



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

██████████
Docket No. 9492-23
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 15 February 2024. 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 30 October 2023, which was previously provided to you for comment.

On 5 August 2013, you entered active duty. On 1 October 2017, you were promoted to Sergeant/E-5. On 17 March 2018, you were assigned ADMOS 0311. On 17 March 2018, you reenlisted for 6 years and 5 months with an Expiration of Current Contract (ECC) of 16 August 2024. On 14 June 2019, you were assigned Primary Military Occupational Specialties (PMOS) 0241. On 26 July 2019, you were assigned ADMOS 0931.

On 13 October 2021, you signed an agreement to extend enlistment for 28 months with an End of Active Service (EAS) of 16 December 2026 in order to obligate service for assignment to BRC class 4-23.

In accordance with MARADMIN 278/23 published on 31 May 2023, this MARADMIN announces the Selective Retention Bonus (SRB) Program and the Broken Service SRB (BSSRB) Program authorized for the FY24 retention campaign which begins 1 June 2023. Marines with an ECC from 1 October 23 to 30 September 24 are encouraged to thoroughly review the contents of this MARADMIN.

Bonus payments are limited to one payment per Zone. Marines who already hold a PMOS with a LM/Career Progression (CP) designator and are in Zones A through C will rate the PMOS bonus listed below. Additionally, LM/CP PMOS bonus payments are only authorized for those PMOS(s) designated with LM/CP by zone. Zone 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 8.d).

Zone B applies to those active component Marines with 6 to 10 years of active military service. Marines with exactly 10 years of active service on the date of reenlistment may be paid a Zone B PMOS bonus if they have not previously received a Zone B PMOS bonus. Furthermore, a Zone "B" SRB for MOS 0241, E-5 and below, which was capped at \$21,600 for 48 months of additional obligated service was authorized.

In accordance with MARADMIN 326/23 published on 8 June 2023, effective 1 July 2023, HQMC is authorized to approve reenlistments and extensions of Marines who were eligible but not promoted to the next grade two or more times in accordance with the below policy. Exceptions to this policy may be requested via waiver as outlined below.

Service limits are as follows: "...Sergeant 12 years active Marine Corps service..."

Sergeants may be granted a waiver for active Marine Corps service up to 14 years if favorably endorsed at the O-6 level and approved by CMC (MMEA).

On 18 July 2023, your Careerist Active Duty Reenlistment request was submitted and approved by HQMC on 30 October 2023. On 5 August 2023, you entered Zone C. On 8 November 2023, you reenlisted for 3 years with an ECC of 7 November 2026.

You requested to receive a prorated Fiscal Year 2024 (FY24) SRB for PMOS 0241 in Zone B, 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 although you submitted your reenlistment request while you were still in Zone B, you reenlisted 3 months after you entered Zone C. Furthermore, MARADMIN 278/23 states that a Marine must gain at least 36 months of additional obligated service to receive the minimum prorated PMOS SRB. MARADMIN 326/23 states service limitations for Sergeants is 12 years. In order to gain the 36 months of obligated service for SRB, you would have had to gain an ECC beyond 16 August 2027; however, service limitations prevent you from serving beyond 5 August 2027, therefore a retroactive payment of the SRB cannot be authorized. 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,

2/22/2024

