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	Section
AR 35-4520—Changes in par. 22.....	I
AWARD—Philippine Defense Ribbon and Philippine Liberation Ribbon.....	II
INSTALLATION—Fort Browa, Texas, classified as class III.....	III
LUMBER—Receiving procedure.....	IV
NATIONAL GUARD—Personnel—Procedures for separation from active Federal service.....	V

I. AR 35-4520.—Pending the printing of changes in AR 35-4520, 19 April 1945, so much of paragraph 22 (9th line) of those regulations as reads "d. *Delegation of authority*" is changed to read "b. *Delegation of authority.*"

[AG 246.8 (4 May 45)]

PHILIPPINE SERVICE RIBBONS

II. AWARD.—1. The Government of the Commonwealth of the Philippines has proffered the following service ribbons to personnel of the Army of the United States who are eligible therefor under the conditions established:

a. Philippine Defense Ribbon.—For service in defense of the Philippines from 8 December 1941 to 15 June 1942.

b. Philippine Liberation Ribbon.—For service in the liberation of the Philippines from 17 October 1944 to a date to be announced later.

2. Acceptance of such ribbons and the wearing of same by eligible personnel are authorized.

3. The conditions governing eligibility for the award of these ribbons are as follows:

a. Philippine Defense Ribbon.

(1) All members of the Philippine Army, including the Philippine Constabulary, on active duty and all members of the armed forces of the United States and of nations allied or associated with the United States in the war against the Japanese Empire are eligible if—

(a) They participated in any engagement against the enemy on Philippine territory; in Philippine waters, or in the air over the Philippines or over Philippine waters, during the period from 8 December 1941 to 15 June 1942.

(b) They were assigned or stationed in Philippine territory or in Philippine waters for not less than 30 days during the period from 8 December 1941 to 15 June 1942.

(2) Individuals eligible under both (a) and (b) above are authorized to wear a bronze star on the ribbon.

(3) An individual will be considered as having participated in combat if—

(a) He was a member of the defense garrison of the Bataan peninsula or of the fortified islands at the entrance to Manila Bay.

(b) He was a member of and present with a unit actually under enemy fire or air attack.

(c) He served on a ship which was under enemy fire or air attack.

(d) He was a crew member or passenger in an airplane which was under enemy aerial or ground fire.

b. Philippine Liberation Ribbon.

(1) All members of the Philippine Army, including the Philippine Constabulary, on active duty and all members of the armed forces of the United States and of nations allied or associated with the United States in the war against the Japanese Empire are eligible if—

- (a) They participated in the initial landing operations on Leyte and adjoining islands from 17 October to 20 October 1944. An individual will be considered as having participated in such operations if he landed on Leyte or adjoining islands, was on a ship in Philippine waters, or was a crew member of an airplane which flew over Philippine territory during such period.
- (b) They participated in any engagement against the enemy during the campaign. An individual will be considered as having participated in combat under the conditions set forth in a(3)(b), (c), or (d) above.
- (c) They served in the Philippine Islands or on ships in Philippine waters for not less than 30 days during the period from 17 October 1944 to a terminal date to be announced.

(2) (a) Individuals eligible under any two of the provisions stated in (1) above are authorized to wear a bronze star on the ribbon.

(b) Individuals eligible under all three of the provisions are authorized to wear two bronze stars on the ribbon.

4. The bronze star authorized for wear on the ribbons shall be a five-pointed star 4.75 millimeters ($\frac{3}{16}$ inch) in diameter.

5. Commanders concerned will make appropriate entries in Service Records (WD AGO Form 24), Soldier's Qualification Card (WD AGO Form 20), and Officer's Qualification Card (WD AGO Form 06-1 or 06-2), referring to the service rendered by the individual and to this circular as specific authority for the award. Unit commanders of United States Army Forces in the Far East may refer to General Orders Number 23, Headquarters, United States Forces in the Far East, 5 February 1945. Separate entries should be made for the Philippine Defense Ribbon and the Philippine Liberation Ribbon. No other authority than proper entries in the service records and qualification cards is required for wearing these service ribbons.

6. The authorized ribbons will be worn as prescribed in paragraph 71b, AR 600-40. The Philippine Defense Ribbon will take precedence over the Philippine Liberation Ribbon.

[AG 200.6 (28 Apr 45)]

III.—INSTALLATION—Fort Brown, Texas, now under the jurisdiction of the Commanding General, Eighth Service Command, is reclassified as a class III installation under the jurisdiction of the Commanding General, Army Air Forces. [AG 602 (27 Apr 45)]

IV.—LUMBER—1. For purpose of conforming Army procedures in receiving and tallying in of lumber shipments with those employed in the commercial field, thereby obviating unnecessary correspondence, claims, and disputes regarding the accuracy of the receiving officer's count, there is hereby established a 1½ percent discrepancy tolerance for application and use at all Army installations when receiving shipments of lumber from vendors.

