



DEPARTMENT OF THE AIR FORCE
WASHINGTON, D.C.

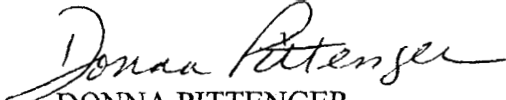
Office of the Assistant Secretary
AFBCMR 98-00647

24 JUL 1998

MEMORANDUM FOR THE CHIEF OF STAFF

Under the authority of Section 1552, Title 10, United States Code and AFI 36-2603, and having assured compliance with the provisions of the above regulation, the decision of the Air Force Board for Correction of Military Records is announced, and it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED] be corrected to show that on 31 May 1995, he elected spouse coverage under the Survivor Benefit Plan, based on full retired pay.


DONNA PITTENGER
Chief Examiner
Air Force Board for Correction
of Military Records



DEPARTMENT OF THE AIR FORCE
WASHINGTON, D.C.

Office of the Assistant Secretary
AFBCMR 98-00647

24 JUL 1998

MEMORANDUM OF CONSIDERATION OF APPLICATION BEFORE THE AFBCMR

SUBJECT: [REDACTED] SSAN: [REDACTED]

Having carefully reviewed this application, we agree with the recommendation of the Air Force and adopt the rationale expressed as the basis for our decision that the applicant has been the victim of either an error or an injustice. Therefore, under the authority delegated in AFI 36-2603, the applicant's records will be corrected as set forth in the accompanying Memorandum for the Chief of Staff signed by the Executive Director or his designee.

A handwritten signature in black ink, appearing to read "David R. Mulgan".

Panel Chair

Attachment
Ltr, HQ AFPC/DPPTTR dtd 17 Jun 98

ADDENDUM TO
RECORD OF PROCEEDINGS

The following members of the Air Force Board for Correction of Military Records considered this case in Executive Session on 21 July 1998, in accordance with AFI 36-2603 and 10 USC 1552.

Mr. David W. Mulgrew, Panel Chair

Mr. Joseph G. Diamond, Member

Mr. Terry A. Yonkers, Member



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

17 JUN 1995

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPTR
550 C Street West Ste 11
Randolph AFB TX 78150-4713

SUBJECT: Application for Correction of Military Records

Reference: [REDACTED]

Requested Correction: The applicant is requesting corrective action that would allow him to establish Survivor Benefit Plan (SBP) coverage for his wife.

Basis for Request: The applicant claims he was provided the incorrect form to establish SBP for his spouse at Nellis AFB NV the day following his marriage and later was given incorrect information from Defense Finance and Accounting Service-Cleveland (DFAS-CL) when he questioned the status of his request.

Background: A member, who is Unmarried at retirement, may elect coverage for a newly acquired spouse; however, the election must be made before the first anniversary of the marriage.

Facts: The applicant's retired pay records indicate he was unmarried and elected child only coverage prior to his 1 Jan 90 retirement. He remarried on 1 Jun 94, but failed to submit a valid election to establish spouse coverage before the first anniversary.

Discussion: The case file contains a copy of an AF Form 114, Arrears of Retired Pay Designation and/or Annuity Beneficiary Change, previously used by the Air Force Accounting and Finance Center to update a retiree's beneficiary data. It appears the applicant completed the AF Form 114 the day following his marriage. It is reasonable to conclude he would have taken the necessary action to provide coverage had he been aware of the proper procedures and time restriction to make an election.

Recommendation: Although there is no evidence of Air Force error, to preclude a possible injustice, we recommend the member's record be corrected to reflect on 31 May 95 he elected spouse only SBP coverage based on full retired pay. Approval should be contingent upon the recovery of the costs the member would have paid had he made the election at that time.

PAT PEEK, DAFC
Chief, Retiree Services Branch
Directorate of Pers Program Mgt

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