



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

██████████  
Docket No. 1208-25  
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.

You requested to reestablish 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, SBP elections must be made prior to retired pay becoming payable and the election to participate in or decline SBP is irrevocable. 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 in SBP coverage. For a member who enrolls during the SBP Open Season, the law generally requires that the member will be responsible to pay retroactive SBP premium costs that would have been paid if the member had enrolled at retirement.

A review of your record shows you married your spouse on 19 March 2005. On 24 July 2024, you signed DD Form 2656, Data for Payment of Retired Personnel and elected not to participate in SBP with your spouse's notarized concurrence. On 1 July 2023, you transferred to the Retired List. On 1 August 2023, you were erroneously automatically enrolled in SBP Spouse coverage and premium deductions began. You signed DD Form 2656-6, Survivor Benefit Plan Election Change Certificate on 27 October 2023, indicating you had no [SBP] coverage and wanted to change your election based on marriage; requesting SBP Spouse only coverage at the full retired pay level of coverage.

The Board surmised that as a result of your request for SBP Spouse coverage, Defense Finance and Accounting Service audited your record and found you were mistakenly enrolled in SBP Spouse coverage and correctly terminated your coverage to align with your 24 July 2024 election with spousal concurrence to decline coverage. Therefore, the Board determined 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,

8/18/2025

