



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

██████████
Docket No. 7597-25
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) DoDFMR, Vol 7B
(c) DD Form 2656

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 12 March 2026 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), 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 needing the spouse's concurrence 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. Any change in SBP election subsequent to retirement will be done through an administrative correction of records as permitted by law.

b. Reference (c) stipulates the date of the spouse's signature must not be before the date of the member's signature, or on or after the date of retirement listed in Part I, Section I, Item 4. The spouse's signature must be notarized.

c. On 24 May 1999, Petitioner entered active duty.

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d. On [REDACTED], Petitioner's first child, [REDACTED].] was born, followed by the birth of second child, [REDACTED] on [REDACTED].

e. On 26 May 2013, Petitioner married spouse, [REDACTED].] and acquired step-child, [REDACTED] born on 23 December 2006.

f. Petitioner's first and second child became their own sponsors and dependency status terminated on 7 December 2021 and 10 October 2023 respectively.

g. On 5 February 2025, Petitioner signed DD Form 2656, Data for Payment of Retired Personnel and elected not to participate in SBP.

h. On 6 February 2025, Petitioner's spouse signed DD Form 2656, Data for Payment of Retired Personnel concurring with her spouse's election to decline SBP coverage; however, the spouse's notary witness dated the form 28 October 2024.

i. On 31 May 2025, Petitioner transferred to the Fleet Reserve effective 1 June 2025 and automatically enrolled in SBP Spouse coverage as a result of spouse's signature not being properly notarized on the DD Form 2656, Data for Payment of Retired Personnel.

j. On 2 February 2026, Petitioner, and his spouse both signed an SBP Affidavit indicating that they desired Petitioner's SBP election to be changed to reflect that he declined SBP coverage. Petitioner indicated that [he] received sufficient SBP information/counseling and completed DD Form 2656, however, it is not on file at the Defense Finance and Accounting Service-Cleveland or was received and is invalid.

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 her and spouse's desire to decline SBP coverage prior to transferring to the Fleet Reserve. Although the proper administrative requirement was not completed, the Board determined that under this circumstance, relief is warranted.

RECOMMENDATION

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

Petitioner elected to decline participation in SBP with proper spousal concurrence prior to transferring to the Retired List effective 1 June 2025.

Note: The Defense Finance and Accounting Service will complete an audit of Petitioner's pay records to determine the amount of premium refund, if any.

A copy of this report of proceedings will be filed in Petitioner's naval record.

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XXX-XX-[REDACTED]

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.

4/4/2026

