



Painting "RENDEZVOUS OVER BOUGAINVILLE" by Shigeo Koike ©

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14 March 2001

Mr. Mack M. Burton
Executive Director
AFBCMR
1535 Command Drive
E E Wing, 3rd Drive
Andrews AFB, MD 20762-7002

CERTIFIED MAIL

RE: Rex T. Barber, AFBCMR Docket #91-02347

Sir:

You will observe that I have sent this letter by Certified Mail with a Return Receipt requested. In your letter of 2 March 2001, you said that further correspondence would be filed without action.

I fully understand that you are only an administrator and that your function is to present evidence to a panel of the AFBCMR, draft a decision for signature by the panel chairman, and maintain the records of the case. In the packaging of the panel's review is where you gain your power. I also understand that you do not accept or reject a panel decision, but that you may buck it up to the Assistant Secretary with a recommendation. Only the Assistant Secretary (Manpower and Personnel) can reject a panel decision and make a contrary decision.

I believe that you failed to fulfill the duties outlined above by the way the material was packaged for the board and by not referring the matter to the Assistant Secretary. I therefore want to be sure that this letter is in Colonel Barber's file when the investigation of

DRAWER N
223 SOUTH MAIN
PRATT, KANSAS 67124
TELEPHONE (620) 672-4821
EMAIL: gtchan@fnbpratt.com
WEB SITE: <http://www.syma.org>

your performance of your duties as Executive Director of the Air Force Board for Correction of Military Records is conducted.

I review herewith what has transpired under your administration of the office:

1. Under rules for a veteran to seek correction of his military records, the threshold is very low for new evidence to be submitted by the veteran.
2. On 1 October 1999, I sent you Colonel Rex T. Barber's request for a new hearing to examine the new evidence that proved his claim that he should have 100% of the credit for the shoot down of Admiral Isoroku Yamamoto on April 18, 1943. This new evidence was a letter, not previously considered by the AFBCMR, from Lieutenant Colonel Thomas G. Lanphier to General John P. Condon, dated December 15, 1984, with the key phrase being "The bomber that I shot the wing off of was intact from nose to the tip of its tail when I first fired at it".
3. The Office of Air Force History has wrongfully credited Tom Lanphier with half credit for the shoot down of the Yamamoto plane on the basis that Tom Lanphier had attacked the Yamamoto airplane after Rex Barber had attacked the bomber and set it on fire and that Tom Lanphier finished the destruction of the Yamamoto airplane and thus was entitled to half credit.
4. Lanphier's letter, in which he unequivocally states, that the airplane that he attacked was intact from nose to tail absolutely proves that he did not attack the Yamamoto bomber already set on fire by Rex T. Barber.
5. You sent this application from Rex T. Barber to Harlan G. Wilder, Chief, General Law Division, JAG, for his comment. Mr. Wilder deliberately misinterpreted the key part of Colonel Barber's application and responded that the matter of the wing being shot off had already been considered. Mr. Wilder never addressed the primary new evidence of Lanphier's statement that the airplane he attacked was intact from nose to the tip of its tail when he first fired at it. It was misfeasance on your part to accept this erroneous analysis by Mr. Wilder.
6. You then assigned a review of the matter to Rose M. Kirkpatrick, Chief Examiner, AFBCMR. Ms. Kirkpatrick and panel members, Mr. Benedict A. Kausal IV, Panel Chair, Mrs. Barbara A. Westgate, Panel Member, and Mr. Gregory H. Petkoff, Panel Member, followed the lead of Mr. Wilder in never considering the new evidence but again considering only the discussion of the wing being shot off, which was not the new evidence.
7. It was not in keeping with the duties of your office to accept such a report from Rose M. Kirkpatrick when you knew differently.

8. In my letter to you of 21 February 2001, I pointed out to you these errors and misrepresentations by Mr. Wilder and Ms. Kirkpatrick and asked you, as the Executive Director of the AFBCMR, to take the steps to make the necessary corrections so that Colonel Barber's presentation of the new evidence would be properly considered.
9. Your letter of 2 March 2001 was unresponsive to my request and again you both dodged the whole issue of what constituted the new evidence and failed to refer the issue to the Assistant Secretary who could over rule the board.

I want this letter to be in Colonel Barber's file when an unbiased investigator conducts a thorough investigation of this matter.

Signed -

George T. Chandler
President
Second Yamamoto Mission Association
Attorney-in-Fact for
Colonel Rex T. Barber, USAF Ret

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