



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

[REDACTED]
Docket No. 10271-25
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) DoD 7000.14-R FMR, Volume 7B, Chapter 43¹
(c) DD Form 2656²

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 show Petitioner declined participation in the Survivor Benefit Plan (SBP).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 14 May 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. Petitioner's first child, [REDACTED], was born February 1998.
- b. Petitioner married [REDACTED] in May 1999; their second child, [REDACTED], was born July 2000.
- c. Petitioner transferred to the FMCR on 31 January 2025 with an honorable discharge (DD Form 214), covering service from 5 January 1998.
- d. On 21 August 2024, Petitioner submitted DD Form 2656 declining SBP. However, the form lacked a witness signature (Block 42c) and the spouse's concurrence/notarization was dated 8 July 2025—after the retirement date.

¹ SBP elections must be made before retirement. Married members are automatically enrolled in full coverage unless the spouse provides written, notarized concurrence for reduced or declined coverage.

² Spouse concurrence is mandatory to decline SBP. The spouse's signature must be notarized and dated after the member's signature, but before the date of retirement.

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e. On 25 September 2025, Petitioner notified the Board that his SBP declination was rejected by Defense Finance and Accounting Service (DFAS) due to mismatched dates and a missing signature on page 3, resulting in unintended monthly premiums.

f. On 4 March 2026, Petitioner and spouse submitted an affidavit affirming their joint intent to decline SBP, citing a prior misunderstanding of the program's administrative requirements.

g. DFAS records (HUNT system) confirm Petitioner is auto-enrolled in Spouse SBP effective 1 February 2025, at a monthly cost of \$355.32.

CONCLUSION

Upon review, the Board finds an injustice warranting corrective action. Although the Petitioner failed to meet administrative requirements prior to retirement—specifically the missing witness signature and mismatched dates—the evidence clearly establishes a consistent intent by both the Petitioner and his spouse to decline coverage. Under these circumstances, the Board determines that relief is warranted to reflect the SBP declination.

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 Marine Corps Reserve effective 1 February 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.

5/20/2026

