



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

██████████
Docket No. 10158-25
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USN RET,
██████████

Ref: (a) Title 10 U.S.C. § 1552
(b) DoD 7000.14-R FMR, Volume 7B, Chapter 43

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 establish Survivor Benefit Plan (SBP) Children only coverage.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 23 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. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. In accordance with reference (b), SBP Elections. In the case of a member electing a standard SBP annuity, the member must make such election before retired pay becomes payable, or if there is no eligible beneficiary at that time, within 1 year of acquiring an eligible beneficiary. All elections are irrevocable once the member is placed on the retired list, unless otherwise provided by law. See paragraph 3.1.

ELECTION COVERAGE. 4.1 Spouse and/or Child. 4.1.1 . A member may elect coverage at the maximum level or at a reduced amount with spouse's concurrence, if required, for: 4.1.1.1. An eligible spouse only; 4.1.1.2. An eligible spouse and dependent child(ren); or 4.1.1.3. Dependent child(ren) only. 4.1.2. Every retiring member who is married at retirement is automatically enrolled in SBP for full coverage unless the spouse consents in writing to reduced coverage or no coverage before the first day of eligibility to receive retired pay.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN RET,
X [REDACTED]

b. On 22 October 2011, Petitioner married spouse, [REDACTED] and had three children: [REDACTED] born on 22 March 2014; [REDACTED] born on 17 May 2017; and [REDACTED] born on 1 September 2020.

c. Petitioner's Data for Payment of Retired Personnel (DD Form 2656) listed the following: Part III (Survivor Benefit Plan). Section IX (Dependency Information). Block 29 (Spouse) T.C.P. Section X (Survivor Benefit Plan (SBP) Election). Block 34 (SBP Beneficiary Categories) I elect coverage for child(ren) only, Block 35 (SBP level of coverage) I elect coverage based on full gross pay. Part IV (Certification). Section XI (Certification). Block 39c (Date signed) 2023, and Block 40c (Date Signed) blank. Part V (Spouse SBP Concurrence). Section XII (SBP Spouse Concurrence). Block 41c (Date Signed) 18 May 2023, and Block 42 (Notary Witness) dated blank.

d. Petitioner retired with an Honorable character of service and was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 19 May 2003 to 31 May 2023 upon having sufficient service for retirement.

e. As of 28 March 2026, Defense Finance and Accounting Service (DFAS) HUNT system listed the following: CURR ELEC – SPS & CHD DT 20230601, ORIG ELEC - AUTO DT 20230601, MONTHS PAID 34, COSTS SPOUSE 336.20, CHILD 1.40, CURRENT COST 337.60, and CURRENT ANTNT [P], TYLER C.

f. On 13 April 2026, Petitioner and his spouse both signed an affidavit indicating that they desired Petitioner's SBP election to be changed to reflect Children only. Petitioner indicated that [he] received sufficient SBP information/counseling and completed the DD Form 2656, however, it is not on file at the DFAS-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 his and spouse's desire to elect SBP Children only coverage prior to transferring to the Retired List. However, DD Form 2656 contained errors which resulted in his automatic enrollment into SBP Spouse and Children coverage. Although the proper administrative requirements were not completed properly, 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 SBP Children only coverage naming [REDACTED], [REDACTED], and [REDACTED] as beneficiaries prior to transferring to the Retired List effective 1 June 2023

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

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

