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Authority AND 8336

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Authority AAD 88308

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Authority W.D. 883678

*2nd Cab
Top*

STUDY
CANCELLED MISSING
PERSONS ACT
DETERMINATION

STUDY - 7

AGCD-CR

26 March 1958

MEMORANDUM THRU: Chief, RPR Branch
Operations Officer, RPR Branch
Civilian Advisor, USARCM
Comptroller, DOLMPC
Deputy Commander, USARCM

FOR: CO, USARCM

SUBJECT: Cancelled Missing Persons Act Determination.

1. PROBLEM.

Where the Missing Persons Act determinations were made (Tab "A") and cancelled by administrative action (Tab "B") should formal confirmation under the provisions of the Missing Persons Act be taken by USARCM?

2. BACKGROUND.

a. Philippine Army 201 personnel folder shows Daniel C. Calixto:

(1) PA AGO Form 23, 4 June 1946, Affidavit of subject, he alleges joining MMD, ECLGA, 5 October 1943 to 26 February 1945, attached to 38th Division from 27 February 1945 to 30 July 1945, Discharged 31 Jul 1945.

(2) PA AGO Form 23, 2 July 1946, Affidavit of subject, he alleges joining "C" Co, 1st Bn, 61st Inf MMD, 5 October 1943 to 13 May 1945; attached to 38th Division 14 May 1945 to 19 July 1945; 2d Repl Bn 20 Jul 1945 to 19 October 1945; 20 October 1945 disbanded. 20 June 1946 to 27 June 1946, reported, processed and finally discharged.

b. MPA determination by RPD, 20 March 1947 (Tab "A"), determined subject was a recognized guerrilla member of 61st Inf, MMD, East Central Luzon Guerrilla Area. Service data included therein.

c. Administrative action, by Chief, Arrears in Pay Branch, 22 July 1949, to Chief, FS, AFP, (Tab "B") shows the following:

"Determination sheets of Daniel C. Calixto, dated 20 March 1947, TG 932-5, have been cancelled by this office this date as revised date of recognition of guerrilla unit subject individual was a member of has been revoked."

d. RPD letters (Tab "C") show rescission, revision, and reconstructed recognition information pertaining to the East Central Luzon Guerrilla Area (ECLGA).

e. Chief, Arrears in Pay, was designated to act in behalf of Commanding General, Philippines Command, in taking of such action as was necessary to the administration of the Missing Persons Act (See Tab "D").

f. Procedure.

(1) Procedure in effect in RFR Branch prior to 19 December 1957 was basically to report service information to the Veterans Administration on the basis of Philippine Army 201 personnel records, archives, recognized guerrilla rosters, etc., whether or not such report to the Veterans Administration was in accordance with the latest determination of status under the Missing Persons Act. Procedure subsequent to 19 December 1957 has been service information reported to the VA must be in accordance with the latest official determination under the Missing Persons Act.

(2) RFR Branch SOP, successor to the Adjutant General Records Depository Adjudication Policy, provides cases of this nature where the person only alleges recognized guerrilla service and he is not on the finally approved recognized guerrilla roster a "NEGATIVE" report will be furnished the Veterans Administration.

3. DISCUSSION.

a. Subject alleges only guerrilla service in ECLGA. The overall strength of ECLGA as of the end of June 1945, was "approximately 3,700 officers and 39,500 EM." Letter, PHILKYCON, 19 June 1948, subject: "Reconstructed Troop Rosters of East Central Luzon Guerrilla Area," shows the total recognized strength reduced to 13,308. Subject individual's name is not on the reconstructed troop roster, hence he is not a recognized guerrilla. Likewise, there is no proof that he was processed into the Regular Philippine Army service.

b. Administrative action was taken to cancel the MPA determination. Further basis for the revocation of the MPA determination is the reconstruction of the Guerrilla Troop roster of ECLGA. It will take additional time per case, of this type, to prepare a formal determination under the Missing Persons Act confirming the cancellation of a prior MPA determination.

