



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

██████████
Docket No. 160-25
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USN RET,
XXX-XX-██████████

Ref: (a) Title 10 U.S.C. § 1552
(b) DoDFMR, Vol 7B
(c) DD Form 2656
(d) BUPERSINST 1430.16G

Encl: (1) DD Form 149
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to reflect declined participation in the Survivor Benefit Plan (SBP) and advancement to ██████████/E-4.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 26 June 2025 and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. In accordance with reference (b), SBP elections must be made prior to retired pay becoming payable and the election to participate in or decline SBP is irrevocable. If not all requirements for an election needing the spouse's concurrence have been satisfied prior to retirement, for whatever reason, full spouse costs, and coverage will be implemented, regardless of any request by the member to do otherwise. Any change in SBP election subsequent to retirement will be done through an administrative correction of records as permitted by law. Reference (c) stipulates the Witness date MUST match the member's date.

b. Reference (d) indicates that personnel who are selected for advancement but are transferred to the Temporary/Permanent Disability Retired List (TDRL/PDRL) will be advanced

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effective the date of transfer to TDRL/PDRL per Title 10 U.S.C. Advancement should be effected locally via appropriate Navy Standard Integrated Personnel System entry.

c. On 30 March 2017, Petitioner married [REDACTED], and had two children born on [REDACTED] July [REDACTED] and [REDACTED] June [REDACTED].

d. On 31 August 2021, Petitioner entered active duty.

e. In September 2023, Petitioner participated in Cycle 260 Navy Wide Advancement Exam and selected for advancement to [REDACTED]/E-4 effective 16 January 2024.

f. On 3 October 2023, Petitioner signed DD Form 2656, Data for Payment of Retired Personnel and elected not to participate in SBP coverage with spouse's notarized concurrence. However, Petitioner's Witness did not sign the form until 5 October 2023.

g. Petitioner transferred to the PDRL effective 21 November 2023 and automatically enrolled in SBP Spouse only coverage.

h. On 17 June 2025, Petitioner, and his spouse both signed an SBP Affidavit indicating that they desired Petitioner's SBP election to be changed to reflect that he declined SBP coverage. Petitioner indicated that he "received sufficient SBP information/counseling and completed a DD Form 2656, however, it is not on file at the Defense Finance and Accounting Service-Cleveland or was received and is invalid."

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 retirement. However, as a result Petitioner's signature on DD Form 2656, Data for Payment of Retired Personnel not being properly witnessed by the Service representative, he was automatically enrolled in SBP Spouse coverage in accordance with references (b) and (c). Additionally, the Board determined Petitioner was selected for advancement prior to his transfer to the PDRL, therefore, eligible for advancement per reference (d). Although the proper administrative requirements were not completed, 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 coverage with proper witness signature and spousal concurrence prior to transferring to the PDRL effective 21 November 2023.

Petitioner's DD Form 214, Certificate of Release or Discharge from Active Duty is amended to reflect: Block 4a (Grade, Rate or Rank) "[REDACTED]" vice "[REDACTED]"; Block 4b (Pay Grade) "E4" vice

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“E3;” and Block 12i (Effective Date of Pay Grade) “2023 11 20” vice “2021 08 31.” Note: Commander, Navy Personnel Command will issue a DD Form 215 or a new DD Form 214 whichever one they deem appropriate.

Note: The Defense Finance and Accounting Service will complete an audit of Petitioner’s pay records to determine amounts due, if any.

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 titled 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.

7/24/2025

