



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

██████████
Docket No. 1334-23
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 4 May 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 (HQMC) memorandum 5420 MMEA of 28 February 2023 and your response to the opinion.

On 6 August 2018, you entered active duty for 5 years with an End of Current Contract (ECC) of 5 August 2023. On 2 April 2019, you were assigned Primary Military Occupational Specialties (PMOS) 0311. On 1 October 2020, you were assigned ADMOS1 0351. On 25 June 2021, you were assigned ADMOS 0918.

In accordance with MARADMIN 295/22 published on 15 June 2022 stated the following: This MARADMIN announces the Selective Retention Bonus (SRB) program and the Broken Service SRB (BSSRB) 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 Jun 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.

On a case-by-case basis, Commandant of the Marine Corps (CMC) (MMEA-1) may authorize reenlistment periods of less than 48 months, these Marines will be eligible for a PMOS bonus at

a prorated amount, as long as the reenlistment period includes at least 36 months of obligated service. Marines who reenlist for less than 36 months of additional obligated service, excluding any initiatives addressed in this bulletin, are not eligible for any PMOS bonus.

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 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 0311, which is capped at \$16,250, E-4, for 48 months of additional obligated service was authorized.

On 27 September 2022, your 1st Term Active Duty Reenlistment was submitted and approved by HQMC on 11 October 2022. Furthermore, it was noted that a reenlistment of 3 years and 0 months, effective 10/12/2022, will result in SRB payment of \$0 for 26 months of additional obligated service.

On 11 October 2022, you signed a FY23 SRB Program Statement of Understanding listing the following: "I understand that I am entitled to a SRB, less taxes withheld, in the amount of \$12,188 for reenlistment in SRB Zone A, Grade E4, in MOS 0311, for 36 months additional obligated service."

On 12 October 2022, you reenlisted for 3 years with an ECC of 11 October 2025. Furthermore, block B8b (Remarks) listed the following: "Reenlisted for the following incentive: Zone A SRBP amount \$12,188 and Monitored Command Codes (MCC) 078."

On 1 January 2023, you were promoted to Sergeant/E-5.

You requested to be paid the \$12,188.00 as stated in your reenlistment contract. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, on 11 October 2022, you signed an FY23 SRB Program Statement of Understanding stating that you understand that you are entitled to an SRB in the amount of \$12,188 for reenlistment for 36 months additional obligated service. This is in accordance with MARADMIN 295/22, which states that Marines who reenlist for less than 36 months of additional obligated service, excluding any initiatives addressed in this bulletin, are not eligible for any PMOS bonus. Your reenlistment contract of 36 months only results in 26 months and 7 days of obligated service. HQMC encouraged you to correct your contract term in order to facilitate the award of the requested SRB and you stated that you did not intend to modify your contract. Additionally, you declined to cancel your contract and separate on your ECC. The Board majority concluded that you did not obligate for 36 months beyond your ECC of 5 August 2023 and you declined the opportunity to do so; therefore, you do not rate the Zone "A" SRB. In this connection, a majority of 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,

5/11/2023

[REDACTED]

Deputy Director

Signed by: [REDACTED]