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DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

Office of the Assistant Secretary

SEP 15 1998

AFBCMR 98-01270

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 31 March 1998, he declined Survivor Benefit Plan coverage and his wife concurred in his election.

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

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



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

Office of the Assistant Secretary

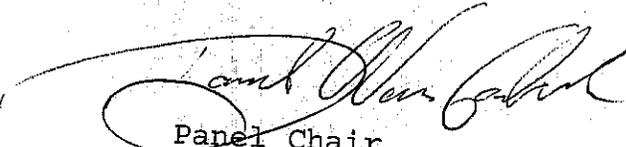
SEP 15 1998

AFBCMR 98-01270

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/DPPTTR, dtd 24 Aug 98



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

24 AUG 1998

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPTTR
550 C St 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 terminate spouse coverage under the Survivor Benefit Plan (SBP) and his wife concurs in his request.

Basis for Request: The applicant claims during outprocessing he stated he did not want SBP and he thought all the required paperwork was properly completed.

Background: When a member fails to complete an SBP election prior to retirement, coverage is established for all eligible beneficiary(ies) by operation of law.

Facts: The applicant was married and had dependent children when he retired effective 1 Apr 98; however, he did not complete an SBP election prior to that date. Consequently, the Defense Finance and Accounting Service - Cleveland Center (DFAS-CL) established coverage based on full retired pay to comply with the law.

Discussion: Records at Maxwell AFB AL indicate an SBP printout was not provided to the counselor prior to the retiree's outprocessing. Although it is the member's ultimate responsibility to ensure his retired pay was properly established the possibility of error exists. It would be inappropriate to penalize the applicant for an administrative error; however, our authority to correct administrative errors under Title 10, Section 1454, has expired.

Recommendation: We recommend the member's record be corrected to show on 31 Mar 98 he declined SBP coverage and his wife concurred in his election.

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

9801270