



Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]  
XXX XX [REDACTED] USMC

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 2 September 2025 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 11 June 2018, Petitioner entered active duty for 4 years with an End of Current Contract (ECC) of 10 June 2022.

b. On 8 May 2020, Petitioner signed an Administrative Remarks (NAVMC 118(11)) listing the following: "I understand I am eligible but not recommended for promotion to Corporal for the 3d quarter (Jul, Aug, Sep) of CY20 promotion period. In accordance with MARADMIN 200/16, an NCO promotion panel held on 5 and 6 May 2020 determined I do not positively demonstrate the physical fitness, initiative and leadership to satisfactorily discharge the duties and responsibilities of a Corporal of Marines."

c. On 2 September 2020, Petitioner signed an Administrative Remarks (NAVMC 118(11)) listing the following: "I Understand I am eligible but not recommended for promotion to Corporal for the 3<sup>rd</sup> quarter (Oct, Nov, Dec) of CY20 promotion period. In accordance with MARADMIN 200/16, an NCO promotion panel held on 25-27 August 2020 determined that I do not positively demonstrate the initiative expected to satisfactorily discharge the duties and responsibilities of a Corporal of Marines."

d. On 14 December 2020, Petitioner signed an Administrative Remarks (NAVMC 118(11)) listing the following: "I understand I am eligible but not recommended for promotion to Corporal for the 1st quarter (Jan, Feb, Mar,) of CY21 promotion period. In accordance with MARADMIN 200/16, an NCO promotion panel held on 26/27 October 2020 determined I do not positively demonstrate the initiative, leadership and maturity to satisfactorily discharge the duties of a Corporal of Marines."

e. On 12 March 2021, Petitioner signed an Administrative Remarks (NAVMC 118(11)) listing the following: "I understand I am eligible but not recommended for promotion to Corporal for the 2nd quarter (Apr, May, Jun) of CY21 promotion period. In accordance with MARADMIN 200/16, an NCO promotion panel held on 8 March 2024 determined I do not positively demonstrate the maturity and initiative expected to satisfactorily discharge the duties and responsibilities of a Corporal of Marines."

f. In accordance with reference (b), announced the SRB program and the BSSRB program authorized for FY22. 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 7 Jul 21 are eligible for the FY22 SRB

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]  
XXX XX [REDACTED] USMC

program. This will include: 1.a. Any regular component first term or career Marine with an End of Current Contract (ECC) from 1 Oct 21 to 30 Sep 22.

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 lateral move PMOS bonus payments are only authorized for those PMOS(s) designated with LM. Marines who already hold a PMOS with a LM designator and are in Zone A will rate the PMOS bonus listed below. 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.i). Furthermore, a zone "A" SRB for MOS 0331, E-3, which is capped at \$15,000 for 48 months of additional obligated service was authorized.

g. In accordance with reference (c), provided guidance to Marine Corps active and reserve components to implement Secretary of Defense (SECDEF)-directed mandatory Coronavirus Disease 2019 (COVID-19) vaccination of Department of Defense (DoD) service members. This MARADMIN cancels and replaces MARADMIN 754/20.

3.a. Per refs (b)[ OSD MEMO, Mandatory Coronavirus Disease 2019 Vaccination of Department of Defense Service Members] and (c)[ALNAV 062/21 2021- 2022 Department of Navy Mandatory COVID-19 Vaccination Policy], all Marine Corps active and reserve component (Active Reserve, Selected Marine Corps Reserve, and Individual Mobilization Augmentee) service members shall be fully vaccinated against COVID-19, unless medically or administratively exempt. All non-exempt active component personnel will achieve full vaccination no later than 90 days from the date of ref (c), and all non-exempt reserve component personnel will achieve full vaccination no later than 120 days from the date of ref (c).

