



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

BAN  
Docket No. NR00461-14  
23 July 2014

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

Subj: [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments  
(2) Chief of Naval Personnel (CNP) memo 7220 Ser N130 of  
25 Jun 2014  
(3) Email from [REDACTED] and Ms. [REDACTED]  
BCNR of 23 Jul 2014

1. Pursuant to the provisions of reference (a) Petitioner filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show that he is authorized to be paid dive pay for having designator 113X (SEAL Officer), at the rate of \$240.00 per month vice \$150.00 per month from 13 January 2003 through 24 August 2012.

2. The Board, consisting of Messrs. Zsalman, Exnicios and Ruskin reviewed Petitioner's allegations of error and injustice on 21 July 2014 and, pursuant to its regulations, determined that the partial corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, 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, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosures (2) and (3), 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 enclosures (2) and (3), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

That Petitioner's naval record be corrected, where appropriate, as follows:

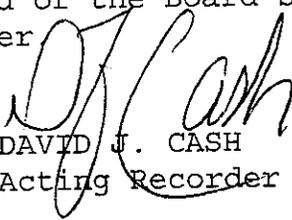
a. Petitioner is entitled to receive retroactive dive pay for the designation of 113X (SEAL Officer) from 13 January 2003 through 24 August 2012, at the rate of \$240.00 per month vice \$150.00 which he was already receiving.

Note: DFAS will conduct an audit of your pay record for any back pay you are entitled to, due to the aforementioned correction to your record.

b. A copy of this Report of Proceedings will be filed in Petitioner's naval record.

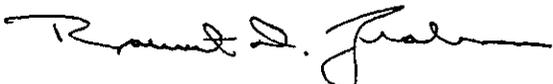
4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter

ROBERT D. ZSALMAN  
Recorder

  
DAVID J. CASH  
Acting Recorder

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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

23 July 2014

  
ROBERT D. ZSALMAN  
Acting Executive Director