

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00553

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

He be allowed to terminate his spouse only coverage under the Survivor Benefit Plan (SBP).

APPLICANT CONTENDS THAT:

He did not receive an SBP briefing nor was he provided information on how to opt out of the program.

In support of his request, the applicant provided a copy of his spouse declination statement.

The applicant's complete submission, with attachment, is at Exhibit A.

STATEMENT OF FACTS:

On 31 Aug 11, the applicant was relieved from active duty and retired for length of service on 1 Sep 11 in the grade of master sergeant (E-7).

The remaining relevant facts pertaining to this application are contained in the letter prepared by the appropriate office of the Air Force, which is attached at Exhibit B.

AIR FORCE EVALUATION:

AFPC/DPSIAR recommends approval noting there is no evidence the applicant received an SBP briefing or made an SBP election prior to his retirement. Based on the possibility of an administrative error, it would be appropriate to grant relief.

The complete AFPC/DPSIAR evaluation is at Exhibit B.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 27 Mar 12, for review and comment within 30 days (Exhibit C). As of this date, no response has been received by this office.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
 2. The application was timely filed.
 3. Sufficient relevant evidence has been presented to demonstrate the existence of an error or injustice. After thoroughly reviewing the documentation submitted with this appeal, we find the evidence is sufficient for us to recommend, in the interest of justice, that the applicant's record be corrected. In that regard, we note that it appears the applicant did not receive the required briefing on the SBP prior to his retirement. Therefore, taking into consideration the opinion and recommendation of the Air Force office of primary responsibility, we recommend the applicant's records be corrected as indicated below.
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THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to the APPLICANT, be corrected to show that on 31 Aug 11, he declined to elect coverage under the Survivor Benefit Plan, and his spouse concurred in his decision.

The following members of the Board considered AFBCMR Docket Number BC-2012-00553 in Executive Session on 28 Nov 12, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

All members voted to correct the record as recommended. The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-00553 was considered:

- Exhibit A. DD Form 149, dated 6 Feb 12, w/atch.
- Exhibit B. Letter, AFPC/DPISAR, dated 9 Mar 12.
- Exhibit C. Letter, SAF/MRBR, dated 27 Mar 12.

Panel Chair