claims Line of Accounting (LOA). HQMC will secure funding via unexecuted SRB funds and will use their LOA to pay the SRB payment.

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.

	4/7/2024
Deputy Director	
Signed by:	