



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

██████████
Docket No. 3025-25
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 29 January 2026. 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.

You requested to decline participation in Survivor Benefit Plan (SBP). The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that Department of Defense Financial Management Regulation 7000.14-R specifies that SBP elections must be made prior to retired pay becoming payable and the election to participate in or decline SBP is irrevocable. If not all requirements for an election have been satisfied prior to retirement, for whatever reason, full spouse costs, and coverage will be implemented, regardless of any request by the member to do otherwise.

A review of your record shows that you were married to your first spouse from 31 May 2006 to 20 February 2015. You married your current spouse on 17 March 2015 and thereafter, your child was born. On 29 January 2024, you signed DD Form 2656, Data for Payment of Retired Personnel and elected not to participate in SBP coverage with notarized spousal concurrence, however the witness to your signature incorrectly dated their signature as "20230129." On 31 July 2024, you transferred to the Fleet Reserve and was automatically enrolled in SBP Spouse coverage effective 1 August 2024 due to the incorrectly dated signature, deeming the election invalid. On 19 October 2024, the administrative error was discovered and your Command

attempted to correct the mistake on the DD Form 2656, Data for Payment of Retired Personnel but updating the form after retirement is not authorized per the aforementioned policy.

On 12 January 2026, the Board requested you submit a signed and notarized SBP affidavit with spousal concurrence to decline SBP coverage and provide a copy of your divorce decree with any associated addendum, and property/marital settlement agreement (if applicable); you did not respond to that request.

The Board agreed it would be inappropriate to consider granting you relief without reviewing your divorce decree to ensure the court did not order payment of SBP Former Spouse coverage. Additionally, the Board is required by the aforementioned policy to obtain spousal concurrence to discontinue coverage. Therefore, the Board determined a change to your record is not warranted and advised that you may discontinue SBP coverage by submitting DD Form 2656-2, Survivor Benefit Plan (SBP) Termination Request to Defense Finance and Accounting Service within 25 to 36 months after receiving retired pay effective 1 August 2024. Spousal concurrence will be required to discontinue SBP coverage unless it is established that the spouse's whereabouts cannot be determined, or due to exceptional circumstances, such as mental or physical incapacitation of the spouse, obtaining the spouse's consent would be inappropriate.

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,

3/2/2026

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Deputy Director

Signed by: █