4. RECOMMENDATION.

a. Memorandum for Record, (USARCEN Form 636), in cases of this nature be prepared outlining the facts, (Tab "E").

b. Missing Persons Act determination (Tab "A") be accepted as cancelled.

c. No new formal administrative action be taken at this time under the provisions of the Missing Persons Act to further confirm an administrative action that cancelled an MPA determination.

W. C. Allen
W. C. ALLEN

5 Incl

- 1. Ltr, RPD, 20 Mar 47 (Tab A)
- 2. A/P Br Note, 22 Jul 49 (Tab B)
- 3. FCLCA Recogn, 7 Ltrs (Tab C)
- 4. Ltr PHILCOM, 1 Sep 48 (Tab D)
- 5. USARCEN Form 636 (Tab E)

Review and Analysis Branch
DODMPC

Chief, RPR Branch
Operations Officer, RPR Branch
Technical Advisor, USARCEN
Comptroller, DODMPC
Deputy Commander, USARCEN

CONCUR

NON-CONCUR

SEE
ATTACHED COMMENTS

(*W.C.*)
(*W.C.*)
(*W.C.*)
(*W.C.*)
(*W.C.*)

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APPROVED. *18 April 1958*

[Signature]
C. E. HAYES JR
Colonel, AGC
Commanding

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OHM/jrt/ebb

Claim of Daniel C Celixto

22 Jul 49

FROM: Chief, arrears in Pay Br
AGAD

TO: C, AG APP
(Attn: Capt Miranda)
THRU: C, AG-APPNP or

Determination sheets of Daniel C Celixto, dated 20 Mar 47, Tc 932-5, have been cancelled by this office this date as revised date of recognition of Guerrilla unit subject individual was a member of has been revoked.

CHARLES G ROCKEY

Major Inf

Chief, Arrears in Pay Br - - - - -

TAB "B"

(10) According to available records in this office, subject individual's finance record is as follows:

	From	To	Grade	Amount	Remarks
(a)	1 Mar 45	31 Jul 45	Pfc	P 155.00	QA & USAPFE PAs
(b)					
(c)					
(d)					
(e)					
(f)					

(11) Advance payment chargeable against arrears in pay None
 (12) Other indebtedness (itemize)

(a) None
 (b)
 (c)
 (d)

(13) Remarks None

2. Immediately upon completion of payment (or collection as the case may be) it is requested that this office be notified by indorsement hereon as to the date of payment and amount paid. It is further requested that a copy of the computation be furnished.

FOR THE COMMANDING GENERAL:

Norman R. Houston
 NORMAN R. HOUSTON
 Capt. Inf.
 Actg Asst Adj Gen

1 Incl:

Specimen of claimant's signature or thumbmark

1st Ind.

HEADQUARTERS, ARMY OF THE PHILIPPINES, OFFICE OF THE FINANCE SERVICE,
 CAMP MURPHY, QUEZON CITY.

TO: Commanding General, Philippines-Ryukyus Command
 APO 707 (Attn: Recovered Personnel Division)

Payment of arrears in pay to _____
(Last Name) (First Name) (MI)
 was made by Check No. _____ in the amount of _____
 on _____.

Letter of collection for P _____ due the United States was forwarded
 to _____ on _____
(Last Name) (First Name) (MI)

Attached hereto is a copy of computation of arrears in pay.

FOR THE CHIEF FINANCE SERVICE:

**HEADQUARTERS
PHILIPPINES-RYUKYUS COMMAND
RECOVERED PERSONNEL DIVISION**

TG 9322

APO 707
MAR 20 1947

OSXRP 201- CALIXTO, DANIEL C (EM)

SUBJECT: Settlement of Arrears in Pay

TO : Chief of Staff,
Headquarters, Army of the Philippines
(Attn: Chief, Finance Service)

1. On the basis of evidence on file in this Headquarters in the 201 folder of the below-named individual the following determination of status in the Philippine Army ordered into the armed forces of the United States is hereby made and forwarded to you for computation and settlement of arrears in pay.

