



Work-Product

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

---

---

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-01807

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

---

---

### APPLICANT'S REQUEST

Her election of benefits under the Reserve Component Survivor Benefit Plan (RCSBP) be changed. Specifically, to decline participation in the RCSBP.

### APPLICANT'S CONTENTIONS

Due to an administrative error on her DD Form 2656, *Data for Payment of Retired Personnel*, she was erroneously enrolled in the Survivor Benefit Plan (SBP) and premiums are being unjustly deducted from her retired pay.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a retired Air Force Reserve captain (O-3).

On 8 Mar 04, ARPC/DPTT sent the applicant the standard notification of eligibility for retired pay (20-year letter) informing her that she has completed the required years under the provisions of Title 10 United States Code, Section 12731 (10 U.S.C. § 12731), and entitled to retired pay upon application prior to age 60. In addition, she was eligible to participate in RCSBP and should receive detailed RCSBP information by certified mail within 60 days.

On 20 Apr 04, according to PS Form 3811, *Domestic Return Receipt*, an RCSBP package was delivered to the applicant's address and was signed.

On 2 Apr 06, according to Reserve Order **Work-Product**, dated 29 Nov 05, the applicant was assigned to the Retired Reserve Section and placed on the Air Force Reserve Retired List.

On 8 Jul 22, according to DD Form 2656 provided by the applicant, the applicant elected Option A, *Previously declined to make an election until eligible to receive retired pay*, and Option G, *I elect not to participate in SBP*, and her spouse concurred with the decision. The witness's signature is dated a day prior to the applicant's signature date, which is prohibited.

On 24 May 23 according to Reserve Order **Work-Product** dated 27 Mar 23, the applicant was authorized retired pay and placed on the United States Air Force Retired List.

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

**AFBCMR Docket Number BC-2024-01807**

Work-Product

Work-Product

## **AIR FORCE EVALUATION**

ARPC/DPTT (Transition Division) recommends granting the application. The applicant's military personnel record has been reviewed by the Headquarters Air Reserve Personnel Center (ARPC) Benefits and Entitlements Section. A review of the applicant's record shows that the applicant reached 20 years of satisfactory service on 19 Dec 03 and was sent RCSBP election information in Apr 04. At that time of election, the applicant did not have any dependents, resulting in a default election of Option A (Defer making an election until eligible to receive retired pay). She married her spouse on 8 Oct 05 and the DD Form 2656 election choice for her retirement pay reflects concurrence from her spouse to decline coverage. The error on the DD Form 2656 was the witness signature date stated 7 Jul 22 instead of 8 Jul 22 as all other signatures indicated. The witness signed an affidavit attesting to the error in the signature date.

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 3 Oct 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 the victim of an error or injustice. The Board concurs with the rationale and recommendation of ARPC/DPTT and finds a preponderance of the evidence substantiates the applicant's contentions. Upon retirement, the applicant elected not to participate in SBP, with her spouse's concurrence. However, due to an administrative error on DD Form 2656, the applicant was erroneously enrolled in SBP. Therefore, the Board recommends correcting the applicant's records as indicated below.

## **RECOMMENDATION**

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show that:

- a. She elected Option A, *I decline to make an election until eligible to receive retired pay*, for her RCSBP within 90 days of her Notification of Eligibility, and her spouse concurred with the election.
- b. On 8 Jul 22, she elected not to participate in SBP, and her spouse concurred with the election.
- c. She be authorized full reimbursement of all SBP premiums deducted from her retired pay.

## **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-2024-01807 in Executive Session on 19 Dec 24:

Work-Product, Panel Chair

Work-Product, Panel Member

Work-Product, Panel Member

All members voted to correct the record. The panel considered the following:

Exhibit A: Application, DD Form 149, w/atchs, dated 2 May 24.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory opinion, ARPC/DPTT, dated 25 Sep 24.

Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 3 Oct 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

X

Work-Product

Work-Product

AFBCMR

Signed by: USAF