



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

[REDACTED]
Docket No. 3426-16

JAN 03 2017

From: Chairman, Board for Correction of Naval Records
To: Commandant of the Marine Corps

Subj: AMENDED RECOMMENDATION IN THE CASE OF
[REDACTED] USMCR RET

Encl: (1) Copy of BCNR ltr ED Docket No. 3426-16 of 13 September 2016

1. Enclosure (1) was previously forwarded for your action.
2. In order to ensure proper implementation of the Board's findings, the recommendation contained in enclosure (1) is hereby amended to read:
 - a. The Data for Payment of Retired Personnel (DD Form 2656), executed on or about 31 August 2011 is modified to read block 14 (Marital Status) Married vice Single, block 22a (Name) [REDACTED] block 22b (SSN) XXX-XX [REDACTED] block 22c (Date of birth) [REDACTED] block 23 (Date of marriage) 26 March 1976, block 24 (Place of marriage) [REDACTED] block 26a (Beneficiary categories) I elect coverage for spouse only and I do not have dependent children, and block 27a (Level of coverage) I elect coverage based on full gross pay.
 - b. Note: Petitioner is currently enrolled in SBP spouse coverage. A service member whom becomes divorced and desires to maintain former spouse as their beneficiary must specifically elect such coverage within one year of their date of divorce. The former spouse may also "deem" an election of former spouse coverage if the member was required to provide such coverage through a final divorce agreement during the aforementioned one-year time period.
 - c. A copy of this Report of Proceedings will be filed in the Subject's naval record.
3. The regulations approved by the Secretary of the Navy require that the naval record of Petitioner be corrected, where appropriate, with the approved recommendation of the Board.

[REDACTED]
Executive Director

[REDACTED]



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Docket No. 3426-16

SEP 13 2016

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

Subj: REVIEW OF NAVAL RECORD ICO
[REDACTED] USMCR RET

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, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show timely written request for spouse coverage under the Reserve Component Survivor Benefit Plan (RCSBP) Option C.
2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 28 July 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 Petitioner's naval record be corrected, where appropriate, to show that:

a. The Data for Payment of Retired Personnel (DD Form 2656), executed on or about 31 August 2011 is modified to read block 14 (Marital Status) Married vice Single, block 22a (Name) [REDACTED] block 22b (SSN) XXX-XX-[REDACTED] block 22c (Date of birth) [REDACTED] block 23 (Date of marriage) 26 March 1976, block 24 (Place of marriage) [REDACTED] block 26a (Beneficiary categories) I elect coverage for spouse only and I do not have dependent children, and block 27a (Level of coverage) I elect coverage based on full gross pay.

b. Note: Petitioner is currently enrolled in SBP spouse coverage. A service member whom becomes divorced and desires to maintain former spouse as their beneficiary must specifically elect such coverage within one year of their date of divorce. The former spouse may also "deem" an election of former spouse coverage if the member was required to provide such coverage through a final divorce agreement during the aforementioned one-year time period.

c. A copy of this Report of Proceedings will be filed in the 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.

[REDACTED]

Rec'd

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