



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

██████████
Docket No. 4603-25

Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USNR RET,
XXX-XX-██████████

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 his naval record be corrected to reflect declined participation in the Survivor Benefit Plan (SBP).

2. The Board, consisting of ██████████, ██████████ and ██████████ reviewed Petitioner's allegations of error and injustice on 18 December 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, he 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), all SBP elections are irrevocable once the member is placed on the retired list, unless otherwise provided by law. However, exceptions to the general rule on irrevocability include when the member voluntarily terminates Reserve Component Survivor Benefit Plan (RCSBP) coverage for a natural person with an insurable interest who is not a former spouse.

b. On 21 May 2009, Petitioner completed 20 total years of qualifying service for non-regular retirement and issued Notification of Eligibility to Receive Retired Pay at or After Age 60 and Participate in the Reserve Component Survivor Benefit Plan (RCSBP) on 20 August 2009.

c. On 20 October 2009, Petitioner signed DD Form 2656-5, Reserve Component Survivor Benefit Plan (RCSBP) Election Certificate and elected Option C (Immediate Annuity) for Natural Person with an Insurable Interest (naming his nephew, ██████████ as the beneficiary.

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d. On 31 December 2012, Petitioner transferred to the Retired Reserve without pay.

e. On 15 June 2024, Petitioner signed DD Form 2656, Data for Payment of Retired Personnel and elected not to participate in SBP.

f. On 26 June 2024, Navy Personnel Center (PERS-912E) provided Petitioner with directions on terminating RCSBP coverage for insurable interest beneficiary. Petitioner submitted requested to terminate coverage on 6 July 2024. Copy of Petitioner's request to terminate coverage was included in retirement package to the Defense Finance and Accounting Service.

g. On 25 February 2025, Petitioner transferred to the Retired Reserve with pay.

h. On 26 February 2025, Petitioner retired pay account reflects RCSBP and SBP premium deductions began. However, SBP premium deductions discontinued effective 1 June 2025. On 22 July 2025, Petitioner received a \$549.85 credit for premiums paid during the period of 1 June 2025 through 20 June 2025.

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 does not have a spouse and/or dependent children. Petitioner elected an RCSBP insurable interest beneficiary at the time of notification of eligibility to receive retired pay, thereby responsible for RCSBP premiums from the time of election through 31 July 2024. However, the Board determined Petitioner submitted a request to discontinue RCSBP coverage as authorized by reference (b) and properly completed DD Form 2656 to decline SBP coverage before transferring to the Retired Reserve with pay, therefore, should not be responsible for RCSBP and SBP premiums after 31 July 2024. 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's RCSBP coverage was discontinued effective 1 August 2024 and that he properly declined participation in SBP prior to transferring to the Retired Reserve with pay effective 26 February 2025.

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.

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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.

