

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
[REDACTED] USMC (RET)

e. On 1 July 2023, Petitioner was transferred from TDRL to the Permanent Disability Retired List.

f. On 12 July 2023, Defense Finance and Accounting Service (DFAS) indicated “We have no SBP documents for this member. He has been in Auto status since retirement on 7/30/2023.”

g. On 18 October 2023, Petitioner and spouse signed SBP Affidavit before a notary witness requesting to decline SBP coverage.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded Petitioner provided sufficient evidence to reflect his and spouse’s desire to decline SBP coverage prior to transferring to the TDRL. Additionally, the Board noted it was the Command’s responsibility to ensure Petitioner’s DD Form 2656, Data for Payment of Retired Personnel was properly completed and submitted to DFAS for processing prior to Petitioner’s date of retirement. Therefore, the Board determined that under these circumstances, relief is warranted.

RECOMMENDATION

That Petitioner’s naval record be corrected, where appropriate, to show that:

Petitioner elected to decline participation in SBP with spousal concurrence prior to transferring to the TDRL on 30 July 2021.

Note: DFAS will complete an audit of Petitioner’s pay records to determine the amount of premium refund.

A copy of this Report of Proceedings will be filed in Petitioner’s naval record.

4. It is certified that a 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.

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

11/1/2023

[REDACTED]