

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

FEB 24 1999

IN THE MATTER OF:

DOCKET NO: 98-01339

[REDACTED]  
[REDACTED]

COUNSEL: None

HEARING DESIRED: No

Applicant requests his records reflect he elected Option C of the Reserve Component Survivor Benefit Plan (RCSBP). Applicant's submission is at Exhibit A.

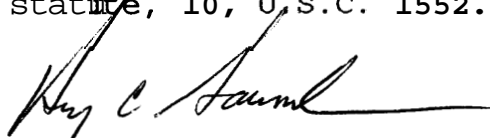
The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit C). The advisory opinion was forwarded to the applicant for review and response (Exhibit D). As of this date, no response has been received by this office.

After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinion appear to be based on the evidence of record and have not been rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The Board staff is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which was not reasonably available at the time the application was filed.

Members of the Board Mr. Henry C. Saunders, Mrs. Barbara A. Westgate, and Ms. Ann L. Heidig considered this application on 27 October 1998 in accordance with the provisions of Air Force Instruction 36-2603, and the governing statute, 10, U.S.C. 1552.



Panel Chair

Exhibits:

- A. Applicant's DD Form 149
- B. Available Master Personnel Records
- C. Advisory Opinion
- D. AFBCMR Ltr Forwarding Advisory Opinion



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS AIR RESERVE PERSONNEL CENTER

24 JUN 1998

MEMORANDUM FOR AFBCMR

FROM: HQ ARPC/DR  
6760 E Irvington Place #3000  
Denver CO 80280-3000

SUBJECT: Application for Correction of Military Records,  
[REDACTED]

1. The requested correction cannot be accomplished administratively at this headquarters.
2. The member is requesting that his record be corrected to allow his participation in the Reserve Component Survivor Benefit Plan (RCSBP).
3. The following is an analysis of the circumstances surrounding the case:
  - a. A certified package, notifying the member of his eligibility to participate in the RCSBP was signed for by the member on 10 Dec 97 [REDACTED]. The package was sent to his home address: [REDACTED]
  - b. The member states that he did not have the package until much later than the mailing date. The 90 day suspense starts from the date the package is received not the mailing date. The cover letter of the RCSBP package and two places in the body of the package inform the member there is a 90 day suspense from the date of receipt.
4. The requirement that the member submit his election within 90 days of receipt is clearly established by Title 10, United States Code, Section 1448(a)(2)(B). He remains eligible to participate in the Survivor Benefit Plan (SBP) when he reaches age 60.
5. Recommendation: Recommend the member's request be denied. If the decision is to grant the relief sought, the member's record should be corrected to show that he elected full, immediate coverage for spouse and children (Option CF) under the RCSBP, effective 8 Mar 98.

SANITIZED COPY

6. Action officer is Mr. Marvin Silva, HQ ARPC/DRSE, DSN 926-6438. He can also be reached by fax at DSN 926-6255 or by e-mail [msilva@arpcmail.den.disa.mil](mailto:msilva@arpcmail.den.disa.mil).

**Signed**

**ANN C. SHIPPY, Major, USAF  
Deputy Director of Customer Assistance**