- (1) Name CALIXTO DANIEL C ASN 230608
(Last) (First) (MI)
- (2) Last known Military Address 61st Inf Regt MMD BCLGA
- (3) Last known Home Address Wawang-Polo, Polo, Bulacan
- (4) Name of Guerrilla Unit 61st Inf Regt MMD BCLGA
(a) Date of joining guerrilla unit 5 Oct 43
(b) Date of recognition of guerrilla unit 15 May 42
- (5) Date of discharge 31 Jul 45
- (6) Entitled to arrears in pay from:
(a) 5 Oct 43 - 26 Feb 45
(b) 19 Jan 44
(c) Cancelled
(d) Cancelled
- (7) Entitled to arrears in quarters allowance from:
(a) 5 Oct 43 - 26 Feb 45
(b) Cancelled
(c) Cancelled
(d) Cancelled
- (8) Grades held for period shown in Par 6:
- | Grade | Branch | From | To |
|---------|--------|----------|-----------|
| (a) Pfc | Inf | 5 Oct 43 | 26 Feb 45 |
| (b) | | | |
| (c) | | | |
| (d) | | | |
| (e) | | | |
| (f) | | | |
- (9) Paid in full by organization commander since 27 Feb 45

TAB "A"

MEMO FOR RECORD

DATE

LAST NAME - FIRST NAME - MIDDLE NAME

Calixto, Daniel C.

HOME ADDRESS

ASN

VA CLAIM NUMBER

CLAIMANT

ADDRESS

RELATIONSHIP

 DISABILITY CASE

CLAIM FILED _____

 DEATH CASE

ADJUDICATED _____

REASON FOR EXAMINATION

 ORIGINAL VA 3101 DATED _____ SUPPLEMENTAL VA 3101 DATED _____ RECLAMA DATED _____

OTHER (Specify w/date)

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1. SERVICE CLAIMED

	GRADE	COMPANY	BATTALION	REGIMENT	DIVISION	PREVIOUS CERTIFICATION	
<input type="checkbox"/> USAFFE						<input type="checkbox"/> POS	<input type="checkbox"/> NEG
<input type="checkbox"/> GUERRILLA						<input type="checkbox"/> POS	<input type="checkbox"/> NEG
<input type="checkbox"/> CUR. ENL.						<input type="checkbox"/> POS	<input type="checkbox"/> NEG
<input type="checkbox"/> NO PREVIOUS CERTIFICATION							
						<input type="checkbox"/> PREVIOUS CERTIFICATION DATED _____	

2 EVIDENCE PRESENTED

	DATED	USAFFE	GUERRILLA	CUR. ENL.
a. AFFIDAVIT OF _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. AFFIDAVIT OF _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. AFFIDAVIT OF _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. AFFIDAVIT OF _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. AFFIDAVIT OF _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. AFFIDAVIT OF _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. AFFIDAVIT OF _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. AFFIDAVIT OF _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. AFFIDAVIT OF _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. AFFIDAVIT OF _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
K. OTHER (Describe)				
L. OTHER (Describe)				

3. DISCUSSION OF EVIDENCE

a. AFFIDAVITS _____ ARE ACCEPTABLE

FOLLOWING AFFIDAVITS ARE UNACCEPTABLE BECAUSE:

