

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

> Docket No. 426-23 Ref: Signature Date



Dear

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 March 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 3 February 2023 and your response to the opinion.

On 27 July 2015, you entered active duty for 4 years with an End of Current Contract (ECC) of 26 July 2019.

In accordance with MARADMIN 370/18 published on 2 July 2018, this bulletin announced the Selective Retention Bonus (SRB) program and the Broken Service SRB (BSSRB) program authorized for FY19. 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 2018 were eligible for the FY19 SRB program. This included any regular component first term or career Marine with an ECC from 1 October 2018 to 30 September 2019.

72 Month Lateral Move (LM) Initiative. Zone A Marines electing to LM in FY19 into PMOSs listed in section 3.m with the LM designation, were given the opportunity to reenlist for 72 Months. Marines who executed a LM into one of these Primary Military Occupational Specialties (PMOS) for 72 months rated a 40,000 dollar initiative in addition to the PMOS bonus listed in section 3.m. The LM initiative may not be coupled with any kicker.

LM PMOS(s) are listed under section(s) 3.m, 3.n, and 3.0 with the LM designation. These PMOS were authorized bonus payments to Marines who executed a LM in conjunction with a reenlistment in their respective zones. Marines who requested LM into a PMOS could submit for reenlistment immediately and did not have to wait until their current PMOSs boat spaces were closed out prior to requesting a lateral move boat space. Bonus payment for LM PMOSs would not be made at the time of reenlistment but upon successful completion of PMOS training and subsequent award of the PMOS. Bonus payment would be based upon the FY SRB authorized at the time of reenlistment. Marines who were in training beyond 30 Sep 19 would be authorized payment of the PMOS bonus once Marine Corps Total Force System (MCTFS) shows they had been awarded the new PMOS. Laterally moving Marines failing to complete required lateral move PMOS training were re-designated or administratively separated according to the needs of the Marine Corps and would receive no bonus, even if the PMOS the Marine was reclassified into was eligible to receive one.

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 could be paid a Zone A PMOS bonus if they had not previously received a Zone A PMOS bonus. If they had received a Zone A PMOS bonus, or if no Zone A PMOS bonus is designated, they could be paid a Zone B PMOS bonus. Bonus payments were limited to one payment per Zone. Zone A lateral move 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 were authorized as listed below in dollars (bonuses for Marines who reenlisted for 36 to 47 months obligated service would be calculated as per para 3.j). Furthermore, a Zone "A" SRB for MOS 2336LM, E-5 and above, which was capped at \$50,000 for 48 months of additional obligated service was authorized.

On 1 November 2018, you were promoted to Sergeant/E-5. On 30 January 2019, your 1st Term Active Duty Lateral Move request was submitted and approved by HQMC on 1 March 2019. On 12 March 2019, you reenlisted for 6 years with an ECC of 11 March 2025.

On 23 October 2019, Commanding Officer, Marine Corps Detachment Eglin notified you that you had been academically dropped from Naval School Explosive Ordnance Disposal (EOD) School. You were eligible to reapply for EOD School. Effective 15 October 2019, you were instructed to submit for a reclassification to your PMOS.

On 8 July 2021, you signed an agreement to extend enlistment for 17 months with an End of Active Service (EAS) of 11 August 2026 in order to obligate service. On 29 July 2021, you were assigned ADMOS1 5711. On 19 August 2022, you were assigned PMOS 2336.

You requested the FY 2019 Zone A SRB of \$50,000 with \$40,000 kicker for the MOS 2336. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertion that the AO recommended no action be taken because you submitted for reclassification. However, the Board concluded that if you had not submitted for reclassification, or had been denied reclassification, you could have been separated from the Marine Corps. On 12 March 2019, you executed a 72-month reenlistment with the following clause, "I understand that this reenlistment contract is contingent upon successful completion of the training requirements for PMOS 2336. Should I fail to complete the training requirements for PMOS 2336, I may be reverted to my previous PMOS or separated from the Marine Corps." On 23 October 2019, you were administratively dropped from the 2336 PMOS course and were directed to submit for reclassification into your previous PMOS. You were subsequently approved reclassification into your former PMOS. In July 2021, you were approved for a lateral move into PMOS 2336 with a 17-month extension. Although you were eventually awarded PMOS 2336, you did not satisfy the requirements for the authorized FY19 SRB and Lateral Move Kicker. 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.

Sincerely,	
	3/24/2023
Deputy Director	
Signed by:	