



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

JUL 28 1998

Office of the Assistant Secretary

AFBCMR 98-00636

MEMORANDUM FOR THE CHIEF OF STAFF

Under the authority of Section **1552**, Title **10**, United States Code, Air Force Instruction **36-2603**, and having assured compliance with the provisions of the above regulation, the decision of the Air Force Board for Correction of Military Records is announced, and it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED] [REDACTED] be corrected to show that on **18 September 1993**, he elected "spouse only" coverage under the Survivor Benefit Plan (SBP) based on full retired pay.

A handwritten signature in cursive script that reads "Donna Pittenger".

DONNA PITTENGER
Chief Examiner
Air Force Board for Correction
of Military Records



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MEMORANDUM OF CONSIDERATION OF APPLICATION BEFORE THE AFBCMR

SUBJECT: [REDACTED]

Having carefully reviewed this application, we agree with the recommendation of the Air Force and adopt the rationale expressed as the basis for our decision that the applicant has been the victim of either an error or an injustice. Therefore, under the authority delegated in **AFI 36-2603**, the applicant's records will be corrected as set forth in the accompanying Memorandum for the Chief of Staff signed by the Executive Director of the Board or his designee.



Panel Chair

Attachment:
Ltr, AFPC/DPPT, dtd 9 Jun 98



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

79 JUN 1993

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPTTR
550 C Street West Ste 11
Randolph AFB TX 78150-4713

SUBJECT: Application for Correction of Military Records

Reference: [REDACTED]

Requested Correction: The applicant is requesting corrective action that would allow him to establish Survivor Benefit Plan (SBP) coverage for his wife.

Basis for Request: The applicant claims he was given incorrect information from the SBP counselors at Millington NAS TN and Columbus AFB MS regarding enrolling his new spouse into SBP within the one-year period following his marriage.

Background: A member, who is unmarried at retirement, may elect coverage for a newly acquired spouse; however, the election must be made before the first anniversary of the marriage.

Facts: The applicant was unmarried and declined SBP coverage prior to his 1 Aug 75 retirement. He married on 17 Sep 93, but failed to request spouse coverage be established before the first anniversary.

Discussion: We have no way to determine what information the applicant did or did not receive from SBP counselors. Based upon lack of evidence to the contrary and the applicant's continuing efforts to rectify the situation, it is reasonable to conclude he would have taken the necessary action to provide coverage had he been aware of the time restriction to make an election.

Recommendation: Although there is no evidence of Air Force error, to preclude a possible injustice, we recommend the member's record be corrected to reflect on 18 Sep 93 he elected spouse only SBP coverage based on full retired pay. Approval should be contingent upon the recovery of the costs the member would have paid had he made the election at that time.

PAT PEEK, DAFC
Chief, Retiree Services Branch
Directorate of Pers Program Mgt

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