



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

█
Docket No. 997-21
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICN █ USN,
XXX-XX-█

Ref: (a) Title 10 U.S.C. §1552
(b) BUPERSINST 1780.1A

Encl: (1) DD Form 149 w/attachments
(2) Subject's naval record

1. Pursuant to the provisions of reference (a) Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting her naval record be corrected to reflect electing enrollment in the Montgomery GI Bill (MGIB) program.
2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 26 October 2021 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations and policies.
3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, she exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:
 - a. In accordance with reference (b), personnel entering active duty for the first time, will complete DD Form 2366, Montgomery GI BILL Act of 1984 (MGIB) – Basic Enrollment within the first 2 weeks of active duty. Service academy/Reserve Officer Training Corps scholarship graduates or prior servicemembers will sign block 2a, Statement of Understanding for Ineligible Members. Members electing disenrollment will sign both the Statement of Understanding, block 3a, indicating they understand they are eligible for enrollment and the Statement of Disenrollment, block 5, indicating they do not desire to participate in the MGIB program. By signing block 5 of DD Form 2366, members acknowledge the statement indicating, "I understand the benefits of the MGIB program and that I WILL NOT be able to enroll at a later date."
 - b. Petitioner signed Navy Reserve commission and entered the Armed Forces Health Professions Scholarship Program on 21 April 2013 and graduated on 11 May 2017.

Subj: REVIEW OF NAVAL RECORD IC [REDACTED], USN,
XXX-XX-[REDACTED]

c. Petitioner signed active duty commission on 12 May 2017 but entered active duty on 28 May 2017.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. Petitioner met the basic eligibility criteria to elect enrollment in the MGIB Program in accordance with reference (b); however, Petitioner indicates she was incorrectly advised as being ineligible to enroll. The Service nor Petitioner's Official Military Personnel File contain evidence of DD Form 2366 and/or Petitioner declining participation in the MGIB Program; therefore, the Board felt, under these circumstances, relief is warranted.

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner submitted DD Form 2366, Montgomery GI BILL Act of 1984 (MGIB) – Basic Enrollment electing to enroll in the MGIB Program within the first 2 weeks of active duty; request was signed by the Certifying Official in a timely manner.

Note: No waiver of basic pay reduction of \$100 per month until \$1,200 has been deducted will be granted.

A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of the reference, has been approved by the Board on behalf of the Secretary of the Navy.

[REDACTED]

Deputy Director
[REDACTED]