3.1. The provisions contained within paragraph 3.a of this MARADMIN constitute a lawful general order and any violation of these provisions is punishable as a violation of Article 92 of ref (i) [10 U.S.C. Chapter 47, Uniform Code of Military Justice]. Marines shall take action to fully immunize themselves against COVID-19 per ref (j) [U.S. Navy Regulations, paragraph 1144]. Paragraph 3.a is punitive and applies without further implementation. Commanders, commanding officers, and officers in charge shall issue appropriate orders to ensure that their Marines and Sailors are fully vaccinated. In accordance with Rule for Court Martial 306 of ref (n) [Manual for Courts Martial United States (2019 EDITION)], initial disposition authority for cases arising from COVID-19 vaccine refusals is withheld to the general court- martial convening authority level except that administrative counseling pursuant to paragraph 6105 of ref (k) [Marine Corps Order 1900.16 Chapter 2 (MARCORSEPMAN)] may be issued at the special court martial convening authority level.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]  
XXX XX [REDACTED] USMC

This MARADMIN is applicable to the Marine Corps total force. This MARADMIN remains in effect until canceled.

h. On 14 August 2021, Petitioner signed an Administrative Remarks (NAVMC 118(11)) listing the following: "I understand that I am eligible but not recommended for promotion to Corporal for the 4th quarter (Oct, Nov, Dec) of CY21 promotion period. In accordance with MARADMIN 200/16, an NCO promotion panel held on 10 August 2021 determined I do not positively demonstrate the maturity and initiative expected to satisfactorily discharge the duties and responsibilities of a Corporal of Marines."

i. On 23 September 2021, Petitioner's Commanding Officer issued and signed an Administrative Remarks (NAVMC 118(11)) listing the following: "Counseled this date concerning the following deficiencies: Refused inoculation with the COVID-19 vaccine."

MARADMIN 462/21, effective 1 September 2021, is a military order issued by the Commandant of the Marine Corps. Paragraph 3.a. of MARADMIN 462/21 ordered that all Marine Corps active and reserve component (Active Reserve, Selected Marine Corps Reserve, and Individual Mobilization Augmentée) service members shall be fully vaccinated against COVID-19, unless medically or administratively exempt. All non-exempt active component personnel will achieve full vaccination no later than 28 November 2021. All non-exempt reserve component personnel will achieve full vaccination no later than 28 December 2021. The provisions contained within paragraph 3.a. of MARADMIN 462/21 constitute a lawful general order and failure to comply with its terms is punishable as a violation of a lawful order under Article 92, Uniform Code of Military Justice. Failure to take corrective action may result in judicial or adverse administrative action, including but not limited to administrative separation."

j. On 19 October 2021, Petitioner signed an Administrative Remarks (NAVMC 118(11)) listing the following: "Counseled this date in accordance with the MARCORSEPMAN, paragraph 6105, concerning the following deficiencies: Your failure to meet physical fitness standards as outlined in MCO 6100.13A w/Ch3. Per the order for your age group, you are required to meet a minimum standard of (5) dead hang pull ups or (40) push-ups, (70) crunches or hold a plank for 1:03, and a run time of 27:40. Your score consisted of (40) push-ups, (1:15) plank, and a run time of 30:30."

k. On 3 November 2021, Petitioner signed an Administrative Remarks (NAVMC 118(11)) listing the following: "Counseled this date in accordance with the MARCORSEPMAN, paragraph 6105, concerning the following deficiencies: Your failure to meet combat fitness standards as outlined in MCO 6100.13A iv/Ch3. Per the order for your age group, you are required to meet a minimum standard of (3:45) movement to contact, (40) ammo-can lift, and a maneuver under fire of (3:18). Your score consisted of (4:05) movement to contact (76) ammo-can lifts, and (3:46) maneuver under fire."

l. On 29 November 2021, Petitioner's Commanding Officer issued and signed an Administrative Remarks (NAVMC 118(11)) listing the following: "Counseled this date concerning the following deficiencies: Refused inoculation with the COVID-19 vaccine' and

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]  
XXX XX [REDACTED] USMC

Violation of Article 92 (Failure to Obey Lawful General Order), to wit: paragraph 3.a. of MA-1 AD MIN A 62/21, effective 1 September 2021.”

m. In accordance with reference (d) (22 December 2021), announced a change to the Supplemental Guidance (2) to Mandatory COVID-19 Vaccination of Marine Corps Active and Reserve Components.

