

Docket No. 130-21 Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO

, USN,

- Ref: (a) Title 10 U.S.C. § 1552
 (b) OPNAV PDM 001-17: SDIP Program
 (c) SDIP Eligibility Chart of 1 Sep 20
- Encl: (1) DD Form 149 w/attachments
 (2) Personnel Online Listing
 (3) NAVPERS 1306/7 of 15 Oct 20
 (4) OCNO memo 7220 Ser N130/21U0063 of 21 Jan 21
 (5) BCNR email to Petitioner of 24 Feb 21

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 entitlement to Sea Duty Incentive Pay-Extension (SDIP-E).

2. The Board, reviewed Petitioner's allegations of error and injustice on 17 August 2021, 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 enclosures (1) through (5), relevant portions of Petitioner's 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, 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), SDIP-E applies to qualified Sailors that voluntarily extend onboard their current command when assigned to ships, submarines, or aviation squadrons designated as sea duty for rotational purposes by a minimum of 12 months and a maximum of 48 months beyond their prescribed sea tour (PST). Additionally, personnel may not receive SDIP-E for any months prior to completing their PST or their current projected rotation date (PRD), whichever occurs later. Furthermore, the detailer must receive request for SDIP-E 11 to 13 months prior to the PST completion date or PRD, whichever occurs later. Reference (c) indicated Sailors in the Aviation Electrician's Mate (AE) rating, in paygrades E-5/4/3 were entitled to a monthly SDIP rate of

Subj: REVIEW OF NAVAL RECORD ICO

, USN,

b. Petitioner was assigned to Helicopter Sea Combat Squadron on 30 July 2017 with an initial PRD of December 2021. See enclosures (2).

c. On 15 October 2020, Petitioner submitted NAVPERS 1306/7, Electronic Personnel Action Request, requesting to extend his PRD for 12-months; it was approved by cognizant authority and PRD adjusted to December 2022. See enclosure (2) and (3).

d. On 21 January 2021, Office of the Chief of Naval Operations (OPNAV N130) provided an unfavorable advisory opinion to enclosure (1). OPNAV N130 recommended disapproval of relief based Petitioner not applying for the incentive within the period outlined in reference (b). See enclosure (4).

e. On 24 February 2021, BCNR forwarded OPNAV N130 advisory opinion to the Petitioner for review and response. Petitioner did not provide a response. See enclosure (5).

BOARD CONCLUSION

Upon review and consideration of all the evidence of record, the Board unanimously concluded Petitioner's request warrants favorable corrective action. In this regard, the Board determined Petitioner met the basic eligibility criteria for SDIP-E; however, he failed to request the incentive in accordance with reference (b). The Board found that had Petitioner received clear and timely counseling regarding submission of SDIP-E, he would have followed the proper steps to garner approval prior to extending at sea. Although Petitioner did not complete the proper administrative requirements, the Board felt that under these circumstances, relief is warranted.

BOARD RECOMMENDATION

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

Petitioner's SDIP-E request for 12 months was submitted in a timely manner with command endorsement and was approved by the Navy Personnel Command (PERS-40DD).

Petitioner's command created a NAVPERS 1070/613 (Administrative Remarks) agreement, and it was signed by Petitioner within 30 days of receiving approval message.

Note: This change will entitle Petitioner to SDIP-E in the amount of \$800 per month from 1 December 2021 through 1 December 2022. Furthermore, PERS-40DD will forward the payment transaction to Defense Finance and Accounting Service (DFAS) for payment.

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-entitled matter.

| Subj: | REVIEW OF NAVAL RECORD ICO | , USN, |
|-------|----------------------------|--------|
| | XXX-XX | |

5. The foregoing action of the Board is submitted for your review and action.

9/29/2021



Assistant General Counsel (Manpower and Reserve Affairs)

Reviewed and Approved Board Recommendation (Grant Relief)

Reviewed and Approve Advisory Opinion Recommendation (Deny Relief)

10/31/2021

