



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

██████████
Docket No. 3448-25
Ref: Signature Date

██████████
██████████
██████████

██████████,

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.

A three-member panel of the Board, sitting in executive session, considered your application on 17 February 2026. 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 opinions contained in Commander, Navy Recruiting Command memorandum 1133 Ser N35 of 16 July 2025 and Branch Head, Community Management Support Branch memorandum 1160 Ser B328/316 of 11 December 2025, and your response to the opinions.

The Board determined your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined a personal appearance was not necessary and considered your case based on the evidence of record.

In accordance with OPNAVINST 1160.6A published on 28 May 1987, that "Entitlement Bonus (EB) Program. EB is designed to Increase the number of enlistments into hard to fill ratings. The amount of EB and eligible ratings are announced by the annual OPNAVNOTE 1130, subject: Enlistment Bonus. EB quotas are managed by Commander, Navy Recruiting Command (Code-33)...

EB Recoupment. (1) Pro-rata recoupment of an EB is required when a recipient either voluntarily or for reasons of misconduct fails to either complete the obligated period of service or maintain qualification in the skill for which the EB was paid, Part 1, Chapter 9, Section D of reference (d) [DODPM] applies."

In accordance with COMNAVCRUITCOM message published on 3 February 2006, that “[t]his message replaces ref c for individuals entering the delayed entry program on or after 5 Feb 2006. those already in delayed entry program (DEP) are not affected by this message.”

“MAINTENANCE AND TERMINATION: A. If a member changes EB programs while in the dep, the original effective message at time of enrollment into the DEP remains applicable to that member. Do not discharge and reenter a member from the DEP to increase an award level. In all reclassification cases, a new enlistment contract (enlistment guarantee annex (1133/52)) must be generated that replaces the previous contract, page 13 entries cannot modify or change the bonus amounts on an existing contract. B. If a member changes EB programs while at RTC, award levels are determined via the message in effect on the date of reclassification and by reclassification month as the ship month. If a member changes rate or programs after RTC, they are not eligible for the EBSR OR EBEE for the new rate or program. The member is allowed to keep the EBCC, EBED, and EBTSC regardless of any changes in rate or program.”

Your Enlistment Guarantees for School Guarantee (NAVCRUIT 1133/52) Annex A to DD Form 4 dated 26 May 2006 signed on 26 May 2006 listed the following: “ACKNOWLEDGEMENT: In connection with my enlistment into the United States Navy, I hereby acknowledge that: a. I am enlisting into the United States Navy for an active duty period of FOUR (YEARS) and, at the same time, I agree to extend my enlistment for 12 months to meet the obligations of the ENLISTMENT BONUS FOR SOURCE RATING program. I am enlisting with the following guarantees and understanding: b. Upon enlistment, I will be enlisted under the provisions of CNRC Instruction 1130.8, option or options as indicated below: Option (1): SCHOOL GUARANTEE-AVIATION ELECTRONICS, ELECTRICAL AND COMPUTER SYSTEMS TECHNICIAN (SG-AV). Option (2): ENLISTMENT BONUS FOR SOURCE RATING: \$5,000.00 (NQV06) GUARANTEE.”

Your Enlistment Guarantees for SEAL/EOD/Fleet Diver Program Guarantee (NAVCRUIT 1133/52) Annex B to DD Form 4 dated 26 May 2006 signed on 20 June 2006 listed the following: “ACKNOWLEDGEMENT: In connection with my enlistment into the United States Navy, I hereby acknowledge that: a. I am enlisting into the United States Navy for an active duty period of 4 (YEARS) and, at the same time, I agree to extend my enlistment for 24 months SEAMAN TO SEAL CHALLENGE PROGRAM. I am enlisting with the following guarantees and understanding: b. Upon enlistment, I will be enlisted under the provisions of CNRC Instruction 1130.8, option or options as indicated below: Option (1): SEAMAN TO SEAL CHALLENGE PROGRAM GUARANTEE. Option (2): ENLISTMENT BONUS FOR SEAMAN TO SEAL CHALLENGE PROGRAM \$40,000 (JUN06) GUARANTEE...I understand that I must be fully qualified at all times throughout my obligated service for all security, professional, military, physical, psychological and academic requirements of the options guaranteed in paragraph 1b and that my eligibility will be rechecked during recruit training and periodically throughout my enlistment.”

On 29 June 2006, you entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 28 June 2010 and Soft EAOS (SEAOS) of 28 June 2012.

On 19 October 2007, you transferred from ██████████.

On 7 October 2008, you were issued official change duty orders [REDACTED] while stationed in [REDACTED] with an effective date of departure of April 2008. Your intermediate (01) activity was [REDACTED] [REDACTED] for temporary duty under instruction with an effective date of arrival of 5 April 2008. Your intermediate (02) activity was [REDACTED] [REDACTED] for temporary duty under instruction with an effective date of arrival of 17 April 2008. Your intermediate (03) activity was [REDACTED] for temporary duty - PSI with an effective date of arrival of 15 May 2008. Your intermediate (04) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 19 July 2008. Your ultimate activity was [REDACTED] [REDACTED] for duty under instruction with an effective date of arrival of 24 November 2008 with a Projected Rotation Date of November 2013.

Your Agreement to Extend Enlistment (NAVPERS 1070/621) signed on 21 October 2008 for 7 months with an SEAOS of 28 January 2013 was to incur obligated service to accept BUPERS order.

On 24 October 2008, United States Navy, Naval Special Warfare Basic Training Command issued a Certificate of Graduation after completing Seal Qualification Training.