Change to reference (c) [MARADMIN 612/21, Supplemental Guidance (2) To Mandatory Covid-19 Vaccination of Marine Corps Active and Reserve Components]. Paragraph 8.b. is amended to change the reentry code of “RE- 4” to reflect “RE-3P.” Paragraph 8.b. is modified to read Enlisted Marines separated from active duty on the sole basis of failure to comply with MARADMIN 462/21 will receive a reentry code of "RE-3P" per ref (e) [Marine Corps Order 1900.16, Separation and Retirement Manual (MARCORSEPMAN)]. Commanders shall document the assignment of an RE-3P reenlistment code with a page 11 counseling entry signed by both the Marine and the Commander per paragraph 4006.3.d. of reference (f) [Marine Corps Order P1470.12K, Marine Corps Individual Records Administration Manual (IRAM)]. This MARADMIN applies to the Total Force and is effective upon release.

n. On 2 February 2022, Petitioner signed an Administrative Remarks (NAVMC 118(11)) listing the following: “I understand that I am eligible but not recommended for promotion to Corporal for the second quarter (Apr, May, June) of CY22 promotion period. In accordance with MARADMIN 200/16, an NCO promotion panel held on 9 February 2022 determined due to MARADMIN 612/21 and refusing the COVID-19 vaccination I do not meet the requirements to be promoted to the rank of Corporal.”

o. On 18 February 2022, Commanding General, [REDACTED] notified Commandant of the Marine Corps (MMRP-20) that “1. Readdressed and forwarded for filing in accordance with section 6311 of the MCO 1900.16. 2. I have carefully reviewed the respondent's Separation History and Physical Examination (SHPE) and determined that no medical condition had an effect on the performance or conduct resulting in the basis for separation. 3. The recommendation that the Respondent be administratively discharged from the United States Marine Corps is approved. By copy of this letter, the Respondent's Commanding Officer is directed to take those administrative steps necessary to effect subject Marine's separation within 30 working days from the date of receipt of this letter under the following criteria: a. Characterization of Service: General (under Honorable conditions). b. Authority for Discharge: MARCORSEPMAN, par.6210.6. c. Separation Code: JKM1 - MISCONDUCT (OTHER). d. Reenlistment Code: RE-3P. e. Suspension: 0 month(s).”

p. On 22 February 2022, Petitioner’s Commanding Officer issued and signed an Administrative Remarks (NAVMC 118(11)) listing the following: “I have been informed by my Commanding Officer that I have been assigned the Reenlistment Eligibility (RE) Code 3P. Per MCO 1900.16, RE-3P is assigned when there is a failure to meet physical/medical standards (includes pseudofolliculitis and weight standards).”

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]  
XXX XX [REDACTED] USMC

q. Petitioner was discharged with a General (Under Honorable Conditions) character of service and was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 11 May 2018 to 10 March 2022 for misconduct (other). Furthermore, block 4a (Grade Rate or Rank) listed LCPL, block 4b (Pay Grade) listed E3, and 12i (Effective Date of Pay Grade) listed 1 August 2019.

r. In accordance with reference (e), Purpose. To inform Commanding Officers of required changes to the FY22 SRB Program.

