

**DEPARTMENT OF HOMELAND SECURITY  
BOARD FOR CORRECTION OF MILITARY RECORDS**

---

Application for the Correction of  
the Coast Guard Record of:

**BCMR Docket No. 2017-004**

████████████████████  
SN (former)

---

**FINAL DECISION**

This proceeding was conducted according to the provisions of section 1552 of title 10 and section 425 of title 14 of the United States Code. The Chair docketed the case after receiving the application and the applicant's military records on October 24, 2016, and assigned the case to attorney ██████████ to prepare the decision for the Board as required by 33 C.F.R. § 52.61(c).

This final decision, dated July 7, 2017, is approved and signed by the three duly appointed members who were designated to serve as the Board in this case.

**APPLICANT'S REQUEST AND ALLEGATIONS**

The applicant claimed that he is the veteran named in the caption above, who served on active duty in the Coast Guard for eighteen days from September 18, 1979, through October 5, 1979, when he received an honorable discharge for "erroneous enlistment." He has asked the Board to correct the Social Security number (SSN) on his DD 214 and throughout his military records to his correct SSN. The applicant claimed that the SSN in his military record is erroneous, in that the fifth (middle) digit should be a █ instead of a █. He also submitted a copy of a Social Security card issued in 2015 with a █ as the fifth digit and a copy of his DD 214 with the allegedly erroneous SSN with a █ in the middle.

The applicant stated that he discovered the alleged error in his record on August 5, 2016. He explained that he had never noticed the incorrect SSN and stated that he would like his record to be corrected.

**SUMMARY OF THE RECORD**

The applicant served in the Coast Guard from September 18, 1979, through October 5, 1979. He was discharged after eighteen days due to erroneous enlistment because of a preexisting medical condition. When he enlisted in the Coast Guard, the recruiter made a photocopy of a card with his SSN on it, with a █ as the fifth digit. This card contains the applicant's name and the word

“Aries” at the top. The SSN shown on the veteran’s enlistment papers, discharge forms DD 214, and all other military records, including portions of the record handwritten by the veteran, has a ■ as the fifth digit, like the Aries card, and is different by only that single digit from the SSN shown on the photocopy of the Social Security card which he submitted.<sup>1</sup> The SSN on the 2015 Social Security card appears nowhere in the veteran’s military records.

Public records accessible in Westlaw show that the veteran—identified by his name and date of birth—used the SSN shown on his Social Security card from 1984 on.

### **APPLICABLE REGULATIONS**

Under COMDTINST M1900.4D, the Commandant’s instruction for preparing DD 214s, “[a]ll entries [on the DD 214], unless specified otherwise (i.e., block 7a,7b), are for the current period of active duty only from the date of entry as shown in block 12a through the date of separation as shown in block 12b.”

### **VIEWS OF THE COAST GUARD**

On March 28, 2017, the Judge Advocate General of the Coast Guard submitted an advisory opinion in which he adopted the findings and analysis provided in a memorandum on the current case submitted by the Commanding Officer, Coast Guard Personnel Service Center (PSC), who recommended the Board deny relief.

PSC stated that the application should be denied due to untimeliness because the applicant was discharged in 1979. Moreover, PSC argued, all of the applicant’s military records reflect the SSN the veteran served under, which is the SSN shown on the photocopy of the original card that was made and entered in his military record upon enlistment. PSC stated that the applicant has not shown by a preponderance of the evidence that his record is incorrect, given that the applicant himself wrote his SSN with a ■ as the fifth digit on many of his military records, and all of his enlistment documents show a ■ as opposed to a ■

### **APPLICANT’S RESPONSE TO THE VIEWS OF THE COAST GUARD**

On March 31, 2017, the BCMR sent the applicant a copy of the Coast Guard’s views and invited him to respond within 30 days. The BCMR did not receive a response.

### **FINDINGS AND CONCLUSIONS**

The Board makes the following findings and conclusions on the basis of the applicant’s military record and submissions, the Coast Guard’s submissions, and applicable law:

1. The Board has jurisdiction concerning this matter pursuant to 10 U.S.C. § 1552. An application to the Board must be filed within three years after the applicant discovers the

---

<sup>1</sup> The SSN in the applicant’s military records is almost the same as the number on the SSN card submitted by the applicant. It is different by one digit (XXX■XXXX vs XXX■XXXX).

alleged error or injustice.<sup>2</sup> The applicant was discharged from the Coast Guard on October 5, 1979, but did not submit his application until September 19, 2016. Given that the applicant was in the service for only eighteen days, the Board finds that his claim that he did not notice until August 5, 2016, that his SSN was incorrect on his DD 214 is credible. The application is therefore timely under 10 U.S.C. § 1552(b).<sup>3</sup>

2. The SSN shown throughout the applicant's military records includes a [REDACTED] as the fifth digit, and these records are presumptively correct.<sup>4</sup> The photocopy of the Social Security card that the applicant submitted, which shows a [REDACTED] as the fifth digit, is insufficient to overcome the presumption of regularity accorded his military records. The applicant has not proven by a preponderance of the evidence that the SSN on his DD 214 is erroneous, and so his request should be denied.

3. Public records show that the applicant has used the SSN with a [REDACTED] as the fifth digit since about 1984. Because there is no Social Security card in his Coast Guard record, which SSN—with a [REDACTED] or a [REDACTED] as the fifth digit—was his correct SSN in 1979 is not clear. There is no known legal reason for the applicant to have two SSNs, but he has apparently used two nearly identical SSNs during his lifetime.

4. Therefore, the Board will not order the Coast Guard to change the SSN on the applicant's DD 214 at this time. Before doing so, the Board would require clear, explicit, and formal documentation from the Social Security Administration stating that the SSN shown on his DD 214 was never issued to him or that it was issued to him but has been legally voided and changed to the new SSN.

5. To prove that he is the same person listed on his DD 214, the applicant needs the Social Security Administration to issue him a Social Security card with the SSN shown on his DD 214 or document that that SSN never belonged to him or that it has been legally voided and changed to the other SSN. Clearing up this issue through the Social Security Administration would allow the applicant's two earnings records to be joined, which might increase his future Social Security benefits. To get such documentation and clear up this issue, the Board recommends that the applicant take the following documents to his local Social Security office:

- His Social Security card with his new SSN;
- His DD 214 showing his other SSN;
- His birth certificate; and
- His driver's license.

---

<sup>2</sup> 10 U.S.C. § 1552(b) and 33 C.F.R. § 52.22.

<sup>3</sup> 10 U.S.C. § 1552(b) and 33 C.F.R. § 52.22.

<sup>4</sup> 33 C.F.R. § 52.24(b); *Arens v. United States*, 969 F.2d 1034, 1037 (Fed. Cir. 1992); *Sanders v. United States*, 594 F.2d 804, 813 (Ct. Cl. 1979).

**ORDER**

The application of former SN [REDACTED] USCG, for correction of his military record is denied, but as explained in the findings above, he is advised to seek help from the Social Security Administration.

July 7, 2017

