

6. He was discharged under honorable conditions on 28 August 1973. Item 3 (SSN) of his DD Form 214 shows his SSN as XXX-XX [REDACTED]
7. A review of his Official Military Personnel File revealed all applicable documents contain the SSN shown on his DD Form 398 and DD Form 4.
8. He provided a National Personnel Records Center letter, 1 February 2023, which provided him with copies of his records. He also provided a copy of the Durable Power of Attorney, 14 January 2023, giving his sibling the full power and authority to act on his behalf. Neither of these documents contain his requested SSN.

BOARD DISCUSSION:

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.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	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, U.S. Code, 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), 20 August 1973 and in effect at the time, prescribed the separation documents that are furnished to individuals who are retired, discharged, or released from active military service. The DD Form 214 is a synopsis of the Soldier's most recent period of continuous active duty. It provides a

brief, clear-cut record of active Army service at the time of release from active duty, retirement, or discharge.

a. The general instructions stated all available records would be used as a basis for preparation of the DD Form 214.

b. The specific instructions for item 3 stated to check the records with the separatee's social security card when possible. Otherwise, verify the accuracy of the SSN of record.

//NOTHING FOLLOWS//