



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

██████████
Docket No. 603-25
Ref: Signature Date

████████████████████
████████████████
████████████████

Dear ████████████████████,

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 24 July 2025. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

In accordance with DoD 7000.14-R FMR Volume 7B, Chapter 43, ELECTION COVERAGE.

4.1 Spouse and/or Child. 4.1.1. A member may elect coverage at the maximum level or at a reduced amount with spouse's concurrence, if required, for: 4.1.1.1. An eligible spouse only; 4.1.1.2. An eligible spouse and dependent child(ren); or 4.1.1.3. Dependent child(ren) only.

4.1.2. Every retiring member who is married at retirement is automatically enrolled in Survivor Benefit Plan (SBP) for full coverage unless the spouse consents in writing to reduced coverage or no coverage before the first day of eligibility to receive retired pay.

4.1.4. A married member who is eligible to provide SBP may not, without the concurrence of their spouse, decline participation in SBP, elect a reduced annuity for the spouse, or elect an annuity for a dependent child, but not for a spouse, unless the member establishes to the

satisfaction of the Secretary concerned that: 4.1.4.1. The spouse's whereabouts cannot be determined, or 4.1.4.2. Due to exceptional circumstances, a requirement that the member seek the spouse's consent would otherwise be inappropriate.

DISCONTINUANCE OF PARTICIPATION. 7.1 Discontinuance of SBP Participation on Second Anniversary. 7.1.1. An SBP participant may choose to voluntarily discontinue SBP participation during a 1-year period which begins on the second anniversary of the date of commencement of retired pay. The date of commencement of retired pay is defined as the date that the retiree becomes entitled to retired pay. A recall to active duty following retirement will not alter this date.

7.1.7. Once participation is discontinued under this provision, no benefits may be paid in conjunction with the member's previous participation. No refund of any premiums properly collected will be made.

On 2 January 2018, you got married ██████████ and divorced on 27 January 2021.

On 13 February 2021, you got married ██████████.

On 26 May 2022, you were issued official retirement orders (BUPERS order: 1462) while stationed in ██████████ with an effective date of departure of June 2022 and effective date of retirement 28 June 2022.

You were transferred to the Temporary Disability Retired List with an Honorable character of service and were issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 20 July 2015 to 27 June 2022 due to Disability, Temporary.

On 7 December 2023, Commander, Navy Personnel Command (PERS-954) notified you that "[i]n accordance with the provisions of Title 10, U. S. Code, Section 1210, the Secretary of the Navy has determined that your disability for which you were placed on the Temporary Disability Retired List has stabilized and that your disability is now PERMANENT and rated at Seventy (70) percent disabling. Accordingly, you will be placed on the PDRL by reason of a permanent physical disability effective 5 December 2023 in the grade of E-5."

On 4 December 2024, you signed a SBP Termination Request (DD Form 2656-2) with spousal concurrence.

On 12 December 2024, Defense Finance and Accounting Service HUNT system shows that you enrolled in SBP spouse coverage effective 27 June 2022. Currently, your current cost is \$0.00. Furthermore, on 14 December 2024, spouse and child were excluded therefore no beneficiary exists.

You requested to decline participation in the SBP. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that, "I was enrolled in the SBP in error, and without my knowledge or consent. I would kindly request that the Board overturn my enrollment in this program to

