

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-01732  
COUNSEL: NONE  
HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

His record be changed to show he elected spouse coverage under the Reserve Component Survivor Benefit Plan (RCSBP).

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APPLICANT CONTENDS THAT:

His spouse was receiving SBP benefits until he received a statement from the Defense Finance and Accounting Service (DFAS) stating his child who is 29 years of age is listed as his survivor.

In support of the applicant's appeal, he provides a copy of his retiree account statement.

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

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STATEMENT OF FACTS:

The relevant facts pertaining to this application, extracted from the applicant's military records, are contained in the letter prepared by the appropriate office of the Air Force at Exhibit B.

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AIR FORCE EVALUATION:

DFAS-RPB-JBJE/CL recommends denial. DFAS states the applicant elected RCSBP coverage for his child in 1991 as he was not married at that time. Upon his marriage in December 2009 he failed to contact the Reserve Personnel Center to update his RCSP election to include his spouse.

The DFAS complete evaluation is at Exhibit B.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

On 7 August 2012, a copy of the DFAS evaluation was forwarded to the applicant for review and response within 30 days (Exhibit C). As of this date, no response has been received by this office.

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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 an error or an injustice. 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 the applicant has failed to sustain his burden of proof of the existence of an error or injustice. 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 the evidence presented did not demonstrate the existence of an error or injustice; the application was denied without a personal appearance; and 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 AFBCMR Docket Number BC-2012-01732 in Executive Session on 19 December 2012, under the provisions of AFI 36-2603:

The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-01732 was considered:

- Exhibit A. DD Form 149, dated 3 April 2012.
- Exhibit B. Letter, DFAS, dated 19 July 2012, w/atchs.
- Exhibit C. Letter, SAF/MRBR, dated 7 August 2012.