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LONGUO, JUANITO A.

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Authority *AND 88308*

RE:

SUBJECT: Clarification of Status of Officer

TO: Chief, Pers Div, TAGO **FROM:** Chief, Admin Svc Div, TAGO **DATE:** 31 Dec 56 **COMMENT NO.:** 3
ATTN: Chief, Army Res Br

1. Referred for appropriate action pursuant to discussion on 28 December 1956 among Col Lott, Chief, Army Reserve Branch, Mr McCool, Chief, Records Administration Branch, Comptroller Div and Mr Belnap of this office.

2. The revocation in November 1953 of Major Longno's status as a member of the 14th Infantry (AUS) is affirmed.

3 Inal
- m/c

George A. Gould
GEORGE A. GOULD, Colonel, AGC
Chief, Admin Svc Div, TAGO

TO: The Judge Advocate General **FROM:** TAG **DATE:** 4 Jan 57 **COMMENT NO.:** 4
Mrs. Garcia/75114/pf

1. Attention is invited to information contained in preceding comments and enclosures thereto. In view of the administrative determination which has been made and affirmed in this case, questions arise as to the status of this individual while serving in the active military service and on active duty for training.

2. Records show the following events in this case:

a. Based upon the assumption that LONGNO was inducted into the active military service as a commissioned officer (first lieutenant, Army of the United States) under the radio message referred to in paragraph 2a, preceding Comment 2, he was tendered a temporary promotion to the grade of captain, Army of the United States, by Special Orders Number 98, 2 August 1942, General Headquarters, Southwest Pacific Area (Tab A).

b. On 1 May 1946, Office of the Commanding General, Headquarters US Army Forces Western Pacific, issued orders, confirming the temporary appointment of LONGNO as first lieutenant, Army of the United States with rank from 14 July 1942 and order to active duty same date, citing authority as "DP, and under authority contained in GHQ SWPA radio to MAKAR dated 12 July 1942." He was assigned service number O 808 080. (Tab B)

c. Report dated 10 May 1946 issued by Headquarters, United States Army Forces, Western Pacific, to TAG, subject: Statement of ~~Individual~~ Recovered from Enemy Occupied Territory, states that individual was returned to military control on 26 November 1945 (Tab C).

MEMO 701 Longno, January A.
SUBJECT: Clarification of Status of Officer

4 Jan 57

d. LONGNO submitted application on 10 January 1949 requesting appointment in the grade of major, Infantry, Officers' Reserve Corps under the provisions of DA Circular 28, 1948 (Tab D). Since his records showed that he had held the grade of captain, Army of the United States, since 2 August 1942, he met the "time in grade requirements" as outlined in WD Circular 140, 1946, and his application was approved. He was tendered an appointment as a major, Infantry, Reserve on 31 January 1949 and accepted this appointment on 3 February 1949 (Tabs E and F). On 28 February 1949 he was relieved from active duty, at which time the special orders provided that his AUS appointment terminated.

e. LONGNO performed the following periods of active duty for training (Tabs G and H):

26 May 1950 to 8 June 1950, both dates inclusive
10 Apr 1951 to 24 Apr 1951, " " "

f. The Department of the Army issued orders on 14 June 1951, ordering LONGNO to active military service under subsection 515 (d) SPA 1947, in the grade he currently held in the Army Reserve, which was major, Infantry, USAR, with effective date of 21 July 1951 (Tab I). He entered on active duty on 21 July 1951 in compliance with the aforementioned orders and is currently serving on active duty as a major, Infantry, USAR.

g. On 16 November 1953, the Commanding Officer, Army Records Center, St. Louis, Missouri, assuming that LONGNO was not on active duty, forwarded a letter to him at his home address, advising him that as a result of an exhaustive study it was determined that he had been granted status in the AUS through error (Tab J).

3. In view of the circumstances in this case, an opinion is requested on the following:

a. What was the status of LONGNO from the date he was returned to military control (26 November 1945) to the date he was relieved from active duty (28 February 1949) in view of his service in the active military service under the assumption that he was a captain, Army of the United States?

b. The legality of the appointment tendered him as major, Infantry, Officers' Reserve Corps on 31 January 1949 under DA Circular 28, 1948.

c. In the event an opinion to question b above is rendered in the negative, in what capacity was LONGNO serving on active duty for training for the periods mentioned in paragraph 2e above and for the active military service he performed from 21 July 1951 to current date?

4. Exhibits referred to in preceding Comment No. 2 are contained in envelope attached as Tab K.

FOR THE ADJUTANT GENERAL:

3 Incl
n/e

R. J. McDuff
R. J. McDuff
Colonel, AGO
Lieutenant General, USA
Chief, Personnel Division, TAGO

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LONG, VOI, JANUARIO A.

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