

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NO: 97-00798

[REDACTED] .. None

OCT 28 1997

[REDACTED] HEARING DESIRED: No

Applicant requests that she be reimbursed Servicemember's Group Life Insurance (SGLI) premiums from April 1996 to November 1996. Applicant's submission is at Exhibit A.

The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit C). The advisory opinion was forwarded to the applicant for review and response (Exhibit D). As of this date, no response has been received by this office.

After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinion appear to be based on the evidence of record and have not been rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The Board staff is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which was not reasonably available at the time the application was filed.

Members of the Board Mr. Henry C. Saunders, Mr. Joseph T. Wagner, and Mr. Richard A. Peterson, considered this application on 16 October 1997, in accordance with the provisions of Air Force Instruction 36-2603, and the governing statute, 10, U.S.C. 1552


HENRY C. SAUNDERS
Panel Chairman

Exhibits:

- A. Applicant's DD Form 149
- B. Available Master Personnel Records
- C. Advisory Opinion
- D. AFBCMR Ltr Forwarding Advisory Opinion



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



09 JUN 1997

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPWCS
550 C. St. W. Ste. 14
Randolph AFB TX 78150-4716

SUBJECT: Application for Correction of Military Records [REDACTED]

REQUESTED ACTION: The applicant declined Servicemen's Group Life Insurance (SGLI) in Jan 96. With the passage of Public Law 104-106 SGLI coverage was automatically raised to \$200,000 until the member could elect reduced or no coverage. The applicant has requested that her record be corrected to retain previous election (no coverage) and that she be reimbursed premiums for \$200,000.00 coverage which automatically took effect 1 Apr 96.

BASIS FOR REQUEST: The applicant claims her records are in error because she did not give authorization to purchase SGLI insurance for \$200,000. She request her previous election for no coverage be honored.

DISCUSSION: Section 646, Public Law 104-106, 10 Feb 96, increased the automatic level of SGLI coverage from \$100,000 to \$200,000 and repealed the optional additional \$100,000 of insurance. Implementation Guidance dated 7 Mar 96, stipulated that members eligible for SGLI under section 1967 (a)(1)-(2) of title 38, United States Code, on 31 Mar 96 with continued eligibility on 1 Apr 96, would have their SGLI increased to \$200,000 effective 1 Apr 96, regardless of any prior election. Member's with less than \$200,000 coverage applicable in Mar 96, could avoid any higher premiums provided they completed a new SGLV 8286 in Apr 96 to retain their previously elected coverage.

All available means (base newspapers, personal contact, base bulletins, Air Force News Radio, commander calls, mid-month Mar pay statement, etc.,) were used to inform the military community of these changes. Members who failed to complete the appropriate documentation to retain the coverage they had prior to 1 Apr 96, in accordance with public law were covered for \$200,000. The Office of Servicemen's Group Life Insurance was obligated to make payment of these proceeds to beneficiaries determined by law had these individuals died.

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On 1 Apr 96 the United States Government incurred a debt for all member's receiving the increased benefit of \$200,000.00 coverage. The authority to waive or terminate retroactively this coverage rests outside the Department of Defense channel. The Department of Veterans Affairs in coordination with its insurance providers would have to grant such authorization.

RECOMMENDATION: Board disapprove the applicant's request for retroactive termination of SGLI coverage. The applicant delayed completing a new election form until Nov 96. This is seven months after her coverage was increased. It's our opinion that had the applicant wanted "no coverage", she would have completed the new election form sooner. Consequently, she was covered from Apr through Nov 96 for \$200,000. If she had become a fatality while on active duty during this period, the proceeds of the \$200,000 coverage would have been paid IAW U.S.C., Title 38, Section 1970.



WILLIE APPLEWHITE JR., MSgt, USAF
Superintendent, Casualty Services Branch



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