



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

[REDACTED]  
Docket No 332-23  
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records  
To: Commander, Navy Personnel Command

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

Ref: (a) Title 10 U.S.C. § 1552  
(b) OPNAVINST 1160.6C  
(c) NAVADMIN 076/13

Encl: (1) DD Form 149 w/attachments  
(2) Advisory opinion by OCNO (N130D), 2 Feb 23  
(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 to establish retroactive entitlement to Special Duty Assignment Pay (SDAP) for the period of 1 October 2021 through 9 January 2023.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 21 February 2023 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. On 19 September 2014, Petitioner completed Deep Sea Diving Independent Duty Hospital Corpsman course and award Navy Enlisted Classification (NEC) code L28A/8494 effective 1 September 2014.

b. On 9 July 2020, Petitioner issued BUPERS Order: 1910 (Official Change Duty Orders); ultimate activity [REDACTED] ([REDACTED]), assigned rate: HMC, and DNEC1: L28A—Petitioner reported to [REDACTED] for duty on 19 February 2021.

c. On 29 July 2021 the Commanding Officer, [REDACTED] submitted an authorization request for unit identification code [REDACTED] to receive SDAP level SD-6 for NEC L28A; Deputy Chief of Naval Operations for Personnel, Manpower and Training (N1) approved the request on 10 January 2023.

d. Petitioner's Military Master Pay Account reflects SDAP level SD-6 effective 10 January 2023.

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XXX-XX [REDACTED]

e. In the advisory opinion, 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 Deep Sea Diving Independent Duty Corpsman onboard [REDACTED] in accordance with references (b) and (c). However, Petitioner's request for SDAP was improperly routed, thereby not processed in a timely manner resulting in the delay of beginning his SDAP entitlement. Therefore, the Board felt, under these circumstances, relief is warranted.

#### RECOMMENDATION

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

Petitioner was entitled to SDAP while assigned as Deep Sea Diving Independent Duty Corpsman (NEC L28A), onboard [REDACTED] ([REDACTED]) during the period of 1 October 2021 through 9 January 2023, at SDAP level SD-6 at the rate of \$450.00 per month.

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

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.

3/15/2023

