



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

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Docket No. 178-22

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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 16 February 2022. 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.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You requested to change your Survivor Benefit Plan (SBP) Spouse only election based on full gross pay level of coverage vice coverage at a reduced rate. The Board, in its review of your entire record and your application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that SBP elections are irrevocable in accordance with Department of Defense Financial Management Regulation 7000.14R. A review of your record indicates that on 10 June 2003 you signed DD Form 2656, Data for Payment of Retired Personnel electing SBP Spouse only coverage at a reduced base amount of \$570 level of coverage with spouse concurrence. Upon transferring to the Retired List effective 1 September 2003, SBP Spouse only premium deductions were processed at the full gross pay level of coverage because Defense Finance and Accounting Service (DFAS) had not received your DD Form 2656, Data for Payment of Retired Personnel. However, on 27 October 2003 you requested with spouse concurrence that your election be corrected to reflect your original

election of SBP Spouse only at a reduced base pay level of coverage. On 30 October 2003, Naval Personnel Command favorably endorsed your request and DFAS updated your election as requested; SBP Spouse only coverage at a reduced base pay level of coverage. Therefore, the Board determined a change to your record is not warranted because your record aligns with the election you made on two separate occasions.

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,

3/2/2022

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Deputy Director

Signed by: █