



Work-Product

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

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**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2022-01593

Work-Product

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

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**APPLICANT'S REQUEST**

His Servicemembers' Group Life Insurance (SGLI) debt incurred during his GREY area (*ANG or RE member qualified for retired pay and have retired from their service (stopped drilling)*) be remitted.

**APPLICANT'S CONTENTIONS**

His SGLI debt is erroneous, resulting from his pay account being active after assignment to the inactive ready reserve (IRR) upon his retirement from the Air Force.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is a retired Air National Guard colonel (O-6).

On 26 Apr 07, the applicant signed SGLV 8286, *Servicemembers' Group Life Insurance Election and Certificate*, electing for the \$400,000 life insurance policy with his spouse as the primary beneficiary.

On 1 Jul 10, the applicant was relieved from his current assignment, assigned to the Retired Reserve Section and placed on the USAF Reserve Retired List.

On 5 May 15, [Work-Product], dated 27 Mar 15, authorized the applicant to receive retired pay per Title 10, USC, Section 12731 (turned 60 years of age on 5 May 15).

On 24 Feb 22, according to documentation submitted by the applicant, the Defense Finance and Accounting Service (DFAS) notified the applicant he owed a debt of \$13,730.00 due to unpaid SGLI premiums.

On 12 May 22, according to documentation submitted by the applicant, DFAS advised his congressman, they decreased his debt, in the amount of \$13,730.00 to a current balance of \$4,015.38. The remaining portion of his debt is for the collection of SGLI premiums from Aug 10 through May 15. They further advised that if the applicant believes his debt is incorrect, he could submit a DD Form 139, *Pay Adjustment Authorization*, or petition the AFBCMR via a DD Form 149, with supporting documentation.

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

**AFBCMR Docket Number BC-2022-01593**

Work-Product

Work-Product

## **AIR FORCE EVALUATION**

ARPC/DPTT, recommends granting the application. SGLI is the life insurance currently available to all members of the uniformed services. SGLI is a group life insurance policy purchased by the Department of Veterans Affairs (DVA) from a commercial life insurance company. On 26 Apr 07, the applicant signed SGLV 8286 electing for the \$400,000 life insurance policy with his spouse as the primary beneficiary. In accordance with the SGLI and VGLI Handbook (Version 1.11, Apr 19) Chapter 3, Section 3.01, "Members reporting for duty in one of the uniformed services who do not want to be insured or who prefer less than \$400,000 maximum coverage must notify their uniformed service by accessing SGLI Online Enrollment System (SOES) or, if unable to access SOES, complete and file form SGLV 8286, with their uniformed service." It is the responsibility of the member while they are serving to terminate or change their SGLI election. There is no evidence the applicant updated his SGLI coverage after 26 Apr 07.

On 1 Jul 10, the applicant was assigned to the Retired Reserve as stated on Reserve Order Work-Pr.... In Feb 22, DFAS notified the applicant he owed a debt of \$13,730.00 due to unpaid SGLI premiums. In accordance with (IAW) Title 38 United States Code (USC), Section 1969, as this debt is from a billing period from Aug 10 through Sep 20 when the applicant was not serving in the military (GREY area), he is not responsible for the premiums DFAS is stating as a debt.

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 20 Jul 22 for comment (Exhibit D), and the applicant replied on 29 Aug 22. In his response, the applicant agreed with the OPR's findings. The applicant's complete response is at Exhibit E.

## **FINDINGS AND CONCLUSION**

1. The application was timely filed.
2. The applicant exhausted all available non-judicial relief 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. The applicant was not serving in the military, not receiving pay from Aug 10 through Sep 20, therefore IAW Title 38 USC, Section 1969, he is not responsible for the unpaid SGLI premiums debt DFAS is attempting to collect. 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 his Defense Finance and Accounting Service (DFAS) Servicemembers' Group Life Insurance (SGLI) debt from August 2010 through September 2020 be removed.

**CERTIFICATION**

The following quorum of the Board, as defined in the Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.5, considered Docket Number BC-2022-01593 in Executive Session on 22 Feb 23:

Work-Product

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 7 Jun 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, ARPC/DPTT, dated 15 Jul 22.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 20 Jul 22.
- Exhibit E: Applicant's response, dated 29 Aug 22.

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.

10/8/2024

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