



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

Docket No. 2420-25
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) DoD 7000.14-R FMR Volume 7B, Chapter 43

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 show Petitioner declined participation in the Survivor Benefit Plan (SBP).
2. The Board, consisting of [REDACTED] and [REDACTED] reviewed Petitioner's allegations of error and injustice on 14 August 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. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:
 - a. In May 2003, Petitioner married spouse [REDACTED] and acquired a stepchild [REDACTED] born in [REDACTED]. In [REDACTED], Petitioner's dependent child [SAH] was born and dependent child [REDACTED] was born in [REDACTED].
 - b. On 16 March 2020, Petitioner and spouse signed an Administrative Remarks (NAVMC 118(11)), indicating, "I hereby elect no coverage under SBP, DD Form 2656 forwarded to DFAS, Cleveland this date." Witness signed on 18 March 2020.
 - c. Petitioner was transferred to the Fleet Marine Corps Reserve with an honorable character of service and was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 10 April 2000 to 30 April 2020 upon having sufficient service for retirement.

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d. On 30 October 2023, Petitioner and spouse divorced. The Agreed Final Decree of Divorce did not direct SBP Former Spouse coverage. Petitioner signed and submitted SBP Election Change Certificate to suspend SBP Spouse coverage due to divorce. HUNT reflects SBP Spouse coverage was discontinued; SBP Child coverage remained.

e. On 30 January 2024, Defense Finance and Accounting Service (DFAS) notified Petitioner that his original SBP election on DD Form 2656, Data for Payment of Retired Personnel was not received. DFAS also requested Petitioner complete DD Form 2656-8, Survivor Benefit Plan Auto Coverage Fact Sheet.

f. On 22 February 2024, Petitioner signed and completed a Survivor Benefit Plan Election Change Certificate (DD Form 2656-6) listing the following: Section III – Conditions that trigger eligibility to change coverage, block 8 (I am requesting a change in coverage based on) indicating “Divorce,” and Section IV – Requesting change to coverage, block 9 (Place an X in the appropriate box to indicate your election) indicating “Suspend coverage.”

g. On 22 February 2024, Petitioner signed and completed a Survivor Benefit Plan (SBP) - Automatic Coverage Fact Sheet. (DD Form 2656-8) listing the following: block 4 (Are you married) indicating “No,” and block 5 (Do you have any dependent children) indicating “Yes.”

h. Defense Finance and Accounting Service (DFAS) HUNT system shows that Petitioner was enrolled in SBP spouse and child coverage effective 1 May 2020 in the amount of spouse/child \$184.50/\$1.42. Furthermore, on 30 October 2023 election changed to reflect child only coverage with a current cost of \$1,42.

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 that Petitioner provided sufficient evidence to reflect his and spouse’s desire to decline SBP coverage prior to retirement; however, he was auto enrolled in SBP spouse and child coverage and on 30 October 2023 his election changed to reflect child only coverage. 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 spousal concurrence prior to transferring to the Fleet Marine Corps Reserve effective 1 May 2020.

Note: The DFAS 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.

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[REDACTED] RET

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.

8/24/2025

