



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

WJH
Docket: 11107-09
29 June 2010

[REDACTED]

[REDACTED]

This is in reference to your application for correction of naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 28 June 2010. 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, your former husband's naval record and applicable statutes, regulations and policies. In addition, the Board considered the 11 December 2009 advisory opinion furnished by the Naval Personnel Casualty Assistance Section which was previously furnished to you.

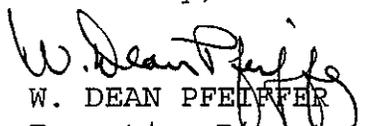
The Board members also considered your request for a personal appearance, however they found that the issues in the case were adequately documented and that a personal appearance would not materially add to the Board's understanding of the issues involved. Thus, your request for a personal appearance has been denied.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection the Board substantially concurred with the comments contained in the

advisory opinion. You became [REDACTED]
"former spouse" upon your divorce effective 7 May 1982.
The Board found that [REDACTED] did not enroll
you, as his former spouse, in the Survivor Benefit Plan at
his first opportunity during the 1983-1984 open enrollment
period. Additionally, he did not enroll you, as his former
spouse, during subsequent opportunities that he had in
1992/93, 1999/00, and 2005/06. He did not pay any SBP
costs (premiums) associated with SBP coverage for you after
becoming eligible for retired pay in the early 1980's. The
Board found that, under these circumstances, no change to
his naval record is warranted. Accordingly, your
application has been denied. The names and votes of the
members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are
such that favorable action cannot be taken. You are
entitled to have the Board reconsider its decision upon
submission of new and material evidence or other matter not
previously considered by the Board. In this regard, it is
also 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,


W. DEAN PFEIFFER
Executive Director