



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

[REDACTED]
Docket No. 577-16
24 Feb 16

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

Subj: REVIEW OF NAVAL RECORD ICO
[REDACTED] USN RET (DECEASED), [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments
(2) Subject's naval record

1. Pursuant to the provisions of reference (a) Subject's widow, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show the Subject enrolled in the Survivor Benefit Plan (SBP) spouse and child coverage and continued to provide spouse coverage until his death.

2. The Board, consisting of [REDACTED] and [REDACTED], reviewed Petitioner's allegations of error and injustice on 24 February 2016 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, naval records, 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, finds as follows: before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

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

a. Prior to his 23 December 1974 transfer to the Fleet Reserve, Subject elected Survivor Benefit Plan (SBP) full spouse and child coverage, naming [REDACTED] as beneficiary. Any other election or declination executed by Subject is null and void.

b. Subject died on 18 November 2015.

c. Petitioner is responsible for unpaid SBP costs that would have been deducted since the beneficiary changed from "spouse and child" coverage to "no eligible beneficiaries" on 16 May 1999. No waiver of unpaid premiums will be granted.

d. Subject and Petitioner married on 10 March 1959 and remained married until the Subject's death on 18 November 2015.

e. A copy of this Report of Proceedings will be filed in Subject's naval record.

4. It is certified that 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. 1

[REDACTED]
Recorder

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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

[REDACTED]
Executive Director

MAY 27 2016