

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 15 February 2024

DOCKET NUMBER: AR20230007738

APPLICANT REQUESTS: correction of his DD Form 214 (Report of Separation from Active Duty) ending on 23 January 1975, to show his –

- Date of Birth (DOB) as 13 August XXX6 instead of 9 August XXX5
- Social Security Number (SSN) as [REDACTED] instead of [REDACTED]

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

- DD Form 149 (Application for Correction of Military Record)
- Social Security Card
- Department of Veterans Affairs (VA) Identification Card
- Georgia Identification Card
- State of Georgia Amended Birth Certificate
- DD Form 214, ending on 23 January 1975

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 effect, he requests correction of his DOB and SSN. Because the errors look so close to the actual DOB and SSN, he did not pay attention. It was not until he decided to buy a home and his wife looked at the copy of his DD Form 214 and informed him of the errors. In March 2022 at an appointment at the VA Hospital he made mention of the errors and the clerk made changes in her computer. It was not until he tried to get a copy of his DD Form 214 and got a response that it could not be located based on information, he provided that he realized he needed to go further.

3. A review of the applicant's military record shows the following:

a. In connection with his enlistment in the Regular Army, he completed and signed a Statement of Personal History, and listed his DOB as "9 August XXX5" and SSN as "[REDACTED]."

b. SF 93 (Report of Medial History) completed and signed by the applicant for enlistment in the Army shows he listed his SSN as "[REDACTED]," and SF 88 (Report of Medical Examination) shows his identification number as "[REDACTED]" and DOB as "8 August XXX5."

c. On 3 December 1973, the applicant enlisted in the Regular Army for 3 years. DD Form 4 (Enlistment Contract - Armed Forces of the United States) lists his SSN as "[REDACTED]" and DOB as "9 August XXX5."

d. His record contains the following forms and orders which show his DOB as "9 August XXX5" and SSN as "[REDACTED]":

- DA Form 428 (Application for Identification Card)
- DA Form 20 (Enlisted Qualification Record)
- DA Form 2 (Personnel Qualification Record (PQR) - Part I)
- DA Form 2-1 (PQR - Part II)
- DA Form 137 (Installation Clearance Record)
- Special Orders Number 14, 21 January 1975

e. On 23 January 1975, the applicant was honorably discharged from active duty. DD Form 214 shows in item 3 (SSN) "[REDACTED]" and item 4 (DOB) "9 August XXX5".

4. In support of his case, the applicant provides a Social Security card, VA identification card, Georgia identification card, and State of Georgia Amended Birth Certificate, which shows his DOB as "13 August XXX6" and SSN as "[REDACTED]"

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the justification given by the applicant for the original error and the provided documents supporting the applicant's contention, the Board concluded there was sufficient evidence of an error warranting a correction to the date of birth and SSN reflected on the applicant's DD Form 214.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of Army records of the individual concerned be corrected by amending the applicant's DD Form 214 to reflecting the requested date of birth (13 August XXX6) and the requested SSN (█).

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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 (Personnel Separations) prescribes the separation documents which are prepared for individuals upon retirement, discharge, or release from active military service. Section II, paragraph 2-8 (Item-by-item instructions), provides the instructions for completing each block/item of the DD Form 214. The instructions for item 3 (SSN) state to check records with separatee's social security card when possible; otherwise, verify the accuracy with the SSN of record. The instructions for item 4 (DOB) state to enter date using numerals.

//NOTHING FOLLOWS//