



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

[REDACTED]
Docket No. 8776-22
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF [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 memo 5420 MMEA, 12 Dec 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 his naval record be corrected to show Petitioner was eligible for and received a FY23 Cohort In-Year Early Reenlistment Kicker.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 19 January 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 29 October 2018, Petitioner entered active duty for 4 years with an End of Current Contract (ECC) of 28 October 2022 and End of Active Service of 28 March 2023, and was assigned Primary Military Occupational Specialties (PMOS) 0671 on 24 July 2019.

b. On 12 May 2022, Petitioner signed and submitted a certified a Reenlistment Extension Lateral Move (RELM) Request via his command. Petitioner's request was approved by his Commanding Officer (CO) on 28 June 2022.

c. In accordance with reference (b), announces the Selective Retention Bonus (SRB) program and the Broken Service SRB program authorized for FY23. With the advent of several new SRB programs, Marines are 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 reenlist on or after 14

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June 2022 are eligible for the FY23 SRB program. This will include any regular component first term or career Marine with an ECC from 1 October 2022 to 30 September 2023.

FY23 Cohort In-Year Early Reenlistment Kicker. Marines in Zone A who submit for a minimum of 48 month reenlistment before 30 September 2022 with a PMOS that is listed in paragraph 3.m, are subsequently approved, will rate an 8,000 dollar Early Reenlistment Kicker in addition to the PMOS bonus amount listed in paragraph(s) 3.m, 3.n, and 3.o. After 30 September 2022, this Early Reenlistment Kicker will expire.

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 0671, which is capped at \$8,000 for 48 months of additional obligated service was authorized.

d. On 29 June 2022, Petitioner's 1st Term Active Duty Quality Reenlistment Program request was submitted and was approved by Headquarters, U.S. Marine Corps (HQMC) on 29 June 2022.

e. On 10 July 2022 the CO, Headquarters Battalion notified HQMC that Per MCO 1040.31, Petitioner no longer meets the reenlistment pre-requisites as he has tested positive for a controlled substance during a urinalysis and at this time he is declining this reenlistment approval.

f. On 12 October 2022, Petitioner signed and submitted a certified a RELM Request via his command. Petitioner's request was approved by his CO on 14 October 2022.

g. On 13 October 2022, Command Action Form for Adjudication/Disposition of UCMJ Offenses was signed by Petitioner's CO with the following comments: "On 12 October 2022, Corporal [REDACTED] was found not guilty of UCMJ Article 112a."

h. On 17 October 2022, Petitioner's 1st Term Active Duty Reenlistment request was submitted and was approved by HQMC on 7 November 2022.

i. On 1 November 2022, Petitioner was promoted to Sergeant/E-5.

j. On 10 November 2022, Petitioner reenlisted for 4 years and 5 months with an ECC of 9 April 2027.

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 the following

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.

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corrective action. The Board concluded that 29 June 2022 Petitioner submitted a 48-month reenlistment with a Zone A SRB request to HQMC and was approved the same day. On 10 July 2022, Petitioner's CO revoked the approved reenlistment due to an ongoing legal matter. On 12 October 2022, Petitioner was found not guilty at Battalion Non-Judicial Punishment. Due to no fault of Petitioner, his legal matter was not settled until after the 30 September 2022 deadline to submit for the Early Reenlistment Kicker; therefore, the Board determined that an exception to policy is warranted.

RECOMMENDATION

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

Paragraph B8b (Remarks) of the DD Form 4 executed on 10 November 2022 as an "E-5" vice "E-4", listed "REENLISTED FOR THE FOLLOWING INCENTIVE: ZONE "A" SRBP AMOUNT \$8,000, DUSTA MCC 095, AND \$8,000 EARLY REENLISTMENT KICKER." vice "REENLISTED FOR THE FOLLOWING INCENTIVE: ZONE "A" SRBP AMOUNT \$7,200, DUSTA MCC 095."

Note: This change will entitle the member to a zone "A" SRB for MOS 0671, which is capped at \$8,000 for 48 months of additional obligated service. Remaining obligated service to 28 March 2023 will be deducted from SRB computation. Furthermore, Petitioner was entitled to \$8,000 Early Reenlistment Kicker.

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.

1/27/2023

[REDACTED]

Deputy Director

Signed by: [REDACTED]