



Work-Product

**UNITED STATES AIR FORCE
BOARD FOR CORRECTION OF MILITARY RECORDS**

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-01324

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

He be disenrolled from the Survivor Benefit Plan (SBP).

APPLICANT'S CONTENTIONS

When he submitted his SBP Open Enrollment Election form, the date to obtain an estimate for the buy-in premium had passed. He was shocked when he received a letter stating his premium was \$24,864.44. He cannot afford to pay this premium. He depends on his retirement pay to cover household expenses for his family. He willingly forfeits any monthly premiums paid to date. This request is submitted per instructions he received in response to his first request on 21 Feb 24.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired Air Force senior master sergeant (E-8).

On 22 Jul 13, according to DD Form 2656, *Data for Payment of Retired Personnel*, the applicant elected not to participate in SBP, and his spouse concurred with the decision on 15 Oct 13.

On 1 Nov 13, according to Special Order *Work-Product* dated 29 Mar 13, the applicant retired from the Regular Air Force.

On 6 Dec 23, according to *Survivor Benefit Plan (SBP) and Reserve Component Survivor Benefit Plan (RCSBP) Open Enrollment Election*, the applicant elected spouse only SBP coverage based on full retired pay. In Block 22, *Enrollment Premium Options*, he initialed Option B (Based on the estimate I received, I elect to submit a partial payment of the amount of the "buy-in premium" due and initiate a Voluntary Payment Plan for the remainder to be deducted in 12 equal monthly installments plus installment interest, either from my retired pay or from my CRSC pay).

In a letter dated 13 Mar 24, the Defense Finance and Accounting Service (DFAS) notified the applicant his request to discontinue enrollment was received on 29 Feb 24. According to Open Season policy, members have 30 days from the date they sign the enrollment form to cancel. His enrollment form was signed on 6 Dec 23; therefore, his request was beyond the 30 day period required by policy.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit C.

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AIR FORCE EVALUATION

AFPC/DPFC (Casualty Sustainment Programs) recommends denying the application. Defense Enrollment Eligibility Reporting System records reflect the applicant married his spouse in Aug 05. The applicant attended the SBP briefing on 22 Jul 13, and upon his 1 Nov 13 retirement, he elected to not participate in SBP, with his spouse's concurrence. Once coverage is declined, coverage for that spouse or any future spouse is not allowed, unless Congress authorizes an open enrollment period specific to category changes. Public Law 117-263 enacted by Congress, established an open enrollment period beginning 23 Dec 22 and ending 1 Jan 24. The open enrollment period allowed retired service members who were not enrolled in SBP as of 22 Dec 22 to enroll, or to disenroll if they were participating as of the same date.

During the open enrollment period, the applicant submitted the SBP open enrollment election form for spouse only coverage on 6 Dec 23. The applicant's retired pay account shows his current election for spouse only coverage as of 8 Dec 23. According to the applicant, he received his buy-in premiums and did not want to continue with SBP coverage. According to a DFAS letter dated 13 Mar 24, they received a letter from the applicant on 29 Feb 24 requesting to discontinue enrollment. The request was denied due to missing the 30 day window to change elections made during the open enrollment. The Open Season guidance from the Office of the Secretary of Defense gave members the option to disenroll up to 30 days after the member elected SBP coverage as an additional safety measure. DFAS also enclosed a DD Form 149, *Application for Correction of Military Record*, for the applicant to request to cancel Open Season enrollment through the branch of service's board of corrections. The applicant voluntarily enrolled in SBP without the cost estimate. At the time he elected coverage, DFAS was no longer providing estimates, and this was made known publicly and to members requesting to enroll. Therefore, the applicant was aware of the obligation for retroactive payments and premiums going forward. The applicant signed the election form which includes the aforementioned information.

The complete advisory opinion is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 10 Jul 24 for comment (Exhibit D) but has received no response.

FINDINGS AND CONCLUSION

1. The application was timely filed.
2. The applicant exhausted all other available administrative remedies before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is not the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFPC/DPFC and finds a preponderance of the evidence does not substantiate the applicant's contentions. Congress, established the 2023 SBP Open Season beginning 23 Dec 22 and ending 1 Jan 24. On 6 Dec 23, the applicant made a voluntary election to enroll in SBP with the understanding that DFAS was unable to provide cost estimates near the end of the open enrollment period. By law, the applicant had 30 days from the date he elected coverage to cancel participation in the open enrollment but failed to notify DFAS within the 30-day period as required. Therefore, the Board recommends against correcting the applicant's records.

RECOMMENDATION

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

CERTIFICATION

The following quorum of the Board, as defined in Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2024-01324 in Executive Session on 19 Nov 24:

Work-Product Panel Chair
work-product Panel Member
Work-Product, Panel Member

All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 31 Mar 24.
- Exhibit B: Documentary Evidence, including relevant excerpts from official records.
- Exhibit C: Advisory, AFPC/DPFC, dated 10 Jul 24.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 10 Jul 24.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

10/30/2025

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Signed by: USAF