



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

[REDACTED]
Docket No. 4648-22
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) Policy Decision Memorandum (PDM) 001-21 SDIP Program, 23 Nov 20

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by OCNO (N130), 30 Jun 22
(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 show Petitioner was eligible for and received Sea Duty Incentive Pay Curtailment (SDIP-C) for the period of 6 May 2021 to 1 July 2022.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 28 July 2022 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 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. On 24 January 2019, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 23 January 2023 and Soft End of Active Obligated Service (SEAOS) of 23 January 2024.

c. On 19 February 2019, Petitioner was issued official change duty orders (BUPERS order: 0509) while stationed in [REDACTED] with an effective date of departure of March 2019. Petitioner's intermediate (1) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 31 March 2019.

d. On 11 June 2019, Petitioner was issued official modification to change duty orders (BUPERS order: 0509) while stationed in [REDACTED] with an effective date of departure of March 2019. Petitioner's intermediate (1) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 24 March 2019. Petitioner's intermediate (2) activity was [REDACTED] for temporary duty with an effective date of arrival of 30 March 2019. Petitioner's intermediate (3) activity was [REDACTED] for temporary duty with an effective date of arrival of 2 April 2019.

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[REDACTED]

Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 21 July 2019 with a Projected Rotation Date (PRD) of July 2022.

e. On 12 July 2019, Petitioner arrived to [REDACTED] for duty.

f. In accordance with reference (b), Designated ratings, pay grades and skills will be eligible to extend beyond their prescribed sea tour (PST) or PRD (whichever occurs later) under one of the following guidelines: SDIP-Curtailment (SDIP-C). Qualified Sailors voluntarily curtail shore duty assignments by a minimum of 6 months prior to their original PRD to return to sea duty. Minimum activity tour lengths apply. However, approved Sailors will receive the incentive pay based only on the number of months their shore duty was curtailed. Only in rare, case-by-case determination, will Sailors be eligible for SDIP-C before first meeting the minimum activity tour length requirements. Upon approval for SDIP-C, the Sailor will be assigned in accordance with EDP by requisition priority to a valid SDIP billet onboard a ship, submarine or at an aviation squadron designated as Type 2/4 sea duty for rotational purposes.

SDIP requests will originate at the Sailor's current command, prior to being selected or posted to a billet for follow-on orders or a separate extension becoming effective. Requests consist of a completed application NAVPERS 1306/7 with command endorsement. In applying for SDIP, a Sailor must: Specifically indicate: Which option is being requested (i.e., SDIP-B, SDIP-C or SDIP-E), the number of months desired, the requested detachment month, as applicable. Submit the SDIP application to the rating detailer within the following timelines: SDIP-C requests must be received by the detailer 6 to 9 months prior to desired detachment date. Sailors may curtail shore duty assignments by a minimum of 6 months prior to their original PRD. Detailers will submit to PERS-40DD all SDIP requests they receive, regardless of their recommendation or the circumstances of the request.

g. On 28 October 2020, Petitioner inquired about SDIP via email to his detailer. Petitioner was looking to curtail his shore duty, "enter SDIP, and receive sea duty orders." Petitioner's detailer responded later that day via email that SDIP is included for applicable/available sea duty billets.

h. On 30 October 2020, Petitioner inquired, via email to his detailer, if he must request for SDIP by routing a 1306 and a page 13. Petitioner wanted to know if the incentive was automatic with the sea billet that has the SDIP attached and told his detailer that he was trying to cover everything. Petitioner's detailer responded later that day, via email that SDIP was included once the application and subsequent selection to the orders was made.

i. On 16 December 2020, Petitioner inquired, via email to his detailer if he was required to submit the 1306 for SDIP now that Petitioner had been selected for the [REDACTED] billet. Petitioner's detailer responded later that day, via email, that once Petitioner checks on board, Petitioner was to take his orders to PSD to process the SDIP.

j. On 13 January 2021, Petitioner was issued official modification to change duty orders (BUPERS order: 0131) with required obligated service to November 2024, while stationed in [REDACTED] with an effective date of departure of May 2021. Petitioner's intermediate (1) activity was [REDACTED] for temporary duty with an effective date of arrival of 24 May 2021. Petitioner's intermediate (2) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 9 June 2021. Petitioner's intermediate (3) activity was [REDACTED] for temporary duty with an effective date of arrival of 17 July 2021. Petitioner's intermediate (4) activity was [REDACTED] for temporary duty under instruction with an effective date of arrival of 2 August 2021. Petitioner's ultimate activity was [REDACTED] for duty with an effective date of arrival of 5 November 2021 with a PRD of November 2024.

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k. On 6 May 2021, Petitioner transferred, and arrived to [REDACTED] on 22 May 2021 for temporary duty.

l. On 14 July 2021, Petitioner transferred, and arrived to [REDACTED] on 16 July 2021 for temporary duty.

m. On 1 October 2021, Petitioner transferred, and arrived to [REDACTED] on 3 November 2021 for duty.

n. 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 Petitioner inquired about applying for the SDIP incentive in accordance with the SDIP policy; however he was advised against doing so by his detailer who assumed the incentive would be paid automatically. Given the crucial role a Service Member's detailer plays in the SDIP application process, this cannot be viewed as negligence on the part of Petitioner.

RECOMMENDATION

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

Petitioner submitted a NAVPERS 1306/7 in a timely manner and was approved for SDIP-C for the period of 6 May 2021 to 1 July 2022 for his shore duty curtailment.

Note: SDIP payments are received in a lump sum. The lump sum is calculated by multiplying the SDIP monthly rate (\$700.00) by the number of months the Sailor agrees to in the SDIP contract.

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.

8/10/2022

[REDACTED]

Deputy Director

[REDACTED]