



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

██████████
Docket No. 5108-24
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 12 December 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 Commander, Navy Reserve Forces Command (CNRFC) memorandum 5420 Ser N1/414 of 2 July 2024, which was previously provided to you for comment.

You requested termination of your Navy Reserve enlistment contract or change of status from Active Reserve to Inactive Reserve. Additionally, you requested initial and three anniversary payments of an unpaid bonus. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that you did not meet the eligibility criteria for a Prior Service Affiliation Bonus in accordance with the Fiscal Year 2020 Selected Reserve Enlisted Recruiting and Retention Incentive Program guidance. Specifically, the guidance indicates that personnel in the Naval Aircrewman (Helicopter) (AWS) rating with Navy Enlisted Classification (NEC) codes G01A, G13A, or G34A were eligible for the Prior Service Affiliation Bonus.

A review of your record indicates that you entered active duty on 7 March 2011. On 16 June 2020, you signed NAVRES Incentive Agreement 1-2, Written Agreement for Navy Reserve Affiliation Bonus for the AWS/0000 rating/NEC and 6-year bonus; the form was not signed by a

Recruiter, Navy Reserve Activity Commanding Officer, or designee. By signing this written agreement, you acknowledged that the final adjudication of bonus eligibility resided with Commander, Navy Reserve Forces Command. On 19 August 2020, you discharged from active duty as Naval Aircrewman Tactical Helicopter First Class (AWR1)/E-6 and reenlisted in the Navy Reserve on 20 August 2020 for 6 years as AWS1/E-6. The Board could not find, nor did you provide evidence of earning one of the bonus eligible NEC codes, thereby rendering you in eligible for the Prior Service Affiliation Bonus.

The Board noted that the emails you provided outlined evidence of you being misinformed by the Career Transition Office regarding eligibility for an affiliation bonus. However, you have served four or your six years of contractual obligation and participated in inactive duty training periods and annual training orders; therefore, termination of your contract is not possible. Additionally, transfer to the Individual Ready Reserve (IRR) does not require Board action. Military Personnel Manual Article 1001-125 outlines the procedures for transfer to the IRR. You may contact your unit and/or CNRFC (N1) for additional assistance.

In this connection, the Board concurred with the comments contained in the advisory opinion and determined that 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,

1/2/2025

