

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 July 2024

DOCKET NUMBER: AR20230015077

APPLICANT REQUESTS: in effect,

- reconsideration of his previous request for the correction of his Social Security Number (SSN) on his DD Form 214 (Report of Separation from Active Duty) from [REDACTED] " to [REDACTED] ."
- personal appearance before the Board via video or telephonically

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, ending on 18 June 1976
- State of Nevada Department of Motor Vehicles (DMV) Interim Identification Card
- Social Security Card
- Nevada Driver License

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the Army Board for Correction of Military Records (ABCMR) in Docket Number AR20160007414 on 24 May 2018. The Board determined the evidence presented did not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of the case was insufficient for the correction of the applicant's records. The applicant served under the SSN which he now claims to be incorrect for his entire period of active service.

2. The applicant states in effect, the SSN, [REDACTED] " he entered and served with during his military service was not his real SSN. It should reflect his correct SSN of [REDACTED] ."

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

- a. The applicant's DD Form 398 (Statement of Personal History) which he completed in order to enlist in the Regular Army (RA) shows his SSN as "[REDACTED]".
- b. The applicant's DA Form 2-1 (Personnel Qualification Record) shows in block 2 (SSN): "[REDACTED]."
- c. On 4 June 1974, the applicant enlisted in the RA and his DD Form 4 (Enlistment Contract – Armed Forces of the United States) shows in block 1 (Service Number/SSN); "[REDACTED]."
- d. On 5 December 1974, the applicant accepted non-judicial punishment for failure to report to his appointed place of duty. His punishment included restriction and extra duty for 7-days. The DA Form 2627 (Record of Proceedings Under Article 15, Uniform Code of Military Justice (UCMJ)) shows the applicant's SSN as "[REDACTED]."
- e. On 14 May 1976, the applicant was charged with two specifications of being Absent without Leave (AWOL). The DD Form 458 (Charge Sheet) shows the applicant's SSN as "[REDACTED]."
- f. On 20 May 1976, the applicant was charged with one specification of AWOL. The DD Form 458 shows the applicant's SSN as "[REDACTED]."
- g. On 24 May 1976, the applicant requested to be discharged for the good of the service in lieu of trial by court-martial. The DA Form 2496-1 (Disposition Form) shows the applicant's SSN as "[REDACTED]."
- h. On 18 June 1976, the applicant was discharged in lieu of court-martial with an under other than honorable conditions character of service. DD Form 214 shows the applicant completed 10-months and 1-day of active service. It also shows in block 3 (Social Security Number): "[REDACTED]."

4. The applicant provides:

- a. The State of Nevada DMV interim identification card which was issued on 29 September 2023 from his application for an identification card; however, the document does not reflect his SSN.
- b. Social security card which reflects the name C- M- and the SSN of "[REDACTED]" and a Nevada Driver License; however, it does not reflect his SSN.

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 evidence of record shows he enlisted, used, and served under the contested SSN, ending with 6**4 during his service. The Board found no evidence he served under or used the requested SSN ending with 1**8 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.

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 to amend the decision of the ABCMR set forth in Docket Number AR20160007414 on 24 May 2018.

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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. Army Regulation (AR) 635-5 (Personnel Separations – Separation Documents) in effect at the time, prescribes the separation documents that are furnished individuals who are retired, discharged, or released from active military service. Separation documents provide the recipients with a record of their military service; the Army with a source of information for administrative purposes; and other governmental agencies with an authoritative source of information for administering Federal and State laws pertaining to veterans. The basic source documents used for preparing the DD Form 214 are DA Form 20 (Enlisted Qualification Record). Paragraph 2-7c Item 3 (Social Security Number), check records with separatee's social security card when possible. Otherwise, verify the accuracy of the SSN of record.

2. AR 15-185 (Army Board for Correction of Military Records (ABCMR)) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 applicants 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//