



submitted an open enrollment election to provide SBP coverage on his wife's behalf during any of the opportunities authorized by Public Laws subsequent to his retirement.

DPSIAR indicates it is each member's responsibility to ensure required actions to provide current and future family members with military benefits and privileges available to them and pay the costs associated with these programs' protection. It would be inappropriate to provide the applicant an additional opportunity to provide SBP coverage, an opportunity not afforded to other members similarly situated. There is no evidence of Air Force error or injustice in this case.

The complete DPSIAR evaluation 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 2 July 2012, for review and comment within 30 days (Exhibit D). As of this date, this office has received no 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. 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 the applicant has not been the victim of an error or injustice. We note the applicant's contentions that he was told he was not eligible to elect SBP coverage; however, we find no evidence, other than his own assertions, to support he was miscounseled. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.
4. The applicant's case is adequately documented and it has not been shown that a personal appearance with or without counsel will materially add to our understanding of the issues involved. Therefore, the request for a hearing is not favorably considered.

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 AFBCMR Docket Number BC-2012-01918 in Executive Session on 19 December 2012, under the provisions of AFI 36-2603:

, Panel Chair  
, Member  
, Member

The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-01918 was considered:

- Exhibit A. DD Form 149, dated 17 Apr 12, w/atch.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSIAR, dated 20 Jun 12
- Exhibit D. Letter, SAF/MRBR, dated 2 Jul 12.

Panel Chair