



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

[REDACTED]
Dockey No. 9789-23
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) NAVADMIN 081/20

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion, OPNAV N137, 6 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 naval record be corrected to establish eligibility for the Naval Special Warfare Accession Bonus (NSWAB).

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 30 May 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. 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), eligible Chief Warrant Officer (CWO) selectees may apply for a bonus level of \$45,000 for accepting a commission and serving on active duty in designators 7151 and 7171 for a 4-year bonus obligated service period. The initial commission service obligation for CWO is 6 years and will run concurrent with the bonus obligation, the Naval Special Warfare Plan and Policy Branch (OPNAV N137) is designated as the NSWAB Program Manager. Applicants should submit applications for this bonus to the program manager for approval, payment processing and tracking prior to the commissioning date. The eligibility criteria stated in the Navy Administrative message can change at any time by the program manager if a bonus reduction is warranted based on the needs of the NSW community.

b. Petitioner's Active Duty Service Date is 24 January 2002.

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[REDACTED]

- c. On 30 November 2020, Petitioner reported to Special Boat Team (SBT) Twelve for duty.
- d. On 15 October 2021, Petitioner issued BUPERS Order: 2881 (Official New Appointment Orders) to [REDACTED] for duty via Officer Training Command (OTC) [REDACTED] for temporary duty.
- e. On 17 March 2022, Petitioner signed Agreement to Remain on Active Duty Upon Acceptance Appointment to Limited Duty Officer or Chief Warrant Officer with Acknowledgments.
- f. On 31 March 2022, Petitioner discharged with over 20 years of active duty service to accept warrant in same branch of service.
- g. On 1 April 2022, Petitioner accepted appointment to [REDACTED], entered active duty and assigned to [REDACTED] for duty.
- h. On 7 April 2022, Petitioner issued BUPERS Order: 2881 (Official Modification to New Appointment Orders) to [REDACTED] for duty via [REDACTED] for temporary duty.
- i. On 8 April 2022, Petitioner detached [REDACTED] and reported to [REDACTED] as a student for temporary duty on 18 April 2022.
- j. On 6 May 2022, Petitioner detached [REDACTED] and reported to [REDACTED] for temporary duty on 7 May 2022. Petitioner detached [REDACTED] on 10 May 2022 and reported to [REDACTED] for duty on 12 May 2022.
- k. On 9 July 2023, Petitioner detached [REDACTED] and reported to [REDACTED] for duty on 21 July 2023.
- l. In correspondence 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.

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 due to administrative oversight, Petitioner received improper counseling from the Service that resulted in his decision not to elect NSWAB. Therefore, the Board determined that under this circumstance, relief is warranted.

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

RECOMMENDATION

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

Petitioner requested NSWAB prior to commissioning and the request was approved by cognizant authority effective 1 April 2022. Note: This change will entitle Petitioner to NSWAB in the amount of \$45,000. Contact [REDACTED] Deputy Branch Head, NSW Program Manager (OPNAV N137) concerning payment.

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.

6/11/2024

