

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 February 2024

DOCKET NUMBER: AR20230007756

APPLICANT REQUESTS: to change his Social Security Number (SSN) on his DD Form 214 (Report of Separation from Active Duty) to show [REDACTED] instead of [REDACTED]

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 4 (Enlistment Contract – Armed Forces of the United States), 15 August 1975
- Enlistment/Travel Order Number 159-7, 15 August 1975
- DD Form 214, 7 July 1977
- Form W-2 Wage and Tax Statement, 2019
- Form SSA-1099 – Social Security Benefit Statement, 2019
- Department of Veterans Affairs (VA) Application for Health Benefits, 27 November 2019
- Driver License, 28 May 2020
- Letter from Applicant's Spouse, 16 November 2020
- U.S. Army Human Resources Command (AHRC), 1 March 2022

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, in effect, his enlistment paperwork listed the wrong SSN. If his DD Form 214 is not corrected he will not be able to apply for veteran services, military identification, and a disability rating. The applicant provides the following:

a. Enlistment/Travel Order Number 159-7, issued by the Armed Forces Examining and Entrance Station, Albuquerque, NM, dated 15 August 1975, assigning him to active duty, and shows the contested SSN.

- b. 2019 Form W-2 Wage and Tax Statement which shows the requested SSN.
- c. Form SSA-1099 – Social Security Benefit Statement, 2019, shows the requested SSN.
- d. VA Application for Health Benefits, 27 November 2019, shows the requested SSN.
- e. A copy of his driver license 28 May 2020, which does not reflect his SSN.
- f. A letter from the applicant's spouse dated 16 November 2020, which states they started the process of trying to correct his military record 1 1/2 years ago. Their goal is to correct his record so he can get military ID, apply for disability rating, and so forth.
- g. A letter from AHRC, dated 1 March 2022, which states they were unable to grant his request to change his SSN. For historical purposes the Army has an interest in maintaining the integrity of its records. The information contained therein should reflect the conditions and circumstances that existed at the time the records were created and under which the military service was performed. Therefore, AHRC is not authorized to change his SSN and directed the applicant to the Army Review Boards Agency.

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

- a. He enlisted in the U.S. Army Reserve on 18 March 1975. He was delayed from entry on active duty until 15 August 1975.
- b. He enlisted in the Regular Army on 15 August 1975. All documents in the applicant's record, to include his DD Forms 4 (Enlistment Contract – Armed Forces of the United States), DA Form 2-1 (Personnel Qualification Record), and Orders Number 131-39, all show the contested SSN.
- c. His DD Form 214 shows he was discharged from active duty on 7 July 1977. His DD Form 214 shows the contested SSN.

5. The Board has an interest in maintaining the accuracy of its records; for historical purposes, the data and information contained in those records should reflect the conditions and circumstances, as they existed at the time of the records' creation.

**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 shows he used the contested SSN during his service. The Board found no evidence eh used 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. 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, 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), in effect at the time, stated the purpose of separation documents was to provide the individual with documentary evidence of his/her military service. DD Form 214 preparers were to use all available records, to include enlistment documents, and the Soldier's DA Forms 2, and 2-1, as sources for the entries in the DD Form 214.
3. Army Regulation 635-8 (Separation Processing and Documents) currently in effect, prescribes the separation documents prepared for Soldiers upon retirement, discharge, or release from active military service or control of the Army. It states, Block 3 (SSN), verify accuracy by reviewing initial enlistment contract and/or application for appointment. If the Soldier has had more than one SSN, list the other SSN of record in block 18 (Remarks).
4. Army Regulation 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. 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.

//NOTHING FOLLOWS//