



**DEPARTMENT OF THE NAVY**

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

[REDACTED]  
Docket No. 3094-25

Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]

[REDACTED] USMC 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], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 13 November 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 January 2022, Petitioner married [REDACTED].
- b. Petitioner was retired 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 19 November 2016 to 29 June 2024 due to Disability, Permanent, IDES.
- c. On 3 July 2024, Petitioner's dependent child [REDACTED] was born.
- d. On 25 March 2025, Petitioner submitted a Data for Payment of Retired Personnel (DD Form 2656) with his Board for Correction of Naval Records petition listing the following:

Part III – Survivor Benefit Plan; Section IX – Dependency Information block 31a  
(Spouse/Name) listed [REDACTED] Section X – Survivor Benefit Plan (SBP) Election block

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]

[REDACTED] RET

36g (SBP Beneficiary Categories) listed "I elect not to participate in SBP (I have eligible dependents under the plan); Yes."

Part IV – Certification; Section XI – Certification block 41b/41c (Member) was signed by service member on 26 May 2024. Block 42 (Witness) was blank.

Part V – Spouse SBP Concurrence; Section XII – SBP Spouse Concurrence block 43d/43e (Signature/Date Signed) was signed by spouse on 26 May 2024. Block 44 (Notary Witness) was blank.

e. On 9 September 2025, Defense Finance and Accounting Service (DFAS) HUNT system shows that Petitioner was enrolled in SBP spouse coverage effective 30 June 2024 in the amount of spouse \$122.17, and current cost \$122.17. Furthermore, Petitioner has a \$1,614.53 SBP debt balance.

f. On 19 September 2025, Petitioner and spouse signed SBP Affidavit before a notary witness requesting to decline SBP coverage indicating he received insufficient SBP information/counseling prior to his date of retirement.

## 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 Petitioner provided sufficient evidence to reflect his and spouse's desire to decline SBP coverage prior to transferring to the PDRL. Although the proper administrative requirements were not completed, the Board agreed 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 PDRL effective 30 June 2024.

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

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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.

11/19/2025

