



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

[REDACTED]
Docket No. 1361-21
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN,
XXX-XX-[REDACTED]

Ref: (a) Title 10 U.S.C. §1552
(b) OPNAVINST 1160.6B

Encl: (1) DD Form 149 w/attachments
(2) OCNO memo 7220 Ser N130/21U0907 of 8 Jul 21
(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 his naval record be corrected to establish entitlement to retroactive Special Duty Assignment Pay (SDAP) from 1 December 2017 through 30 June 2019, less 1 March 2018 through 31 March 2018.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 2 November 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 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. Petitioner was awarded Navy Tactical Counter-Intelligence and Human Intelligence (CI/HUMINT) Specialist Navy Enlisted Classification (NEC) code K13A effective 1 October 2017.

b. Petitioner was assigned to [REDACTED]
[REDACTED] from 28 November 2017 through 21 January 2020.

c. On 12 December 2019, [REDACTED] issued an SDAP designation letter indicating Petitioner's entitlement to SDAP level SD-3 effective 1 December 2017.

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d. 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. Petitioner was eligible for SDAP entitlement while serving as [REDACTED] Specialist onboard [REDACTED] in accordance with reference (b). However, Petitioner's command failed to submit SDAP certification in a timely manner resulting in the SDAP entitlement not being processed.

RECOMMENDATION

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

Petitioner was entitled to SDAP while assigned as [REDACTED] NT Specialist (NEC K13A), onboard [REDACTED] (UIC: [REDACTED]), during the period of 1 December 2017 through 30 June 2019, less 1 March 2018 through 31 March 2018, at SDAP level SD-3 at the rate of \$225.00 per month.

Note: Defense Finance and Accounting Service will complete an audit of Petitioner's pay records to determine retroactive entitlement.

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-entitled 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.

12/10/2021

[REDACTED]

Deputy Director

Signed by: [REDACTED]