Per TFRS MESSAGE A66308 and MCO 7220.24P, this message serves as the 30 day notification for the termination of the FY22 SRB program which will occur on 4 June 2022. Marines with an ECC during FY22 will no longer be eligible for an SRB if approved after 3 June 2022. A FY22 ECC is defined as: Any Marine who has an ECC on the date of reenlistment between 1 October 2021 and 30 September 2022.

s. In accordance with reference (f), "Purpose. This MARADMIN announces the Selective Retention Bonus (SRB) Program and the Broken Service SRB (BSSRB) Program authorized for enlisted Marines reenlisting in Fiscal Year 2025 (FY25). Marines with an Expiration of Current Contract (ECC) from 10 October 2024 to 30 September 2025 are encouraged to thoroughly review the contents of this MARADMIN."

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, no Zone B SRB for MOS 0331, E-3 was authorized.

t. In accordance with reference (g), Section 1. Purpose and Policy. On August 24, 2021, the Secretary of Defense mandated that all service members receive the COVID-19 vaccine. The Secretary of Defense later rescinded the mandate on January 10, 2023. The vaccine mandate was an unfair, overbroad, and completely unnecessary burden on our service members. Further, the military unjustly discharged those who refused the vaccine, regardless of the years of service given to our Nation, after failing to grant many of them an exemption that they should have received. Federal Government redress of any wrongful dismissals is overdue.

Sec. 2. *Redress*. Consistent with the policies announced in section 1 of this order, the Secretary of Defense or the Secretary of Homeland Security, as appropriate, shall take all necessary action permitted by law to: make reinstatement available to all members of the military (active and reserve) who were discharged solely for refusal to receive the COVID— 19 vaccine and who request to be reinstated; enable those service members reinstated under this section to revert to their former rank and receive full back pay, benefits, bonus payments, or compensation; and allow any service members who provide a written and sworn attestation that they voluntarily left the service or allowed their service to lapse according to appropriate procedures, rather than be vaccinated under the vaccine mandate, to return to service with no impact on their service status, rank, or pay.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]  
XXX XX [REDACTED] USMC

u. In accordance with reference (h), provided updated guidance and procedures (Attachment 1) to implement Executive Order (EO) 14184, Reinstating Service Members Discharged Under the Military's COVID-19 Vaccination Mandate, January 27, 2025 and Secretary of Defense Memorandum, Providing Remedies for Service Members and Veterans Negatively Impacted by the Department's Defunct Coronavirus Disease 2019 Vaccination Mandate Based Executive Order, February 6, 2025. This updated guidance replaces Office of the Under Secretary of Defense for Personnel and Readiness Memorandum, Correction of Military' Records for Service Members Involuntarily Separated for Refusal to Comply With COVID-19 Vaccination Requirements, February 7, 2025 (hereby rescinded).

As directed by the Secretary of Defense, the Department of Defense shall take all actions necessary to make reinstatement available to all members of the military (Active and Reserve Components) who were discharged solely for refusal to receive the Coronavirus disease 2019 (COVID-19) vaccine and who request to be reinstated. The Secretaries of the Military Departments will process reinstatements for individuals either involuntarily discharged or those who voluntarily left the service or allowed their service to lapse, rather than be vaccinated under the vaccine mandate, consistent with this guidance. In cases where the Service member was involuntarily separated (EO, sec. 2(a) and (b)), the Secretaries of the Military Departments will contact such Service members and make available to them reinstatement via the Boards for Correction of Military/Naval Records (BCM/NRs) process. The BCM/NRs should exercise their broad discretion to order all appropriate retroactive corrections of the Service member's record as described in Attachment 2.

v. In accordance with reference (i), the Secretary of Defense has taken decisive action to execute the President's guidance to correct this injustice: (1) All former Service members discharged solely for refusing to receive the COVID-19 vaccine may pursue reinstatement in the military, and be considered for eligibility to receive backpay; and (2) Former Service members who attest that they voluntarily left the military or allowed their service to lapse according to appropriate procedures due to the military's previous COVID-19 vaccination mandate may pursue a return to military service.

