

DEPARTMENT OF THE NAVY

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

> Docket No. 2791-22 Ref: Signature Date



This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 16 June 2022. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinion by Headquarters, U.S. Marine Corps (HQMC) memorandum 5420 MMEA of 4 May 2022 which was previously provided to you for comment.

On 22 February 2011, you enlisted for 8 years in the U.S. Marine Corps Reserve with an End of Obligated Service (EOS) of 21 February 2019. On 7 June 2011, you entered active duty, and were released from Initial Active Duty Training on 26 January 2012. On 19 April 2017, you reenlisted for 3 years in the U.S. Marine Corps Reserve with a Reserve End of Current Contract (ECC) of 18 April 2020.

In accordance with MARADMIN 380/19 published on 3 July 2019, this bulletin announced the Selective Retention Bonus (SRB) program and the Broken Service SRB (BSSRB) program authorized for FY20. 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 2019 were eligible for the FY20 SRB program. This will include any regular component first term or career Marine with an ECC from 1 October 2019 to 30 September 2020. Prior service regular component Marines who reenlisted back into the active component were only allowed to reenlist after 1 November 2019. Exceptions to this policy were made for individuals who qualify for and desired to reenlist into

one of the critically short Primary Military Occupational Specialties (PMOS) listed in the yearly submission goals promulgated by HQMC. Prior service Marines with less than a 4-year break in service between regular component contracts may have been eligible to receive a BSSRB, if available.

On 21 December 2019, you signed a Request for Conditional Release (DD Form 368) requesting to enlist/appoint you into the active U.S. Marine Corps. Your request was certified by a recruiter based at

On 23 January 2020, First Endorsement on your AA Form 1000-35 of 11 January 2020. By Commanding Officer, Marine Air Control Group 48 notified Commander, Marine Forces Reserve via Commanding General. Marine Aircraft Wing recommending approval.

On 9 April 2020, you reenlisted for 1 year in the U.S. Marine Corps Reserve with a Reserve ECC of 8 April 2021.

In accordance with MARADMIN 376/20 published on 30 June 2020, this bulletin announced the SRB program and the BSSRB program authorized for FY21. 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 7 July 2020 were eligible for the FY21 SRB program. This included any regular component first term or career Marine with an ECC from 1 October 2020 to 30 September 2021. Prior service regular component Marines who reenlisted back into the active component were only be allowed to reenlist after 1 November 2020. Exceptions to this policy would be made for individuals who qualified for and desired to reenlist into one of the critically short PMOS listed in the yearly submission goals promulgated by HQMC. Prior service Marines with less than a 4-year break in service between regular component contracts may have been eligible to receive a BSSRB, if available.

On 13 August 2020, your Careerist Active Duty Prior Service Enlistment Program (PSEP) was submitted by your command with a no later than date of 20 September 2020. On 8 September 2020, you reenlisted for 5 years in the active U.S. Marine Corps with an ECC of 7 September 2025. On 18 November 2020, you were issued Marine Corps Basic Order for involuntary assignment to for duty

with a report no later than date of 31 January 2021.

You requested to be paid the Fiscal Year 2020 (FY20) SRB for PMOS 0211 for your reenlistment on 8 September 2020; the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that in order to be eligible for the SRB, you had to be a prior service regular component Marine who reenlisted back into the active component; however, prior service Marines with less than a 4-year break in service between regular component contracts may be eligible to receive a BSSRB, if available. You are not considered a prior service Marine because you were in the reserve component. When you reenlisted into the active component, you had not had any previous regular component contracts; therefore, you are ineligible to

receive the Broken Service SRB. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerery,	
	6/29/2022
Deputy Director	to:

Sincerely,