



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

█
Docket No. 6419-23
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO █

Ref: (a) Title 10 U.S.C. § 1552
(b) SDAP Eligibility Chart, 7 Dec 21

Encl: (1) DD Form 149 w/attachments
(2) Advisory opinion by OPNAV N130, 6 Sep 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) from graduation in June 2022 to assignment in Limited Duty (LIMDU) status in June 2023.

2. The Board, consisting of █ reviewed Petitioner's allegations of error and injustice on 19 September 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 25 April 2022, Petitioner issued BUPERS Order: 1152 (Official Change Duty Orders) to the █ for duty with a report not later than date of 22 July 2022, in assigned rate of MMN3, and DNEC1: N250.

b. On 17 June 2022, Petitioner completed Surface Ship Nuclear Propulsion Plant Operator – Mechanical Course and issued the N250 Navy Enlisted Classification (NEC) effective 17 June 2022.

c. On 22 July 2022, Petitioner reported to █ for duty.

d. On 23 May 2023, Petitioner issued BUPERS Order: 1433 (Official Change Duty Orders) to █ for duty-LIMDU with a report not later than date of 7 June 2023.

e. On 6 June 2023, Petitioner detached █ and reported to █ for duty-LIMDU.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]

f. 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. In accordance with reference (b),¹ Petitioner was eligible for SDAP entitlement while serving as Surface Ship Nuclear Propulsion Plant Operator – Mechanical onboard [REDACTED]. However, due to an administrative oversight, Petitioner's SDAP entitlement was never started. Therefore, the Board determined under this circumstance, partial relief is warranted.

RECOMMENDATION

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

Petitioner was entitled to SDAP while assigned as Surface Ship Nuclear Propulsion Plant Operator - Mechanical (NEC N250), onboard [REDACTED] during the period of 22 July 2022 through 5 June 2023, at SDAP level SD-2 at the rate of \$150.00 per month.

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

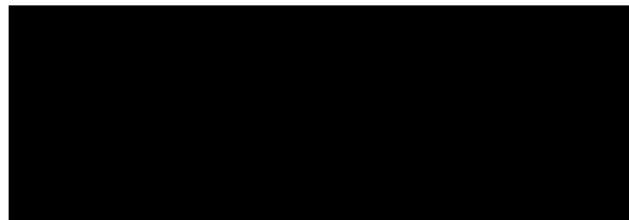
The part of the Petitioner's request for corrective action that exceeds the foregoing be denied based on enclosure (3), Petitioner was not assigned to [REDACTED] until 22 July 2022.

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.

10/5/2023



¹ Reference (b), SDAP may be paid to Sailors in excess of Billets Authorized when assigned to engineering or reactor departments on nuclear powered warships, repair departments of a nuclear-repair-cable submarine tender, staff at a nuclear pipeline training activity, or assigned to a Department of Energy Naval Reactors facility. All personnel must hold the applicable NEC in order to be eligible for SDAP. Billet N250 was authorized SDAP level SD-2 for excess billets.