

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

SEP 16 1998

IN THE MATTER OF:

DOCKET NUMBER: 97-03159

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

She be reimbursed Servicemember's Group Life Insurance (SGLI) premiums since 1 April 1996.

APPLICANT CONTENDS THAT:

The reasons the applicant believes the records to be in error or unjust and the evidence submitted in support of the appeal is at Exhibit A.

STATEMENT OF FACTS:

Section 646, Public Law 104-106, 10 February 1996, increased the automatic level of SGLI coverage from \$100,000 to \$200,000 and repealed the optional additional \$100,000 of insurance.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 March 1996, stipulated that members eligible for SGLI under section 1967 (a)(1)-(2) of title 38 United States Code, on 31 March 1996 with continued eligibility on 1 April 1996, would have their SGLI increased to \$200,000 effective 1 April 1996, regardless of any prior election. Member's with less than \$200,000 coverage applicable in March 1996, could avoid any higher premiums provided they completed a new SGLI 8286 in April 1996 to retain their previously elected coverage.

AIR STAFF EVALUATION:

The Chief, Casualty Services Operations, AFPC/DPWCS, reviewed this application and indicated that all available means (base newspapers, personal contact, base bulletins, Air Force News Radio, commander calls, mid-month March 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 April 1996, in accordance with public law were covered for \$200,000. The Office of SGLI

was obligated to make payment of these proceeds to beneficiaries determined by law had these individuals died. On 1 April 1996, the United States Government incurred a debt for all member's receiving the increased benefit of \$200,000 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. Based on the above, they recommend denial of the application.

A complete copy of the Air Staff evaluation is attached at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A complete copy of the Air Force evaluation was forwarded to the applicant on 13 Apr 1998, for review and response within 30 days. However, as of this date, no response has been received by this office.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Sufficient relevant evidence has been presented to demonstrate the existence of probable injustice. After thorough evaluation of the application submitted, we find that the applicant was not provided sufficient time in order to make an election under **SGLI** prior to the effective date of the change, 1 April 1996. Therefore, we believe that the record should be corrected to show that the applicant filed a new election, SGLI 8286, on 1 April 1996. This correction will provide the applicant reimbursement of any moneys taken from her pay from 1 April 1996 until the time in which she made her decision concerning coverage under **SGLI**.

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to [REDACTED] be corrected to show that she filed a Servicemember's Group Life Insurance Election and Certificate, SGLI - 8286, on 1 April 1996.

The following members of the Board considered these applications in Executive Session on 20 August 1998, under the provisions of AFI 36-2603:

Mr, Charles E. Bennett, Panel Chair
Mr. Wayne R. Gracie, Member
Mr. Vaughn E. Schlunz, Member
[REDACTED] (without vote)

All members voted to correct the records, as recommended. The following documentary evidence was considered:

- Exhibit A. DD Forms 149, dated, 2 Sep 96, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPWCS, dated 27 Mar 98.
- Exhibit D. Letter, SAF/MIBR, dated 13 Apr 98.


CHARLES E. BENNETT
Panel Chair



DEPARTMENT OF THE AIR FORCE
WASHINGTON, D. C.

SEP 16 1998

Office of the Assistant Secretary

AFBCMR 97-03159

MEMORANDUM FOR THE CHIEF OF STAFF

Having received and considered the recommendation of the Air Force Board for Correction of Military Records and under the authority of Section 1552, Title 10, United States Code (70A Stat 116), it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED] be corrected to show she filed a Servicemember's Group Life Insurance Election and Certificate SGLI - 8286, on 1 April 1996.


JOSEPH LINEBERGER
Director

Air Force Review Boards Agency