

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 January 2024

DOCKET NUMBER: AR20230005979

APPLICANT REQUESTS: in effect, correction of his DD Form 214, Report of Separation from Active Duty, to show the social security number (SSN) listed on his Social Security Administration (SSA) card.

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

- DD Form 149, Application for Correction of Military Record
- DD Form 214
- State Identification card
- SSA card

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, 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 that his SSN is incorrectly listed on his DD Form 214. The Department of Veterans Affairs has terminated his benefits due to this error and he is suffering a financial hardship.
3. A review of the applicant's record shows that during his enlistment processing the contested SSN is shown on his DD Form 1966, Application for Enlistment-Armed Forces of the United States.
4. He enlisted in the Regular Army on 8 September 1975, and his DD Form 4, Enlistment or Reenlistment Agreement-Armed Forces of the United States, shows the contested SSN.

5. All the documents in his record that require the entry of the SSN show the contested SSN.
6. The applicant was discharged from active duty on 19 November 1976. The contested SSN is listed in Block 3, SSN, of his DD Form 214.
7. The applicant provides his identification card and his SSA card which shows his requested SSN.
8. Regulatory guidance states the DD Form 214 will reflect the record as it existed at the time of separation.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, a majority of the Board found relief is not warranted.
2. A majority of the Board noted that the SSN the applicant states is incorrect was used throughout his period of military service. A majority of the Board found insufficient evidence of mitigating circumstances that would support a recommendation to change an entry on a DD Form 214 that accurately reflects the information that was available when the form was completed. A majority of the Board determined the evidence does not support correcting the SSN recorded on the applicant's DD Form 214.
3. The member in the minority noted the applicant has provided a document confirming his correct SSN, and, considering the financial harm caused by the contested SSN being on his DD Form 214, determined full relief should be granted.
4. The applicant is advised that a copy of these proceedings will be filed in his Official Military Personnel Record, which will serve to explain the difference between the SSN recorded on his DD Form 214 and the SSN recorded on his SSA card.

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.

3/20/2024

X █

 CHAIRPERSON
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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 three years after discovery of the alleged error or injustice. This provision of law also allows the Army Board for Correction of Military Records (ABCMR) to excuse an applicant's failure to timely file within the three-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.
2. Army Regulation 635-5 establishes the policy for preparing and distributing the DD Form 214. The regulation directs that the purpose of the separation document is to provide the individual with documentary evidence of his or her military service at the time of release from active duty, retirement, or discharge.

//NOTHING FOLLOWS//