

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-01711
COUNSEL: NONE
HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

His records reflect time served in Laos.

APPLICANT CONTENDS THAT:

He was in Laos in 1968 on a classified mission.

In support of the applicant's appeal, he provides Congressional and other documentation.

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

STATEMENT OF FACTS:

The applicant enlisted in the Regular Air Force on 12 October 1966.

The applicant was honorably discharged on 9 October 1970 in the grade of sergeant under the provisions of AFM 39-10, Convenience of the Government. He served 3 years, 11 months and 28 days on active duty with no foreign and/or sea service.

AIR FORCE EVALUATION:

AFPC/DPAPP recommends denial. DPAPP states a thorough review of the applicant's master personnel records failed to substantiate his claim of foreign service in Laos. Official presence can be confirmed through documentation such as travel vouchers, evaluation reports, letters of evaluation, decorations, or other official military documents that reflect the travel was completed and the inclusive periods of travel. The applicant has not provided such documentation and it is not reflected in his records.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

The applicant reviewed the evaluation and states he is aware there is nothing in his military records for the time served in Laos in 1968. At the time of service he was informed that he was no longer in the military because he was under the direction of the CIA. If there are any records to be found the CIA would have to be contacted.

The applicant's complete response, with attachments, is at Exhibit E.

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. The applicant's contentions are duly noted; however, we agree with the opinion and recommendation of the Air Force office of primary responsibility and adopt its rationale as the basis for our conclusion that the applicant has not been the victim of an error or injustice. Additionally, we note the applicant's comments that he is aware there is nothing in his record for the time he served in Laos and that the CIA or one of his former commanders would have to be contacted for verification. Unfortunately, we must remind the applicant that we are not an investigative body and that the burden of providing evidence that shows him to be the victim of error or injustice rests with him. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought.

The following members of the Board considered AFBCMR Docket Number BC-2012-01711 in Executive Session on 1 November 2012, under the provisions of AFI 36-2603:

The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-01711 was considered:

- Exhibit A. DD Form 149, dated 24 April 2012, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPAPP, dated 10 July 2012.
- Exhibit D. Letter, SAF/MRBC, dated 26 July 2012.
- Exhibit E. Letter, Applicant, dated 31 July 2012, w/atchs.