



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

██████████  
Docket No. 8166-25

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

(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 her 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 19 February 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, she exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:
  - a. In October 1998, Petitioner's child ██████████ was born. Petitioner entered active duty on 28 June 2000. Petitioner was married to first spouse, ██████████ from 9 November 2001 to 4 November 2003. Notice of Entry of Judgment did not order SBP Former Spouse coverage. The former spouse passed away on 30 August 2013. On 16 June 2016, Petitioner married current spouse, ██████████. On 7 August 2016, Petitioner's child, ██████████ dependency status terminated due to becoming their own sponsor.
  - b. On 30 September 2024, Petitioner signed DD Form 2656, Data for Payment of Retired Personnel and elected SBP Natural Interest Person (NIP) coverage at the full gross pay level of coverage naming her child ██████████ as the beneficiary.
  - c. On 30 June 2025, Petitioner transferred to the Fleet Reserve, and automatically enrolled in SBP Spouse coverage effective 1 July 2025.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN RET,  
XXX-XX [REDACTED]

d. On 5 February 2026, Petitioner, and her spouse both signed an SBP Affidavit indicating that they desired Petitioner's SBP election to be changed to reflect that she declined SBP coverage. Petitioner indicated that she "received insufficient SBP information/counseling prior to [her] 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 determined Petitioner initially elected SBP NIP coverage for her only child. However, Petitioner failed to receive her husband's notarized concurrence to elect not to participate in SBP coverage, thereby automatically enrolled in SBP Spouse coverage in accordance with references (b) and (c). Moreover, because Petitioner was married at the time of retirement, she was unable to elect SBP NIP coverage per reference (b). The Board concluded that had Petitioner received adequate counseling she would have completed the proper administrative requirement to decline coverage prior to retirement. Therefore, 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 with proper spousal concurrence prior to transferring to the Fleet Reserve effective 1 July 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.

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.

3/20/2026

