



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

Docket No. 9982-25

Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO

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 [REDACTED] reviewed Petitioner's allegations of error and injustice on 16 April 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. On 27 April 2007, Petitioner's first child, [REDACTED] was born.

b. On 19 July 2010, Petitioner entered active duty.

c. On 23 December 2010, Petitioner married spouse, [REDACTED] and had two children: [REDACTED] born on 2 July 2013 and [REDACTED] born on 14 November 2017.

d. On 29 June 2018, Petitioner transferred to the Temporary Disability Retired List (TDRL), and automatically enrolled in SBP Spouse only coverage effective 30 June 2018.

e. Petitioner transferred to the Permanent Disability Retired List effective 1 May 2020.

f. Petitioner issued August 2025 SBP/RSFPP-Premium Bill from Defense Finance and

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
[REDACTED]

Accounting Service (DFAS) indicating \$6,026.80 was due on 28 August 2025.

g. As of 4 February 2026, Petitioner's HUNT account reflected SPB premium debt balance of \$6,528.91.

h. On 9 March 2026, Petitioner and his spouse both signed an affidavit indicating that they desired Petitioner's SBP election to be changed to reflect that he declined SBP coverage. Petitioner indicated that [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 that Petitioner was medically retired from the U.S. Navy and would have reasonably relied on his administrators to assist him with the proper completion of his retirement documents. The Board determined that without being an SBP administrator, Petitioner would not have enough knowledge of the SBP program without in-depth training on the subject matter to make an informed election. Therefore, 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 TDRL effective 30 June 2018.

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.

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.

5/8/2026