



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

██████████
Docket No. 1854-24
Ref: Signature Date

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Dear ██████████

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 22 August 2024. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinion contained in Chief of Naval Personnel memorandum 7220 Ser N130/24U0288 of 28 March 2024, which was previously provided to you for comment.

You requested to receive Special Duty Assignment Pay (SDAP) for the period of March 2022 to April 2023. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that in accordance with Chief of Naval Operations Instruction 1160.6C, SDAP payment depends on continued qualification and eligibility. On 3 March 2022, the SDAP Eligibility Chart specified that Sailors holding Navy Enlisted Classification (NEC) N59X or N89X may be eligible to receive SDAP while still performing duties assigned. However, specific approval must be obtained from the Deputy Chief of Naval Operations (N133D).

A review of your record indicates you were assigned NEC N89X effective 1 March 2022 due to a medical condition. This resulted in your SDAP payments for NEC N23S stopping on 4 March 2022. Your NEC N23S was reinstated effective 1 April 2023 and you began receiving SDAP on 28 April 2023. The Board could not find, nor did you provide evidence of a request submitted to OPNAV (N133D) to continue receiving SDAP while assigned NEC N89X. Therefore, in this

connection, the Board substantially concurred with the comments contained in the advisory opinion and determined that a change to your record is not warranted.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

9/6/2024

