



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

[REDACTED]
Docket No. 1685-25
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD [REDACTED]
[REDACTED] USMC RET

Ref: (a) Title 10 U.S.C. § 1552
(b) DoDFMR, Vol 7B

Encl: (1) DD Form 149 w/attachments
(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 her naval record be corrected to reflect declined participation in the Survivor Benefit Plan (SBP).

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 24 July 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, she 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. An election for a natural person with an insurable interest may be made only when the member is not married and does not have any dependent children upon becoming eligible to participate. A member must elect full coverage when electing for a natural person with an insurable interest. SBP premiums terminate for a natural person with insurable interest when the beneficiary dies, when the retired member terminates coverage or on the date a spouse or child acquired after retirement becomes the eligible beneficiary if the retired member elected coverage for such spouse or child.

b. On 19 June 2007, Petitioner entered active duty.

c. On 24 March 2010, Petitioner signed DD Form 2656, Data for Payment of Retired Personnel and elected [REDACTED] as a SBP Insurable Interest Beneficiary at the full gross pay level of coverage.

Subj: REVIEW OF NAVAL RECORD [REDACTED]
[REDACTED] USMC RET

d. On 29 April 2010, Petitioner transferred to the Permanent Disability Retired List and Natural Person with Insurable Interest premium deductions began on 30 April 2010.

e. On 19 October 2012, Petitioner married [REDACTED] and divorced on 14 April 2017. Final Divorce Order did not direct SBP Former Spouse coverage.

f. Effective 31 July 2021, Petitioner's SBP coverage discontinued.

g. On 5 May 2023, Petitioner signed DD Form 2656-6, Survivor Benefit Plan Election Change Certificate, and requested a change in coverage based on remarriage and elected not to resume any SBP coverage for new spouse. Petitioner also provided Defense Finance and Accounting Service with a letter outlining in part that she was improperly counseled regarding the SBP coverage and specified she did not want the coverage for her current spouse now that she is aware of what the program entails. Petitioner indicates that she married her current spouse in October 2022.

h. On 7 July 2025, HUNT Retired Pay and Annuity system reflected Petitioner had a current debt balance of \$11,205.56.

i. On 4 September 2025, Petitioner, and her spouse signed an SBP Affidavit indicating that they desired Petitioner's SBP election to be changed to reflect that she declined SBP coverage. Petitioner indicated that she "received insufficient SBP information/counseling prior to [her] date of retirement."

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error warranting the following corrective action. The Board concluded Petitioner was a Lance Corporal and medically retired from the U.S. Marine Corps with less than 3-years of total active duty service. The Board surmised that a junior Marine would not have enough knowledge of the SBP program without in-depth training on the subject matter. However, the Board determined that Petitioner made the election to opt-into the program and received the benefit of the coverage. Therefore, if something happened to her during her relationship with first spouse, he would have received an annuity. For this reason, the Board determined that partial relief is warranted.

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner changed SBP coverage from Natural Person with Insurable Interest to Spouse only coverage naming [REDACTED] as beneficiary at the full retired pay level of coverage within 1-year of marriage on 19 October 2012.

Petitioner suspended SBP coverage upon divorcing [REDACTED] on 14 April 2017 and elected not to provide coverage to her current spouse, [REDACTED] within 1-year of their marriage in October 2022.

The part of Petitioner's request for corrective action that exceeds the foregoing is denied.

Subj: REVIEW OF NAVAL RECORD [REDACTED]

[REDACTED] USMC RET

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.

9/9/2025

