



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

MMK
Docket No. 11152-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) DODI 1322.16

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion from NPC (PERS-311), 10 Jan 25
(3) 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 that his naval record be corrected to reflect he elected not to enroll in the Montgomery GI Bill (MGIB) Program.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 3 April 2025 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, he 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), effective 5 January 2023, eligible active duty members will be counseled on the MGIB Program at least once within 270 days of entry on active duty. Members must be given the opportunity to disenroll from the MGIB Program during the 90-day period beginning on the day that is 180 days entering initial training. The use of DD Form 2366 is required to document active duty member enrollment and disenrollment, and a copy will be provided to the member.

b. On 11 December 2023, Petitioner entered active duty.

c. On 23 February 2024, Petitioner completed Recruit Basic Military Training, followed by completion of Aviation Mechanic Mate "A" School on 27 March 2024 and E-6 PP/REL course on 17 May 2024.

d. On 17 May 2024, Petitioner reported to his first permanent duty station, [REDACTED] for duty.

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e. On 9 July 2024, Petitioner signed DD Form 2366, Montgomery GI Bill Act of 1984 (MGIB) – Basic Enrollment form electing to not to participate in the MGIB Program. However, Petitioner’s official military personnel file reflects a copy of the form that was altered to reflect his desire to enroll in MGIB.

f. Petitioner’s Master Military Pay Account reflects the process to reduce basic pay by \$100 for MGIB enrollment began on 1 October 2024.

g. On 2 August 2024, the Command Carrer Counselor for VQ-4 attested that Petitioner’s DD Form 2366, Montgomery GI Bill Act of 1984 (MGIB) – Basic Enrollment form was modified by a co-worker without her or Petitioner’s knowledge and as a result he was wrongly enrolled into the MGIB Program.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded Petitioner provided sufficient evidence to reflect his desire to not participate in the MGIB Program and that he was erroneously enrolled. Therefore, the Board determined under this circumstance, relief is warranted.

RECOMMENDATION

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

Petitioner signed DD Form 2366, Montgomery GI Bill Act of 1984 (MGIB) – Basic Enrollment form on 9 July 2024 and elected not to participate in the MGIB Program; the form was signed by a Certifying Official on 15 July 2024 and processed accordingly. Note: Navy Personnel Command (PERS-311) will coordinate authorization with Defense Finance and Accounting Service to refund Petitioner for any MGIB payment deducted from his pay.

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 titled 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.

4/23/2025

