



applicant's record reflected that he was divorced and only had dependent children.

On 24 June 2008, the applicant married his spouse. Neither the applicant nor his spouse contacted ARPC/DPTT regarding their marital status within one year as required by law. According to Title 10, U.S.C., section 1448(3) (A) (iii), any such election must be written, signed by the person making the election, and received by the Secretary concerned within one year after the date of the event. The RCSBP information package sent to the applicant in February 2007 stated any life changing events must be reported to their office within one year of the event.

The complete ARPC/DPTT evaluation, with attachments, is at Exhibit C.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 22 October 2012 for review and comment within 30 days (Exhibit D). To date, this office has not received a response.

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THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was not timely filed; however, it is in the interest of justice to excuse the failure to timely file.
3. Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice warranting corrective action. We took notice of the applicant's complete submission in judging the merits of the case; however, we agree with the opinion and recommendation of the Air Force office of primary responsibility and adopt its rationale as the basis for our conclusion that neither the applicant nor his spouse submitted a valid election within the period required by law to establish spouse coverage. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.

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THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

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The following members of the Board considered this application BC-2012-01538 in Executive Session on 19 December 2012, under the provisions of AFI 36-2603:

, Panel Chair  
, Member  
, Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149 dated 22 March 2012.
- Exhibit B. Applicant's Master Personnel Record
- Exhibit C. Letter, ARPC/DPTT, dated 23 May 2012, w/atchs.
- Exhibit D. Letter, SAF/MRBR, dated 22 October 2012.

Panel Chair