



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

[REDACTED]
Docket No. 5901-22
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USNR,
[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) MILPERSMAN 1133-061
(c) RESPERSMAN 1100-020
(d) MILPERSMAN 1306-1501
(e) FY20 SELRES Enlisted Recruiting and Retentions Incentives Program

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by Commander, Navy Reserve Force Command (N1), 13 Oct 22
(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 naval record be corrected to establish entitlement to a Navy Reserve Prior Service Affiliation Bonus. Alternatively, if not awarded the bonus, Petitioner request to change the term of reenlistment from 3 years to 2 years at a date of his choice.

2. The Board, consisting of [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 22 December 2022 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. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. In accordance with reference (b), the Prior Service Reenlistment Eligibility – Reserve (PRISE-R) program is a Reserve affiliation program that allows Navy Veterans and Other Service Veterans to affiliate with the Selected Reserve (SELRES) into Career Reenlistment Objective 1 and 2 ratings as listed in the Career Opportunity Matrix. PRISE-R personnel must obligate in the Selected Reserve for a minimum of 4 years from the date of enlistment or affiliation. However, PRISE-R personnel may be entitled to an enlistment bonus if enlisting for

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a period of 6 years. Reference (c), reiterates that all PRISE-R candidates must obligate 6 years to receive a bonus if eligible.

b. Reference (d), specifies the article sets forth the policy and procedures for Active Component (AC) Sailors to execute a component change and directly transition to the Reserve Component (RC). A minimum obligation to transition from AC to RC is not outlined in the article but the policy does indicate, "Bonus eligibility will be determined based on the latest guidance from NRFC, Enlisted and Officer Incentive (N112), and bonus requests for eligible Sailors must be submitted per the current enlisted Reserve bonus policy available on the Navy Reserve Homeport."

c. Reference (e), outlined the Prior Service Affiliation Bonus is intended for AC Sailors to affiliate with the Navy Reserve at their End of Active Obligated Service. The service obligation is 6-year or 3-year SELRES service from effective date of affiliation. Additionally, the Information Systems Technician (IT) rating was listed as an eligible specialty for a Tier 3, Prior Service Affiliation Bonus.

d. On 24 October 2014, Petitioner enlisted in the Naval Reserve for a term of 8-years of which 4-years was an active duty obligation.

e. On 11 August 2015, Petitioner entered active duty.

f. On 3 June 2021, Navy Personnel Command (PERS-97) congratulated Petitioner on his Career Waypoints (CWAY) SELRES quota approval. The same day, Petitioner initialed and signed "Selected Reserve (SELRES) Affiliation Counseling" NAVPERS 1070/613, Administrative Remarks that indicates, "Affiliation Bonus: Accepting any enlisted reserve affiliation bonus incurs a minimum 3-year SELRES drill obligation. IAW current NAVRESFOR 013/16 msg., I AM or AM NOT currently bonus eligible (circle one)"; neither was chosen.

g. On 7 June 2021, Petitioner signed NAVPERS 1306/97, Reserve Affiliation Screening Checklist and Contact Information.

h. On 15 June 2021, PERS-97 requested the Petitioner elect how many years he wanted to reenlist; 2 to 6 years was the option provided. Additionally, PERS-97 advised Petitioner that the "IT rate is eligible for Prior Service Affiliation Bonus" and provided the option of a 3 or 6-year bonus. Petitioner responded "...I would like to request a 3-year contract. I think it will make good use of my 2 year deployment deferral for being active duty and the Prior Service Affiliation Bonus (IT) I qualify for on a 3-year contract is an added bonus."

i. On 16 June 2021, Petitioner's Admin officer signed his NAVPERS 1306/97, Reserve Affiliation Screening Checklist and Contact Information indicating Petitioner was eligible for an affiliation bonus per the current Navy Administrative message.

j. On 22 June 2021, PERS-97 provided Petitioner with reenlistment contract and bonus written agreement and directed him to sign the forms and make an election of 3 or 6 years for the

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bonus. Petitioner signed NAVRES Incentive Agreement 1-2, Written Agreement for the Navy Reserve Affiliation Bonus and elected a 3-year bonus.

k. On 29 June 2021, Petitioner signed "CWAY SELRES Conversion with A School" NAVPERS 1070/613, Administrative Remarks; permanent rate Aviation Electronics Technician Second Class (AT2) and temporary rate Information Systems Technician Second Class (IT2). The Authority listed is reference (b) and Commander, Navy Recruiting Command Instruction 1130.8J.

l. On 10 August 2021, Petitioner released from active duty and transferred to the Navy Reserve in the rate of with a Reserve Obligation Termination Date of 23 October 2022.

m. On 11 August 2021, Petitioner reenlisted in the Navy Reserve for a term of 3 years and assigned to a SELRES unit.

n. On 27 December 2021, Bureau of Naval Personnel (BUPERS-352) notified Petitioner, "The path you took into the reserves was under AC2SELRES Affiliation via A-School conversion. The PRISE-R that is on your Page 13 is generic and it's important that you let your CoC and CCC know this as it impacts how schools are scheduled. AC2SELRES come to me and PRISE-R go to NOSC CCC. We have different seats to choose from so using the correct path helps...Bonuses – If you are entitled to a bonus, which will not be paid until after you have completed your required schooling."

o. On 25 July 2022, Commander, Navy Reserve Forces Command (CNRFC) advised Petitioner, he was a PRISE-R Sailor and ineligible for the bonus because he only obligated for 3 years but required a 6-year reenlistment to be eligible in accordance with reference (b).

p. On 28 July 2022, Petitioner completed Information Systems Technician Course making his IT2 rate permanent.

q. On 4 August 2022, BUPERS-352 responds to bonus inquiry specifying, "It's not that they see him as PRISE-R but the only policy that address conversion bonuses is that MPM...As it stands today they will likely stick to this and we are working to change policy and also trying to use logic from this based on commander's intent."

r. 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 to receive a Prior Service Affiliation Bonus does not have merit unless his contract term is changed to 6 years.

CONCLUSION

Upon review and consideration of all the evidence of record, to include the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded Petitioner received incorrect counseling on his eligibility for the Prior Service Affiliation Bonus. Additionally, the requirements of "CWAY SELRES Conversion with "A"

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School” does not appear to be codified in an instruction but Petitioner is treated as a PRISE-R Sailor despite not being required to meet the program requirements. Therefore, the Board felt under these circumstances, partial relief is warranted.

RECOMMENDATION

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

Petitioner reenlisted on 11 August 2021 for a term of “2 years” vice “3 years.”

The part of Petitioner’s request for corrective action that exceeds the foregoing is denied. The Board determined the current policies with respect to a bonus for AC to RC personnel converting ratings, requires a 6-year obligation, therefore, agreed to amend Petitioner’s reenlistment to 2 years to provide an opportunity for him to reenlist for a Selective Reenlistment Bonus if/when available.

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-entitled 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.

1/17/2023

[REDACTED]

Deputy Director

[REDACTED]