



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

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Docket No. 3201-22
Ref: Signature Date

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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 2 February 2023. 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 contained in Headquarters, U.S. Marine Corps memorandum 5420 MMEA of 28 September 2022.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

On 18 March 2013 you enlisted in the Marine Corps Reserve for 8 years with an expiration of obligated service of 17 March 2021. You were released from active duty and transferred to the Marine Corps Reserve with an honorable character of service and you were issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 19 August 2013 to 18 November 2017 upon completion of required active service.

You were in the Individual Ready Reserve (IRR) from 19 November 2017 to 4 October 2020. On 5 October 2020 you signed an agreement to extend enlistment for 6 months with a Reserve end of current contract (ECC) of 17 September 2021 in order to have sufficient contractual time to affiliate to the RUC 88728. You transferred from the IRR to the Individual Mobilization Augmentee – Inactive Duty for Training.

On 19 January 2021 you were ordered to permanent change of station (PCS)—█ PAC. You were directed to endorse these reporting orders "original orders received," noting the date and place of receipt. You were advised that the disbursing officer may refuse to issue payments in the absence of this endorsement (JTR 4090 and 5040). You were assigned to PCS on such a date that would

enable you to report to the ██████████ no later than 0730 on 2 February 2021 for duty with ██████████. Period of duty: 2 February 2021 to 30 September 2021 for 241 days (MCO P1000.6, para 4407 and P1001R.1, para 4205.4). These back to back orders authorized you to perform this additional duty immediately following the completion of the previous annual training orders, tracking number ██████████ for the period 4 January 2021 to 1 February 2021.

On 2 February 2021 the Reserve Integration Chief ██████████ notified you that you reported to ██████████, Reserve Affairs Branch on 2 February 2021 for active duty operational support.

On 28 July 2021 your First Term Reserve Reenlistment was submitted and approved by Headquarters, U.S. Marine Corps (HQMC) on 13 September 2021. On 20 August 2021 you signed an agreement to extend enlistment for 3 months with a Reserve ECC of 17 December 2021 in order to await reenlistment results. On 16 September 2021 you reenlisted in the Marine Corps Reserve for 4 years with a Reserve ECC of 15 September 2025. Furthermore, your Armed Forces Active Duty Base Date is 26 November 2016.

On 20 September 2021 you were issued modification to PCS ██████████. You were directed to endorse these reporting orders "original orders received," noting the date and place of receipt. You were advised that the disbursing officer may refuse to issue payments in the absence of this endorsement (JTR 4090 and 5040). You were assigned to PCS on such a date that would enable you to report to the ██████████ no later than 0730 on 2 February 2021 for duty with ██████████. Period of duty: 2 February 2021 to 17 December 2021 for 319 days, per ██████████ (DTD 19 January 2021 and ██████████) (DTD 19 January 2021), (MCO P1000.6 para 4407 and P1001R.1, para 4205.4). These back to back orders authorized you to perform this additional duty immediately following the completion of the previous annual training orders, tracking number 2503156/0, for the period 4 January 2021 to 1 February 2021.

On 27 September 2021 you submitted a request for inter-service transfer to the U.S. Marine Corps active component to Commandant of the Marine Corps.

On 25 October 2021 your First Term Active Duty Prior Service Enlistment Program (PSEP) was submitted and was approved by HQMC on 27 January 2022. You requested a term of 6 years, however, HQMC approved 5 years. You were released from active duty and transferred to the Marine Corps Reserve with an honorable character of service and you were issued a DD Form 214 for the period of 2 February 2021 to 17 December 2021 upon completion of required active service.

On 9 February 2022 you reenlisted in the Marine Corps as a Sergeant/E-5 for 5 years with an ECC of 8 February 2027 with the following incentive: None.

You requested to receive a Selective Retention Bonus (SRB) and 72-month Lateral Move (LM) Kicker; 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 accordance with MARADIN 344/21¹ you must have had less than a 4-year break in service between regular component contracts to be

¹ On 21 July 2021 MARADIN 344/21 was published announcing the SRB program and the BSSRB program authorized for FY22. 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, E, F, and G) who reenlisted on or after 7 July 2021 were eligible for the FY22 SRB program. This included any regular component first term or career Marine with an ECC from 1 October 2021 to 30 September 2022. Prior service regular component Marines who reenlisted back into the active component were only allowed to reenlist after 1 November 2021. Exceptions to this policy were made for individuals who qualify for and

eligible to receive a Broken Service SRB (BSSRB). Although you submitted your request prior to the 17 November 2021 cutoff of the 4-year break in service you were executing your modification to PCS █, which had an end date of 17 December 2021. Furthermore, on 25 October 2021 your First Term Active Duty PSEP was submitted, stating—[t]his request does not rate a BSSRB or SRB in accordance with MARADIN 344/21. Finally, your request was approved by HQMC on 27 January 2022 for 60 months vice 72, making you ineligible for the 72-month LM Kicker.

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.

Sincerely,

2/9/2023

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Deputy Director

Signed by: █

desired to reenlist into one of the targeted 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 be eligible to receive a BSSRB, if available.

72-month LM Kicker. Zone A Marines electing to LM in FY22 into PMOSs listed in section 3.1 with the LM designation, with the exception of 6218, 6258, 6288, 6338, and 7257, were given the opportunity to reenlist for 72 months. Marines who executed a LM into one of these PMOSs for 72 months rated a 40,000 dollar initiative in addition to the PMOS bonus listed in section 3.1. The LM initiative may not be coupled with any other kicker. Marines with an ECC in FY23 who reenlisted under the Early Reenlistment Program were not eligible for the 72-month LM Kicker.

Zone A applies to those active component Marines with 17 months to 6 years of active military service. First term Marines with exactly 6 years of active military service on the date of reenlistment may be paid a Zone A PMOS bonus if they have not previously received a Zone A PMOS bonus. If they have received a Zone A PMOS bonus, or if no Zone A PMOS bonus is designated, they may be paid a Zone B PMOS bonus. Bonus payments are limited to one payment per Zone. Zone A LM PMOS bonus payments were only authorized for those PMOS(s) designated with LM. Marines who already held a PMOS with a LM designator and were in Zone A rated the PMOS bonus listed below. Zone A PMOS bonus payments for Marines who reenlisted for at least 48 months obligated service are authorized as listed below in dollars (bonuses for Marines who reenlisted for 36 to 47 months obligated service were calculated as per para 3.i). Furthermore, a Zone "A" SRB for MOS 0211LM, E-5 and above, which was capped at \$55,000 for 48 months of additional obligated service was authorized.