



of self-support because of physical or mental incapacity, which existed before the eighteenth birthday or was incurred before age 22 while pursuing a full-time course of study.

A review of your spouse's record reflects you were married on 22 November 1969 and had three children born on 9 May 1971, 12 August 1974, and 12 December 1975. Your spouse transferred to the Fleet Reserve effective 1 January 1980 and was enrolled in SBP Children only coverage. The Board could not find, nor did you provide evidence of your spouse electing SBP Spouse coverage or electing to participate in one of the aforementioned open enrollment periods prior to his death on 6 October 2021. The Board noted retirees receive a monthly Retiree Account Statement that outlines pay descriptions to include SBP coverage information, therefore it is reasonable to surmise that your spouse was aware that you were not an SBP beneficiary. Consequently, the Board determined a change to your spouse's record is not warranted.

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,

10/10/2024

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Deputy Director

Signed by: ■