



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

██████████
Docket No. 8459-25
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

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) for current spouse.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 26 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), a member who is participating with spouse or spouse and child coverage and who does not have an eligible spouse beneficiary may, upon remarriage: resume coverage, increase the level of coverage up to and including full retired pay, or elect not to have spouse coverage resumed. Unless a member elects not to cover the new spouse within one year after the marriage, spouse coverage automatically resumes at the first anniversary of the marriage. Any change in SBP election subsequent to retirement will be done through an administrative correction of records as permitted by law.

b. On 22 April 2014, Petitioner entered active duty.

c. Petitioner was married to first spouse, ██████████ from 25 November 2014 to 16 October 2019. The Judgment did not order SBP Former Spouse coverage.

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- d. On 27 November 2019, Petitioner married second spouse, [REDACTED].
- e. On 15 September 2023, Petitioner transferred to the Temporary Disability Retired List (TDRL), and automatically enrolled in SBP Spouse coverage effective 16 September 2023.
- f. On 10 April 2024, Petitioner divorced second spouse, [REDACTED]. The divorce decree did not order SBP Former Spouse coverage. Defense Finance and Accounting System (DFAS) HUNT system reflects SBP Spouse coverage discontinued.
- g. On 25 May 2024, Petitioner married current spouse, [REDACTED] and had one child, [REDACTED] born on 4 February 2025. DFAS HUNT system reflects SBP Spouse coverage resume on 25 May 2025.
- h. On 17 October 2025, Petitioner's SBP Spouse coverage was terminated.
- i. As of 4 February 2026, Petitioner's HUNT account reflected SPB premium debt balance of \$866.24.
- j. On 5 March 2026, Petitioner, and his spouse signed an SBP Affidavit indicating that they desired Petitioner's SBP election to be changed to reflect that he declined SBP coverage. Petitioner indicates [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 not to resume SBP Spouse coverage. Although Petitioner did not complete the proper administrative requirements, 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 not to resume SBP Spouse coverage within 1-year of marrying his current spouse on 25 May 2024.

Note: DFAS 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.

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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.

4/25/2026

