



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

Office of the Assistant Secretary
AFBCMR 97-00149

NOV 04 1997

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], be corrected to show that on 4 October 1996 he elected to change his Survivor Benefit Plan election from "child coverage" to "spouse and child coverage" based on his full retired pay.

A handwritten signature in cursive script that reads "Raymond H. Weller".

RAYMOND H. WELLER
Chief Examiner
Air Force Board for Correction
of Military Records



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MEMORANDUM OF CONSIDERATION OF APPLICATION BEFORE THE AFBCMR

UBA CT

SSAN: [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.

Vanessa E. Schatz
Panel Chairman

Attachment:

Ltr, HQ AFPC/DPPTR, dtd 2 Oct 97



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



MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPTR
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 to show that he filed a timely election to add his wife (acquired after retirement) to his existing child only Survivor Benefit Plan (SBP) coverage.

Basis for Request: The applicant claims he attempted to have SBP coverage for his wife established following his marriage, but was told by the Defense Finance and Accounting Service - Cleveland Center (DFAS-CL) that he had excluded a spouse at retirement and was therefore ineligible to provide coverage for a future wife.

Background:

- a. A member, **who** is unmarried at retirement, may elect coverage for a spouse acquired after retirement; however, the election **must be** made before the first anniversary of the marriage.
- b. Systems incompatibilities resulted in Air Force retirees' records being universally coded by DFAS-CL to reflect every SBP **declination** to have been made as if the member were **married**, regardless of the retiree's actual marital status.

Facts:

- a. The applicant was unmarried and elected child only SBP coverage based on full retired pay prior to his 1 Nov 87 retirement. DFAS-CL records were erroneously coded to indicate he was married, but did not elect coverage for a spouse. He married Susan on 5 Oct 95 and DFAS-CL informed him he could not add her to **his** child coverage because of the exclusion code on file. The applicant submitted a letter dated 8 Oct 96 (copy enclosed) to add his wife, however, his request was four days after the time allotted for making a valid election change. Absent a valid request submitted before the first anniversary, DFAS-CL could not honor his request and child only coverage remains in effect.
- b. Codes used to represent retiree's SBP elections used by DFAS-CL reflect the member "**excluded**" an eligible spouse or children as beneficiaries; although, in many cases, the member had neither for whom to elect SBP coverage. Therefore, the applicant's SBP record erroneously reflects he had an eligible spouse when he elected child only coverage

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prior to retiring. This systems problem has been reported to DFAS officials, but a solution has not been determined.

Discussion: The member has provided documentation of his marital status at retirement. While it is true the applicant failed to submit a written request to add his wife to existing child coverage before the first anniversary of their marriage, his delay was, in part, due to his search for his copy of the original election which he felt would prove to DFAS-CL he was unmarried when he retired. It is reasonable to conclude that had DFAS-CL not erroneously advised the member he was ineligible to elect coverage for his wife, he would have complied with the one-year time limit for submitting his election.

Recommendation: To preclude a possible injustice, we recommend the member's record be corrected to show on 4 Oct 96 he elected to add his wife to his existing child only SBP coverage based on full retired pay. Approval should be contingent upon the recovery of applicable retroactive costs.



PAT PEEK, DAFC
Chief, Retiree Services Branch
Directorate Pers Prog Management

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**ADDENDUM TO
RECORD OF PROCEEDINGS**

The following members of the Air Force Board for Correction of Military Records considered this case in Executive Session on 28 October 1997, in accordance with AFI 36-2603 and 10 USC 1552.

Mr. Vaughn E. Schlunz, Panel Chairman

Mr. Joseph G. Diamond, Member

Mr. Patrick R. Wheeler, Member