In addition... Other Service members, who remained in service and requested religious, administrative, or medical accommodations related to the COVID-19 vaccine requirement, may still have adverse information in their records connected to those requests. To remedy these harms, on April 23, 2025, the Secretary of Defense directed the Under Secretary of Defense for Personnel and Readiness to issue additional guidance to the Military Department Review Boards concerning the review of requests from Service members and former Service members adversely impacted by the COVID-19 vaccine mandate. I hereby direct the following:

The Secretaries of the Military Departments will, through their Boards for Correction of Military / Naval Records (BCM/NRs), continue to apply the guidance contained within reference (b), which my office issued to facilitate the reinstatement or return of eligible individuals who wish to continue their military service.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]  
XXX XX [REDACTED] USMC

Within 15 calendar days of the date of this memorandum, the Secretaries of the Military Departments will rescind references (c), (d), and (e) and distribute the attached guidance to their Discharge Review Boards (DRBs) and BCM/NRs in their place.

The BCM/NRs should carefully consider claims by individuals who filed formal requests for administrative or medical accommodation, including requests for religious accommodation, related to the Department's previous COVID-19 vaccine mandate, yet continued to serve. Adverse actions in a Service member's records solely associated with their refusal to take a COVID-19 vaccination or seek an exemption from that COVID-19 vaccine mandate should be removed.

w. On 26 June 2025, Petitioner reenlisted in pay grade E-3 for 4 years with an ECC of 25 June 2029.

x. Marine Corps Total Force System (Basic Individual Record) listed a Pay Entry Base Date (PEBD) of 26 September 2021, an Armed Forces Active Duty Base Date (AFADBD) of 26 September 2021, and Present Grade of E-3 with a Date of Rank of 26 June 2025.

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following partial corrective action. The Board concluded that on 10 March 2022, Petitioner was discharged for misconduct (other) due to refusing to comply with reference (c). On 26 June 2025, Petitioner reenlisted for 4 years in paygrade E-3. In accordance with reference (g), the Secretary of Defense or the Secretary of Homeland Security, as appropriate, shall take all necessary action permitted by law to: make reinstatement available to all members of the military (active and reserve) who were discharged solely for refusal to receive the COVID-19 vaccine and who request to be reinstated; enable those service members reinstated under this section to revert to their former rank and receive full back pay, benefits, bonus payments, or compensation. Although Petitioner was reinstated without the assistance of the Board, due to administrative oversight, Petitioner's record currently shows a break in service and his DOR for Lance Corporal is listed as 26 June 2025. The Board determined that due to receiving multiple NAVMC 118(11)s from May 2020 until discharge stating Petitioner was eligible but not recommended for promotion to Corporal, the Board could not determine if/when Petitioner would have been eligible for promotion to Corporal. The Board found no eligibility for any reenlistment incentives. Lastly, this Board has no authority to reimburse out-of-pocket expenses related to medical, dental, or vision services or premiums, therefore partial relief is warranted.

## RECOMMENDATION

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

Petitioner's discharge from the U.S. Marine Corps effective 10 March 2022, is rescinded.

Petitioner's PEBD/AFADBD is 11 June 2018 vice 26 September 2021.



Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]  
XXX XX [REDACTED] USMC

Petitioner's Lance Corporal/E-3 DOR is 1 August 2019 vice 26 June 2025.

Note: Upon correction to Petitioner's dates of rank, Headquarters, U.S. Marine Corps (HQMC) (MMPB) will determine when Petitioner would have met all requirements for promotion and promote him accordingly.

Petitioner was discharged on 9 June 2022 and reenlisted on 10 June 2022 for a term of 3 years and 1 month.

Note: HQMC is directed to scrub Petitioner's record and remove any and all references to Petitioner's discharge, including but not necessarily limited to his DD Form 214 and the documents related to his administrative separation process for COVID-19. Furthermore, any other corrections affected by the Board's decision be corrected.

Note: The Defense Finance and Accounting Service will complete an audit of Petitioner's pay record to determine amounts due, if any.

That a copy of this report of proceedings be filed in Petitioner's naval record.

That no further changes be made to 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.

9/10/2025