On 12 November 2008, you arrived at [REDACTED] for duty.

On 25 November 2008, COMMANDING OFFICER, [REDACTED], issued you an Administrative Remarks (NAVPERS 1070/613) listing the following: "In accordance with OPNAVINST 1160.6A, service member is eligible to receive Special Duty Assignment Pay (SDAP) at the award level of SD-6-450 for NEC 5326 effective: 07NOV12."

Your Periodic/Regular Evaluation Report & Counseling Record (E1-E6) (NAVPERS 1616/26) for the period of 13 November 2008 to 15 March 2009 signed by your reporting senior on 15 March 2009 lists the following: Block 43 (Comments on Performance) "RISING AND CAPABLE NEW SEAL OPERATOR. UNLIMITED GROWTH POTENTIAL. Ranked in 'P' category due to prodding required to meet platoon and troop standards. *[S02] has been verbally counseled for poor judgement and decision-making abilities.* Due to his level of potential talent, improvement is expected immediately. KNOWLEDGEABLE AND CAPABLE. During [REDACTED] Platoon's high-risk Land Warfare and Mobility blocks of training, S02 [B] assumed the role as Heavy Weapons Gunner and expended 10,000+ rounds without incident. WITH HARD WORK AND DETERMINATION, HE HAS UNLIMITED POTENTIAL TO SUCCEED." Block 45 (Promotion Recommendation) "Promotable". Block 47 (Retention) "Recommended".

On 20 January 2010, you were issued official change duty orders [REDACTED] while stationed in [REDACTED] with an effective date of departure of February 2010. Your intermediate (01) activity was [REDACTED] [REDACTED] for temporary duty under instruction with an effective date of arrival of 20 February 2010. Furthermore, the following was listed: "TO INCLUDE 087 DAY(S) AT STG ATT VTP, CLASS: 01901, CONV: 22 FEB 10, GRAD: 19 MAY 10, ENEC: 0000, CDP: 8153, UPON COMPLETION OF TEMPORARY DUTY - UNDER INSTRUCTION." Your intermediate (02)

activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 23 May 2010. Furthermore, the following was listed: "TO INCLUDE 061 DAY(S) AT SURF ST CLASS A, CLASS: 01101, CONV: 25 MAY 10, GRAD: 28 JUL 10, ENEC: 0000, CDP: 6015, UPON COMPLETION OF TEMPORARY DUTY - UNDER INSTRUCTION."

On 19 February 2010, you transferred from SEAL TEAM [REDACTED]

On 28 July 2010, you were issued official change duty orders [REDACTED] while stationed in [REDACTED] with an effective date of departure of August 2010. Your intermediate (01) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 7 August 2010. Your ultimate activity was [REDACTED] for duty with an effective date of arrival of 25 October 2010 with a Projected Rotation Date of January 2014. Your assigned rate was STG2.

Your Detachment of Individual/Regular Evaluation Report & Counseling Record (E1-E6) (NAVPERS 1616/26) for the period of 20 February 2010 to 15 October 2010 signed by your reporting senior on 14 October 2010 lists the following: Block 43 (Comments on Performance) "Evaluation submitted upon member's transfer to [REDACTED] Completed SONAR Technician Surface 'A' School Course (K-130-0037) (9 weeks). Completed Mk 116 Mod 7 Operations Course (K-130-1149) (10 weeks) (NEC Earned: 0430). Fair and meaningful evaluation or recommendation cannot be made due to Temporary Duty Under Instruction status during the report period." Block 45 (Promotion Recommendation) "NOB". Block 47 (Retention) "Blank".

On 8 November 2010, you arrived at [REDACTED] for duty.

On 26 July 2012, you transferred from [REDACTED] and arrived at [REDACTED] on 19 October 2012 for duty under instruction.

You requested reinstatement of your \$40,000 Navy Seal Air Land (SEAL) Challenge Program Bonus and Special Duty Pays due to wrongfully being removed from [REDACTED] in 2010. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. In accordance with OPNAVINST 1160.6A, pro-rata recoupment of an EB is required when a recipient either voluntarily or for reasons of misconduct fails to either complete the obligated period of service or maintain qualification in the skill for which the EB was paid. In accordance with your Seaman to Seal Challenge Program Guarantee; and Enlistment Bonus for Seaman to Seal Challenge Program \$40,000 (JUN 06) Guarantee, you acknowledged that you must be fully qualified at all times throughout your obligated service for all security, professional, military, physical, psychological and academic requirements of the options guaranteed in paragraph 1b and that your eligibility will be rechecked during recruit training and periodically throughout your enlistment. However, the Board concluded that although you completed SEAL training and were assigned to [REDACTED] [REDACTED] you did not complete the term of your enlistment as a SEAL. On 28 July 2010, you were issued [REDACTED] transferring you to the ultimate activity of [REDACTED]

[REDACTED] in the assigned rate of STG2 after a period of temporary duty under instruction. You transferred from [REDACTED] on 19 February 2010, less than 4 years into your 6 year obligation under the Seaman to Seal Challenge Program, therefore the Enlistment Bonus for Seaman to Seal Challenge Program must be recouped. Additionally, you became ineligible for SDAP once your assignment at [REDACTED] was terminated. The Board could not find, nor did you provide evidence of you being wrongfully removed from [REDACTED], as your NAVPERS 1616/26 for the period of 13 November 2008 to 15 March 2009 noted that you were verbally counseled for poor judgement and decision-making abilities. Therefore, the Board concluded 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,

3/31/2026

[REDACTED]