



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

█  
Docket No. 3087-24  
Ref: Signature Date

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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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 27 August 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 Navy Recruiting Command letter 1133 Ser N35 of 8 July 2024, which was previously provided to you for comment.

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.

You requested to be reinstated to the rank of Chief Petty Officer/E-7. 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 Commander, Navy Recruiting Command Instruction 1130.8J and Military Personnel Manual 1133-061 outline the criteria for the Prior Service Re-enlistment Eligibility – Reserve (PRISE-R) program. Specifically, these policies state the PRISE-R program is a Reserve accession program that allows Navy Veterans to enlist with the Selected Reserve into available ratings as set forth by Naval Education and Training Command fiscal year recruiting goals, policies, training guidance, and revisions. Additionally,

the policies indicates applicants must meet basic enlistment eligibility and rating-specific requirements, that include applicants must be in pay grades E-3 through E-6.

A review of your record reflects that you discharged as a Culinary Specialist Chief/E-7 on 22 September 2014 after 10 years, 7 months and 14 days of active duty service. On 30 March 2016, you enlisted in the Navy Reserve for 6 years under the PRISE-R program and affiliated with a Selected Reserve unit in the rate/rank of Engineering Aide First Class/E-6. On 12 May 2016, you signed "Reduction in Rate Statement of Agreement" NAVPERS 1070/613, Administrative Remarks voluntarily accepting the reduction in paygrade E-6 to qualify for accession in the Navy Reserve. Thereafter, you reenlisted on 9 October 2021 for 6 years. The Board determined that you voluntarily accepted the conditions of your enlistment under the PRISE-R program. Therefore, in this connection, the Board substantially concurred with the comments contained in the advisory opinion, and determined a change to your record is not warranted.

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,

9/10/2024

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