



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

[REDACTED]
Docket No. 7240-23
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 1160.6C

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by OPNAV (N130), 12 Oct 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) while assigned to [REDACTED].

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 4 April 2024 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 22 January 2009, Petitioner entered active duty.

b. Petitioner issued MH-60S Multi-Mission Helicopter Aircrewman Navy Enlisted Classification (NEC) code 7805/G34A effective 1 March 2013.

c. On 6 January 2020, Petitioner reported to [REDACTED] for duty and on 1 February 2021 SDAP level SD-3 was processed with an effective date of 4 June 2020 and detached [REDACTED] and SDAP level SD-3 stopped on 18 January 2023.

d. On 15 February 2023, Petitioner reported to [REDACTED] for duty and SDAP level SD-3 was processed on 14 April 2023 with an effective date of 17

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February 2023. On 1 August 2023, the Commanding Officer, [REDACTED] notified the Commanding Officer, [REDACTED] that Petitioner fulfilled a Search and Rescue Swimmer billet and eligible for SDAP level SD-3 effective 6 January 2020.

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. In accordance with reference (b), Petitioner was eligible for SDAP entitlement while serving as MH-60S Multi-Mission Helicopter Aircrewman onboard [REDACTED]. However, Petitioner's Command failed to submit SDAP certification in a timely manner, resulting in the SDAP entitlement not being processed for the period of 6 January 2020 through 3 June 2020. Therefore, the Board determined that under this circumstance, relief is warranted.

RECOMMENDATION

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

Petitioner was entitled to SDAP while assigned as MH-60S Multi-Mission Helicopter Aircrewman (NEC: G34A), onboard [REDACTED], during the period of 6 January 2020 to 3 June 2020, 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 SDAP 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.

4/17/2024

[REDACTED]

Deputy Director

Signed by: [REDACTED]