

DEPARTMENT OF THE NAVY

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

> Docket No. 10796-23 Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO

XXX XX USMC

Ref: (a) Title 10 U.S.C. § 1552

(b) MARADMIN 278/23, 31 May 23

Encl: (1) DD Form 149 w/attachments

- (2) Advisory Opinion by HQMC memo 5420 MMEA, 8 Jan 24
- (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 record be corrected to show that Petitioner was eligible for and received a Selective Retention Bonus (SRB).
- 2. The Board, consisting of and and are reviewed Petitioner's allegations of error and injustice on 6 June 2024 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 8 September 2009, Petitioner entered active duty.
- b. On 19 December 2014, Petitioner was assigned ADMOS1 0918. On 20 April 2016, Petitioner was assigned ADMOS2 8411. On 2 January 2018, Petitioner was assigned Primary Military Occupational Specialties (PMOS) 3537.
- c. On 12 November 2019, Petitioner reenlisted for 4 years with an End of Current Contract (ECC) of 11 November 2023.

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- d. On 16 November 2022, Petitioner executed an agreement to extend enlistment for 9 months with an End of Active Service (EAS) of 11 August 2024 in order to process a FY 2024 reenlistment request.
- e. On 17 November 2022, Petitioner executed an agreement to extend enlistment for 6 months with an EAS of 11 February 2025 in order to have sufficient obligated service for assignment to Monitored Command Codes
- f. In accordance with reference (b), announces the 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.

Zone C applies to those active component Marines with 10 to 14 years of active military service. Marines with exactly 14 years of active service on the date of reenlistment may be paid a Zone C PMOS bonus if they have not previously received a Zone C PMOS bonus. Furthermore, a zone "C" SRB for MOS 3537CP, E7 & Above, which is capped at \$24,300 for 48 months of additional obligated service was authorized.

- g. On 26 June 2023, Petitioner executed an agreement to extend enlistment for 5 months with an EAS of 11 July 2025.
 - h. On 1 July 2023, Petitioner was promoted to Gunnery Sergeant/E-7.
- i. On 14 July 2023, Petitioner signed a Reenlistment Extension Lateral Move Request (NAVMC 11537) for a 48-month reenlistment. Career Planner Section, CP comments: "SNM requesting reenlistment in PMOS and Transfer of Education benefits...Marine has been advised of MARADMIN 278/23, currently does rate a SRBP in amount of \$24,300". Petitioner's request was certified by Petitioner's Career Planner and was approved by cognizant authority on 12 July 2023.
- j. On 7 September 2023, Petitioner's Careerist Active-Duty Reenlistment request was submitted and approved by HQMC 19 November 2023.
 - k. On 8 September 2023, Petitioner entered Zone D.
- 1. On 19 November 2023, Petitioner's request was approved by HQMC. Bonus Text states, "This request does not rate a BSSRB or SRB IAW MARADMIN 278/23".
- m. On 28 November 2023, Petitioner reenlisted for 4 years with an ECC of 27 November 2027.
- n. In the advisory opinion, attached as 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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CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that on 14 July 2023, Petitioner started the request for reenlistment; however, it was not submitted to HQMC until 7 September 2023. In accordance with enclosure (2), it was held due to lack of funding available for the SRB. On 8 September 2023, Petitioner entered Zone D. There is no Zone D SRB for PMOS 3537. Petitioner's request was ultimately approved without SRB on 19 November 2023. Petitioner reenlisted on 27 November 2023. The Board determined that availability of SRB funding likely would have prevented this issue.

RECOMMENDATION

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

Petitioner was discharged and reenlisted on 6/7 September 2023 vice 27/28 November 2023 for a term of 5 years vice 4 years.

Note: This change will entitle the member to a Zone "C" SRB for MOS 3537CP, E-7, which is capped as \$24,300 for 48 months of additional obligated service. Remaining obligated service to 11 November 2023 will be deducted for SRB computation.

Note: The Board for Correction of Naval Records (BCNR) will not take any action with the Defense Finance and Accounting Service (DFAS) for the SRB payment. Petitioner's SRB payment will not be funded by the BCNR's Claims Line of Accounting (LOA). HQMC will secure funding via unexecuted SRB funds and will use their LOA to pay the SRB payment.

That 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 titled 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.