_____ AFFIDAVIT IS NOT IN PROPER FORM	_____ AFFIANT WAS A MEMBER OF A DIFFERENT UNIT
_____ AFFIANT IS LISTED AS UNACCEPTABLE	_____ STATEMENTS BASED ON HEARSAY
_____ AFFIANT'S OWN SERVICE NOT ESTABLISHED	_____ AFFIANT'S MEMORY INCONSISTENT IN HIS OWN OR OTHER CASES
_____ AFFIANT INDUCTED AFTER SUBJECT.	_____ STATEMENTS DO NOT PROVE MILITARY STATUS
_____ AFFIANT INDUCTED ELSEWHERE	_____ OTHER REASONS AS FOLLOWS:
_____ AFFIDAVIT INCONSISTENT WITH AFFIANT'S SERVICE STATEMENT	

b. OTHER ACCEPTABLE EVIDENCE

c. OTHER NON-ACCEPTABLE EVIDENCE

4. A CHECK OF ALL 201 FILES UNDER NAME (S) Daniel Calixto HAS BEEN MADE.

- THERE ARE _____ OTHER FILES IN THE SAME NAME(S).
 NO OTHER FILES PERTAIN.
 OTHER FILES WERE FOUND AND WERE CONSOLIDATED WITH THIS FILE.

5. A THOROUGH SEARCH OF ALL AVAILABLE ARCHIVES HAS BEEN MADE.

- SUBJECT IS NOT LISTED.
 SUBJECT IS LISTED AS FOLLOWS:
- | | | |
|---|---|---|
| <input type="checkbox"/> NSLI | <input type="checkbox"/> POW RECORD | <input type="checkbox"/> CAPAS DEATH RECORD |
| <input type="checkbox"/> CASUALTY REPORT | <input type="checkbox"/> HISTORICAL DATA OF _____ | (Unit) |
| <input type="checkbox"/> OTHER (Specify) _____ | | |
| <input type="checkbox"/> GUERRILLA ROSTER _____ | | |
| <input type="checkbox"/> GUERRILLA ARCHIVES _____ | | |

6. FURTHER DISCUSSION OF EVIDENCE

Daniel C. Calixto, alleges guerrilla service with ECLGA, MMD, from 5 October 1943 through July 1945.

Subject individual is not shown on the reconstructed troop roster of ECLGA per report from Records Section, RPR Branch.

RPD Ltr, dtd 20 Mar 1947, shows service from 5 Oct 1943 to 31 July 1945 date of discharge, with 61st Inf Regt, MMD, ECLGA; however, it is marked with ink "CANCELLED".

The "CANCELLED" notation is confirmed by a checknote in file from Chief, Arrears in Pay Br, dtd 22 July 1949. Another basis for cancelling MPA determination are letters of recognition, revision of recognition, and reconstruction of Guerrilla recognition of East Central Luzon Guerrilla Area. See Guerrilla Recognition Book.

7. FOLLOWING DETERMINATION IS RECOMMENDED

- a.
- | | | | |
|--|---------------------------------|-------------------------------------|------------------------------------|
| <input type="checkbox"/> POSITIVE | <input type="checkbox"/> DSAFFE | <input type="checkbox"/> GUERRILLA | <input type="checkbox"/> CUR. ENL. |
| <input checked="" type="checkbox"/> NEGATIVE | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

b. STATUS PERIODS AS FOLLOWS:

None.

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c. CONCLUSIVE DETERMINED PRESUMED DEATH AS FOLLOWS:

DATE DEATH LAST SEEN _____ PLACE _____
CAUSE _____

8. OTHER RECOMMENDATIONS

Since subject does not allege that he was processed into the Regular PA service and alleges only guerrilla service, plus the fact that he is not on the approved reconstructed troop roster of ECLGA, recommend "NEGATIVE" report be furnished the VA.

SIGNATURE

W. C. Doe
W. C. Doe

(Claims Examiner)

SIGNATURE

Xoe

(Final Reviewer)

TAB "E"

Draft

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DEPARTMENT OF THE ARMY
OFFICE OF THE ADJUTANT GENERAL
U. S. ARMY RECORDS CENTER
ST. LOUIS 14. MISSOURI

IN REPLY
REFER TO:

RECORD OF DETERMINATION

Pursuant to delegation of authority by the Secretary of the Army to make determinations under The Missing Persons Act, as amended, it has this day been determined by this Department that Daniel C. Calixto, date of birth 21 July 1907, had no grade or status under The Act because subject individual is not listed on the roster approved by the Guerrilla Affairs Division.

