RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2010-03363

XXXXXXX COUNSEL: NONE

HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

His record be corrected to reflect he was awarded the Asia-Pacific Campaign Medal (APCM).

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APPLICANT CONTENDS THAT:

He was being sent to Australia when the war ended, but the award was not reflected on his discharge certificate.

In support of his request, the applicant provides a copy of his WG AGO Form 53-98, *Military Record and Report of Separation Certificate of Service*, and correspondence from the Army Board for Correction of Military Records.

The applicant’s complete submission, with attachments, is at Exhibit A.

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STATEMENT OF FACTS:

The applicant’s military personnel records were apparently located in the area most heavily damaged in the fire at the National Personnel Records Center (NPRC) in 1973. Documents provided by the applicant indicate he enlisted in the Army Air Corps on 6 Jun 45. According to his WG AGO form 53-98, he was discharged on 29 Nov 45 and credited with 5 months and 24 days of total active service, but no foreign service.

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AIR FORCE EVALUATION:

AFPC/DPSIDR recommends denial, indicating there is no evidence of an error or injustice. In accordance with DoD 1348.33M and AFR 900-48, the APCM is authorized for those who were assigned outside the continental United States (CONUS) in the Asiatic-Pacific Theater between 7 Dec 41 and 2 Mar 46 for 30 consecutive days or 60 non-consecutive days. However, according to the applicant’s limited record, he did not complete any foreign service while on active duty; therefore, he is ineligible for entitlement to the APCM.

A complete copy of the AFPC/DPSIDR evaluation is at Exhibit C.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 19 Nov 10 for review and comment within 30 days. As of this date, no response has been received by this office (Exhibit D).

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THE BOARD CONCLUDES THAT:

1.  The applicant has exhausted all remedies provided by existing law or regulations.

2.  The application was not timely filed; however, it is in the interest of justice to excuse the failure to timely file.

3.  Insufficient relevant evidence has been presented to demonstrate the existence of an error or injustice. After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinions appear to be based on the evidence of record and have not been adequately rebutted by the applicant. Absent persuasive evidence the applicant was denied rights to which he was entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

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THE BOARD DETERMINES THAT:

The applicant be notified the evidence presented did not demonstrate the existence of material error or injustice; the application was denied without a personal appearance; and the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

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The following members of the Board considered AFBCMR Docket Number BC-2010-03363 in Executive Session on 2 Jun 11, under the provisions of AFI 36-2603:

Ms. XXXXXXXXXX, Panel Chair

Ms. XXXXXXXXXX, Member

Mr. XXXXXXXXXX, Member

The following documentary evidence was considered:

Exhibit A.  DD Form 149, dated 9 Jun 10, w/atchs.

Exhibit B.  Applicant's Available Personnel Records.

Exhibit C.  Letter, AFPC/DPSIDR, dated 14 Oct 10.

Exhibit D.  Letter, SAF/MRBR, dated 19 Nov 10.

XXXXXXXXXX

Panel Chair