



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

MEH:ddj  
Docket No: 5776-01  
2 October 2001

[REDACTED]

[REDACTED] ANDSON

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 2 October 2001. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum of 4 September 2001, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director

Enclosure



## DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND  
5720 INTEGRITY DRIVE  
MILLINGTON TN 38055-0000

4 Sep 01

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

Via: Assistant for BCNR Matters (PERS-OOZCB)

Subj: COMMENTS AND RECOMMENDATION ICO CPO [REDACTED]

Ref: (a) BCNR Pay memo of 16 Aug 01  
(b) DoD Financial Management Regulation (Volume 7B)

1. Per reference (a), recommend the BCNR not correct Chief Petty Officer [REDACTED] record to reflect that he enrolled in the Survivor Benefit Plan (SBP) prior to transferring to the Fleet Reserve on 30 November 1983.

2. The recommendation is based on the following:

a. Chief Petty Officer [REDACTED] transferred to the Fleet Reserve on 30 November 1983. He declined participation in SBP at that time.

b. Per reference (b), the decision to participate or decline participation in SBP is irrevocable.

c. Chief Petty Officer [REDACTED] should have received a letter from the Defense Finance and Accounting Service-Cleveland (DFAS-CL) within one month after he retired, identifying him as a non-participant in SBP. He has also received a Retired Accounts Statement (RAS) each time there was a change in his Navy retired pay and at least one annually. That statement also identified him as a non-participant in SBP, and he took no action until now to request enrollment. Additionally, Chief Petty Officer [REDACTED] had an opportunity to enroll in SBP during the widely publicized 1 April 1992 through 31 March 1993 or the 1 March 1999 through 29 February 2000 open seasons; he did not enroll. The "Shift Colors" (a quarterly newsletter for Navy retirees), which Chief Petty Officer [REDACTED] should have received, routinely published information regarding SBP, yet he failed to take advantage of the opportunities to enroll. The "Shift Colors" is mailed to Navy retirees who maintain their address information current with the Defense Finance and Accounting Service-Cleveland (DFAS-CL).

3. Since Chief Petty Officer [REDACTED] is currently rated 100 percent disabled by the Department of Veterans Affairs (VA) his spouse may be entitled to Dependency Indemnity Compensation (DIC). It is recommended that he contact his local VA representative for more information on this most important potential benefit.

Subj: COMMENTS AND RECOMMENDATION ICG CPO [REDACTED]

4. Chief Petty Officer [REDACTED] is currently ineligible for conversion to Veterans' Group Life Insurance (VGLI). VGLI is a program of post-separation insurance which provides for the conversion of Servicemembers' Group Life Insurance (SGLI) to a five-year renewable term policy. This program, like SGLI, is supervised by the VA, however, it is administered by the Office of Servicemembers' Group Life Insurance (OSGLI). To apply for coverage, an eligible member must submit an application to the OSGLI with the required premium during the 120 days following separation. If a member fails to make application during this period, he or she may still do so for up to one year after SGLI terminates, providing he or she submits evidence of insurability.

[REDACTED]  
Head, Retired Admin Section  
Casualty Assistance and  
Retired Activities Division  
(PERS-62)