BY ORDER OF THE SECRETARY OF THE ARMY

Adjutant General

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Authority: 25XJJD 883078

V. A. FORM 3101 NOV. 1945		REQUEST FOR ARMY INFORMATION		TYPE OF CLAIM	
WD AGO FORM 53 SERIES RECEIVED: YES <input type="checkbox"/> NO <input type="checkbox"/>				ORIG PHIL LIV VET	
LOCATION OF REQUESTING OFFICE			ORGANIZATION UNIT		DATE
WARC, APO 928, SF, CALIF			ADJ, WRO		9-16-57
If VA entry is correct, enter "c" in corresponding WD box; if not, make correct entry.					
To be completed by Veterans Administration			To be completed by War Department		
1. LAST NAME - FIRST NAME - MIDDLE INITIAL			1. LAST NAME - FIRST NAME - MIDDLE INITIAL		
CALLITO, Daniel			CALLITO, Daniel C.		
2. ARMY SERIAL NO.		3. C. NO.	2. ARMY SERIAL NO.		3. C. NO.
230 608		20 373 376	2. ARMY SERIAL NO.		20 373 376
4. CONVERTED INS. NO.		5. NAT. SER. LIFE INS. NO.	4. CONVERTED INS. NO.		5. NAT. SER. LIFE INS. NO.
6. DATE(S) OF ENTRY INTO ACTIVE SERVICE			6. DATE(S) OF ENTRY INTO ACTIVE SERVICE		
1943					
7. DATE(S) OF DISCHARGE(S) OR RELEASE FROM ACTIVE SERVICE			7. DATE(S) OF DISCHARGE(S) OR RELEASE FROM ACTIVE SERVICE		
6-27-46					
8. CHARACTER OF DISCHARGE(S)			8. CHARACTER OF DISCHARGE(S)		
Hon					
9. LAST GRADE AND ORGANIZATION			9. LAST GRADE AND ORGANIZATION		
Pfc, 1st Repl Co 4th Repl Bn					
10. DATE OF DEATH		11. PLACE OF LAST DISCHARGE	10. DATE OF DEATH		11. PLACE OF LAST DISCHARGE
12. HOME ADDRESS			12. HOME ADDRESS		
wawang-Polo, Polo, Bulacan					
13. DATE OF BIRTH		14. PLACE OF BIRTH	13. DATE OF BIRTH		14. PLACE OF BIRTH
7-21-07		Polo, Bulacan			
ALLEGED DISEASE OR INJURY					DATE INCURRED
GSW, left thigh - 1945					
HOSPITAL OR INFIRMARY			DIAGNOSIS		
Aid Sta Meycausayan, Bulacan					
ORGANIZATION WITH WHICH SERVING			SIGNATURE		
			James M. Hay		
			JAMES M. HAY, Adj Off		
ADDITIONAL INFORMATION					
Pls complete #632 and furnish all exts of F23 exec prior and subs to 6/30/46.					
Subject individual has no recognized guerrilla service, nor was he a member of the Philippine Commonwealth Army in the service of the Armed Forces of the United States.					
COPIES		ORIGINALS (LOANED)		OTHER RECORDS	
PHYS. EXAM.	AT ENTRANCE	OTHER	CLINICALS		
CARDS	FIELD MEDICAL	MEDICAL	FINAL PHYS. EXAM.		
TAGS	FIELD	DENTAL			
DATE		BY			
27 JUN 1958		Herbert M. Jones		AAK/lh	
The Adjutant General		Major General, USA		Maare	
		The Adjutant General			
		AGAR-R			

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