

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 24 September 2024

DOCKET NUMBER: AR20230013919

APPLICANT REQUESTS:

- correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show in item 3 (Social Security Number): [REDACTED] vice [REDACTED]
- appearance before the Board via video/telephone

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

- DD Form 149 (Application for Correction of Military Record)
- Social Security Administration, 20 October 2023

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 the social security number he used during his enlistment in service was later discovered to be assigned to two people. The social security administration notified him of this after being released from the Army. He has been using his new social security number for years and would like to have it corrected before anyone tries to get Department of Veterans Affairs benefits under the old social security number.
3. On 25 August 1981, the applicant enlisted in the Regular Army. His DD Form 4/1 (Enlistment/Reenlistment Document) shows, in part, his social security number as [REDACTED].
4. His DA Form 2-1 (Personnel Qualification Record), which was created upon his entry on active duty also shows in part, his social security number as [REDACTED].

5. On 24 August 1984, he was honorably released from active duty. His DD Form 214 shows he completed 3 years of net active service this period. His DD Form 214 shows in Block 3 (Social Security Number) – show as [REDACTED].

6. The applicant provides a printout from the Social Security Administration, dated 20 October 2023, that shows in part, his social security number as [REDACTED].

7. There is no evidence the applicant used the requested social security number during his military service.

BOARD DISCUSSION:

1. The Board determined the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

2. 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 available evidence of record shows the applicant used the contested SSN, ending in [REDACTED] during his military service. The Board found no evidence he served under or used the requested SSN ending in [REDACTED] during his service. Although the applicant provides a social security printout reflective of the SSN ending in [REDACTED], the Board found no evidence he used this number during his military 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. If the applicant can provide a new social security card and an explanation from the Social Security Administration of the change in his DSSN, he may reapply to this Board for reconsideration.

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 635-8 (Separation Processing and Documents) prescribes policy and procedural guidance relating to transition management. It consolidates the policies, principles of support, and standards of service regarding processing personnel for transition. Paragraph 5-6 (Rules for completing the DD Form 214) provides detailed instructions for data required in each block of the DD Form 214. For item 3, Social

Security Number, verify accuracy by reviewing initial enlistment contract and/or application for appointment. If the Soldier has had more than one social security number, list the other social security number of record in block 18 (Remarks).

3. Army Regulation 15-185 (Army Board for Correction of Military Records), paragraph 2-11, shows applicant's do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

//NOTHING FOLLOWS//