

## **DEPARTMENT OF THE NAVY**

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

> Docket No. 9895-23 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 2 May 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 28 November 2023, and your response to the opinion.

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 1 June 2015, you entered active duty for 4 years with an End of Current Contract (ECC) of 31 May 2019. On 21 March 2016, you executed an agreement to extend enlistment for 12 months with an End of Active Service of 31 May 2020. On 19 May 2016, you were assigned ADMOS1 0323.

On 22 October 2019, your 1st Term Active-Duty Lateral Move request was submitted and approved by HQMC on 26 November 2019. On 6 December 2019, you were assigned ADMOS2 0321. On 6 December 2019, you reenlisted for 6 years with an ECC of 5 December 2025.

On 2 September 2020, your Careerist Active-Duty MOS Reclassification request was submitted and approved HQMC on 9 September 2020. Message text states, "[a]pproved MOS: 0321. Bonus Eligibility: None. Bonus Text: This request does not rate a Broken Service SRB or Selective Retention Bonus (SRB) in accordance with MARADMIN 376/20. CP Validation: This Marine does not rate SRB and/or OPFOR incentive as shown above. Message text: Reference (c) is NAVMC 1200.1F Military Occupational Specialties Manual. If still qualified per references (a) and (b), SNM is reverted back to MOS 0321 held at the time of reenlistment."

On 9 September 2020, you were assigned Primary Military Occupational Specialties (PMOS) 0321. On 1 November 2023, you were promoted to Staff Sergeant/E-6.

On 11 January 2024, Commanding Officer, Reconnaissance Battalion notified Board via NAVPERSCOM, BUPERS/BCNR Coordinator (PERS-3C) that "[i]t is requested that [you] receive the Fiscal Year 2020 (FY20) SRB of \$50,000 in the PMOS 0321. There was a misunderstanding on the PMOS [you] requested for; he reenlisted for the PMOS 0372, but he did not complete the course, however the reenlistment should have been voided to allow him to reenlist to the reclassification PMOS 0321. Forwarded, recommending approval."

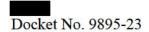
You requested reconsideration for the FY20 SRB outlined in MARADMIN 380/19 for PMOS 0321. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that on 6 December 2019 you reenlisted for 6 years into the approved PMOS of 0372 and were eligible for SRB, payable upon successful completion of training, however you did not complete the course and you were permitted to revert to the PMOS you held at the time of reenlistment. In accordance with MARADMIN 380/19, laterally moving Marines who fail to complete required lateral move PMOS training will be redesignated or administratively separated according to the needs of the Marine Corps and will receive no bonus; even if the PMOS the Marine is

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Bonus payment for Lateral Move (LM) PMOSs were not made at the time of reenlistment but upon successful completion of PMOS training and subsequent award of the PMOS. Bonus payment was upon the FY SRB authorized at the time of reenlistment. Marines who were in training beyond 30 September 2020 were authorized payment of the PMOS bonus once Marine Corps Total Force System shows they had been awarded the new PMOS. Laterally moving Marines who failed to complete required lateral move PMOS training were redesignated or administratively separated according to the needs of the Marine Corps and received no bonus, even if the PMOS the Marine is 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 may have been 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 was designated, they may have been paid a Zone B PMOS bonus. Bonus payments are 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 were calculated as per para 3.j). Furthermore, a zone "A" SRB for MOS 0321LM, E-5 & Above which is capped at \$50,000 for 48 months of additional obligated service was authorized.

<sup>&</sup>lt;sup>1</sup> MARADMIN 380/19 published on 3 July 2019, this bulletin announced the SRB program and the Broken Service SRB program authorized for FY20. 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 2019 were eligible for the FY20 SRB program. This included any regular component first term or career Marine with an ECC from 1 October 2019 to 30 September 2020.



reclassified into is eligible to receive one. Therefore, although PMOS 0321 was eligible for SRB you were ineligible to receive it. 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.

