



or physical incapacitation of the spouse, obtaining the spouse's consent would be inappropriate. In these exceptional circumstances, the DFAS requires appropriate documentation which attests to the spouse's mental or physical incapacitation and the incapacity must exist continuously since the date of the member's request.

A review of your record reflects that on 7 March 2022, you signed DD Form 2656, Data for Payment of Retired Personnel and elected to participate in SBP Spouse only coverage at the full gross pay level of coverage. Thereafter, you transferred to the Permanent Disability Retired List effective 31 March 2022 and SBP Spouse only premium deductions began. On 29 May 2024, the Board requested you submit a signed and notarized SBP affidavit with spouse concurrence to terminate SBP coverage; you replied that you don't have contact with him as you live in Iowa and he resides in Germany.

The Board is required by the aforementioned policy to obtain spousal concurrence to discontinue coverage. Therefore, the Board determined that a change to your record is not warranted and advised that you may now discontinue SBP coverage by submitting DD Form 2656-2, Survivor Benefit Plan (SBP) Termination Request to the DFAS within 25 to 36 months after receiving retired pay effective 31 March 2022. You may contact the DFAS for assistance with submitting the application without your spouse's signature due to be estranged.

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,

9/21/2024

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