

IN THE CASE OF: [REDACTED]

BOARD DATE: 29 August 2024

DOCKET NUMBER: AR20230013907

APPLICANT REQUESTS: in effect, correction of the social security number (SSN) on his two DD Forms 214 (Report of Separation from Active Duty) and his National Guard Bureau NGB) Form 22 (Report of Separation and Record of Service).

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

- DD Form 149 (Application for Correction of Military Record)
- Department of Veterans Affairs (VA) Form 21-22 (Appointment of Veterans Service Organization as Claimant's Representative)
- [REDACTED] Army National Guard ([REDACTED] ARNG) letter
- SSN card
- Six [REDACTED] ARNG memoranda
- NGB Form 21 (Statement for Enlistment in the ARNG)
- NGB Form 22
- NGB Form 23 (ARNG Retirement Credits Record)
- DD Form 214
- Two [REDACTED] ARNG Special Orders (SO)
- Headquarters (HQ), Fifth U.S. Army Letter Orders
- Four sets of certified mail receipts
- [REDACTED] ARNG Affidavit of Service by Mail
- DD Form 4 (Enlistment Contract – Armed Forces of the United States)
- Two Standard Forms (SF) 88 (Report of Medical Examination)
- SF 89 (Report of Medical History)
- DA Form 664 (Serviceman's Statement Concerning Application for Compensation from the VA)
- DA Form 3082 (Statement of Medical Condition)
- HQ, U.S. Army Training Center, Infantry and Fort Polk SO

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 his SSN is wrong; instead of [REDACTED] it should be [REDACTED]. He requires this correction so that he can file a VA claim for service-connected disabilities. In support of his request, the applicant supplies documents from his service record. Additionally, he submits a letter from the [REDACTED] ARNG, dated 23 August 2023, which states they were unable to correct the SSN in the applicant's [REDACTED] ARNG records. The [REDACTED] ARNG noted that the SSN provided by the applicant at his enlistment is different from the one he now claims to be correct.

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

a. On 30 June 1974, the applicant enlisted into the [REDACTED] ARNG for 6 years; his DD Form 4 states his SSN is [REDACTED]

b. On 20 February 1975, he entered initial active duty for training to complete his initial entry training. On 20 June 1975, after awarding him military occupational specialty 11B (Light Weapons Infantryman) the Army honorably released him back to the [REDACTED] ARNG. His DD Form 214 shows he completed 4 months of net active duty service; item 3 (SSN) lists his SSN as [REDACTED]

c. On 11 February 1976, Fifth U.S. Army Letter Orders directed the applicant to report for 20-months' active duty due to his unsatisfactory participation in the [REDACTED] ARNG; the orders instructed him to report to the U.S. Army Reception Station (USARECSTA) at Fort Leonard Wood, MO, on 26 March 1976. On 25 March 1976, the [REDACTED] ARNG separated the applicant with a general discharge under honorable conditions; his NGB Form 22 shows his SSN as [REDACTED]

d. On 26 March 1976, the USARECSTA at Fort Leonard Wood reported the applicant as absent without leave (AWOL), and, on 24 April 1976, dropped him from unit rolls. Effective 18 August 1976, following the applicant's 13 August 1976 arrest by civil authority and his return to military control, orders assigned him to the U.S. Army Personnel Control Facility (PCF) at Fort Sill, OK.

e. On 19 August 1976, the PCF preferred court-martial charges against the applicant for having been AWOL, from 26 March to 13 August 1976 (140 days). On 20 August 1976, after consulting with counsel, the applicant requested separation under the provisions of chapter 10 (Discharge for the Good of the Service), Army Regulation (AR) 635-200 (Personnel Separations – Enlisted Personnel). On 25 August 1976, the applicant departed Fort Sill on excess leave.

f. On 20 September 1976, the separation authority approved the applicant's separation request and directed his under other than honorable conditions discharge and reduction to the lowest enlisted grade. On 27 September 1976, orders discharged the applicant accordingly; his DD Form 214 states "Not Verified" for item 18 (a) (Record of Service – Net Active Service This Period) and item 21 (Time Lost) reflects 140 days of lost time. Item 3 lists his SSN as [REDACTED]

g. All documents in the applicant's available service record show his SSN as [REDACTED]

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the applicant using the contested SSN throughout his military service and a lack of justification for how the wrong SSN was original placed in his record, the Board concluded there was insufficient evidence of an error or injustice warranting a correction to the applicant's military service record.

BOARD VOTE:


Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
[REDACTED]	[REDACTED]	[REDACTED]	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.

3/6/2025

XCHAIRPERSON


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. AR 635-5, in effect at the time, stated the purpose of separation documents was to provide the individual with documentary evidence of his/her military service. With regard to item 3 (SSN) of the DD Form 214, the regulation directed DD Form 214 preparers to check the Soldier's SSN card against what his/her records showed; they were to otherwise verify the SSN of record's accuracy.

//NOTHING FOLLOWS//