



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

Docket No. 734-25
Ref: Signature Date

Dear [REDACTED],

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 26 June 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.

You requested to establish Survivor Benefit Plan (SBP) Spouse coverage. The Board, in its review of your entire record and your application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that Department of Defense Financial Management Regulation 7000.14-R outlines the requirements for SBP elections. Specifically, the election to participate in or decline SBP coverage is irrevocable and a member who acquires a new spouse after retirement must make an election within 1-year of the event. However, enrollment may be accomplished during an open season. Although there are no regular recurring open season periods as they occur only when there are major changes to the SBP program and must be specifically prescribed by law, there was an open season from 23 December 2022 to 1 January 2024 that authorized eligible members to participate or discontinue participation.

A review of your record shows that you transferred to the Fleet Reserve effective 1 August 2006 and enrolled in SBP Child only coverage because you did not have an eligible spouse beneficiary. On 27 October 2012, you married your spouse but failed to make an SBP Spouse coverage election within the first year of your marriage, thereby rendering you ineligible to elect SBP Spouse coverage.

The Board noted retirees receive a monthly Retiree Account Statement that outlines pay descriptions to include SBP coverage information, therefore found that you should have been reasonably aware that you were not participating in SBP coverage from the time your child aged out of being an eligible beneficiary in 2013. Moreover, there is no evidence that you attempted to enroll in SBP Spouse coverage during the aforementioned open season. Consequently, the Board determined that a change to your 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,

7/21/2025

