

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 12 December 2023

DOCKET NUMBER: AR20230001893

APPLICANT REQUESTS: correction to his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge), ending 1 August 1958 to reflect the Social Security Number (SSN) "[REDACTED]" vice "[REDACTED]"

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- Congressional Liaison Inquiry Letter, dated 15 February 2023
- Congressional Authorization Form – Representative J- J-
- Veteran's Affairs (VA) Letter, dated 5 January 2023
- DD Form 214, ending 1 August 1958
- Social Security Card

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code (USC), section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.
2. The applicant states, in pertinent part, the SSN on his DD Form 214, ending on 1 August 1958 is incorrect and needs to be amended to ensure proper documentation and so that he can receive VA benefits.
3. The applicant's military records are not available to the Board for review. A fire destroyed approximately 18 million service members' records at the National Personnel Records Center in 1973. It is believed his records were lost or destroyed in that fire. However, there were sufficient documents remaining in a reconstructed record to conduct a fair and impartial review of this case. This case is being considered using reconstructed records, which primarily consist of a DD Form 214.
4. A review of the applicant's available service record reflects the following:
 - a. He entered active duty on 13 September 1956.

b. DD Form 214, ending 1 August 1958 reflects he was honorably released from active duty and transferred to the U.S. Army Reserve on 1 August 1958. Item 32 (Remarks) shows his SSN as [REDACTED]."

5. The applicant provides the following:

- Congressional Liaison Inquiry Letter, 15 February 2023 acknowledging receipt of the applicant's request for correction of his service record.
- Congressional Authorization form – Representative J- J-, wherein the applicant authorized the congressman to act on his behalf.
- VA Letter, dated 5 January 2023, notifying the applicant that his SSN on the DD Form 214, ending on 1 August 1958 is incorrect.
- His social security card reflecting his SSN as "[REDACTED]."

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The evidence show he used the contested SSN during his service. There isn't at least one document in his available service record to corroborate the use of the requested SSN during his service. The ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence. There is no evidence the applicant used the requested SSN during his military service. The Army has an interest in maintaining the integrity of its records for historical purposes. The information in those records must reflect the conditions and circumstances that existed at the time the records were created, unless there is sufficient evidence that shows a material error or injustice.

2. This Record of Proceedings, will be filed in his military record in order to provide clarity and to deal with any confusion that might arise regarding the difference in his SSN. Filing the Board's decisional document will also guarantee the historical accuracy of the applicant's military record regarding the SSN under which he served.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
■	■	■	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

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I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 10, USC, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.

2. Army Regulation 635-5 (Separation Documents), in effect at the time, prescribes policies and procedures for the completion of the DD Form 214. Source documents include the DA Form 2-1, DA Form 201 (Military Personnel Records Jacket), DD Form 4, as well as orders. The SSN to be shown on the DD Form 214 is taken from these source documents.

//NOTHING FOLLOWS//