

Subj: REVIEW OF NAVAL RECORD [REDACTED], USNR,
[REDACTED]

e. On 1 June 2011, Navy Personnel Command did not receive an SBP election from Petitioner, thereby automatically enrolled in Option C (Immediate Annuity) RCSBP Children only coverage.

f. On 9 February 2012, Petitioner's oldest child aged out of being an eligible RCSBP beneficiary.

g. On 14 September 2013, Petitioner married [REDACTED].

h. On 3 April 2015, Navy Personnel Command notified Petitioner of his automatic enrollment in RCSBP due to not receiving an RCSBP election certificate.

i. On 11 April 2015, Petitioner signed DD Form 2656-6, SBP Election Change Certificate requesting to change RCSBP coverage from Child only to Spouse and Children coverage. Navy Personnel Command denied the request on 15 May 2015, indicating "You cannot change your child(ren) election to add a spouse election at this time because you failed to make the election within one year of marriage."

j. On 31 July 2015, Petitioner's youngest child aged out of being an eligible RCSBP beneficiary.

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 desire to participate in SBP Spouse coverage but failed to correctly notify Navy Personnel Command (PERS-912) of his current marriage within 1-year of nuptials in accordance with reference (b).¹ Although Petitioner did not complete the proper administrative requirements, the Board determined that partial relief is warranted.

RECOMMENDATION

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

Petitioner changed RCSBP election from "Children" to "Spouse and Children" coverage naming [REDACTED] and [REDACTED] as beneficiaries within 1-year of marriage on 14 September 2013.

The part of Petitioner's request for corrective action that exceeds the foregoing is denied. In accordance with reference (b), SBP Child coverage cannot be discontinued between the time

¹ Reference (b), any member who does not have an eligible beneficiary when becoming eligible to participate in the RCSBP, who later marries, may elect to participate in the RCSBP, if the election is completed within one year of acquiring a spouse. However, the member may not reduce the level of RCSBP coverage, nor may child coverage be eliminated. Additionally, SBP Children coverage generally continues until the youngest unmarried child turns age 18 or age 22 and pursuing a full-time course of study in a recognized educational institution.

Subj: REVIEW OF NAVAL RECORD [REDACTED], USNR,
[REDACTED]

Petitioner remarried on 14 September 2013 and the time the youngest child age out of being an eligible beneficiary on 31 July 2015.

That 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.

3/15/2024