AGO 90B

2. If a shipment of lumber is delivered intact and in good order (without damage) from a vendor having made repeated acceptable deliveries and there is no evidence that the shipment has been tampered with or that theft has occurred, and, upon the basis of the in-checker's tally there appears to be a discrepancy in the quantity delivered, the shipper's count may be accepted, provided that the indicated discrepancy does not exceed 1½ percent of the total quantity claimed to have been shipped. Under such circumstances the necessary receiving documents and carrier's transportation bill will be accomplished without notice of discrepancy.

3. If, after a diligent and careful check, a discrepancy greater than 1½ percent of the total shipment billed is found to exist and the total value thereof is not inconsequential, such discrepancy will be adjusted by means of a report of survey as prescribed in AR 35-0640 and TM 14-904, except that the contracting officer will first be notified of the apparent shortage and the shipment held intact pending determination as to whether vendor desires to make a tally of the shipment. If a retally is made by the vendor or his agent and the accuracy of the receiving officer's count is acknowledged by the vendor or his agent, no report of survey will be required as the contracting officer will be apprised of this fact with proper accomplishment and return of the receiving document.

4. The 1½-percent tolerance prescribed herein will not be construed as an authorization for acceptance of any portion of a shipment of lumber which does not meet the required inspection and grading specifications and will not be used for purposes of "writing off" any damage to the shipment. Damage arising in shipment will be adjusted as required by AR 35-0640 and TM 14-904.

[AG 411.1 (23 Apr 45)]

V.—NATIONAL GUARD—1. Correspondence being received by The Adjutant General and service records of enlisted men being separated from active service indicate that there is a widespread misunderstanding of the administrative procedures which must be observed in the processing of separation from active Federal service of National Guard personnel.

2. Cognizance must be taken of the fact that an enlisted member of the National Guard in Federal service is in fact a member of two organizations: he is a member of the Army of the United States and also a member of the National Guard of the State from which he was inducted. Action of Army authorities will be restricted to termination of the active duty status of the individual. This can be accomplished by discharge and issuance of a discharge certificate, WD AGO Form 53-55, 53-56, or 53-57. Action to terminate National Guard status is a prerogative of the State adjutant general and will not be undertaken by Army discharge authorities.

3. Enlisted members of the National Guard may be discharged from the Army of the United States as prescribed in the AR 615-200 to 203 series, and when so discharged from the Army of the United States such enlisted men automatically revert to National Guard status and come under the control of the adjutant general of the State of origin. Such enlisted members upon discharge from the Army of the United States are required to register with Selective Service within 10 days after discharge unless they are already registered. If already registered they will be directed to report by letter to their local Selective Service boards within 10 days after discharge.

4. The Judge Advocate General has held (SPJGA 1943-17023, 27 Nov 1943) that transfer of members of the National Guard of the United States to the Enlisted Reserve Corps upon their release from active Federal military service

AGO 90B

is legally objectionable. A certificate of service should not be issued to National Guard enlisted men upon discharge from the Army of the United States. Discharge form, WD AGO Form 53-55, 53-56, or 53-57, terminates active Federal service and returns the enlisted man to National Guard status. Separate action may then be taken by the adjutant general of the State concerned with reference to the status of the individual in the State organization.

5. National Guard enlisted men who were inducted into active Federal service and subsequently discharged from military service in the Army of the United States may be discharged from their National Guard status by the appropriate State adjutant general without reference to other authority.

6. An enlisted member of the National Guard commissioned in the Army of the United States who has been discharged from his enlisted status in the Army of the United States and also from his enlisted status in the National Guard by separate action of the State adjutant general no longer has any National Guard status to which he may revert, and accordingly upon termination of his active commissioned status in the Army of the United States does not revert to National Guard status but is treated as is generally provided for Army of the United States officers.

7. An officer of the National Guard of the United States who is also a Federally recognized officer of the National Guard may, under due process, be discharged from the National Guard of the United States or dismissed therefrom. The question of the termination of his State National Guard status is one for action by the State authorities. If the active duty status of an officer is terminated and his NGUS status is not terminated, he may be permitted to retain his NGUS status for the duration and 6 months, and his State National Guard status may be terminated by the State authorities without affecting his NGUS status.

8. Changes No. 4, AR 615-300, and Changes No. 2, AR 615-303, bring these regulations into conformity with the provisions of this circular.

9. WD letter (AG 325 (12-29-41) EA-A), subject, Discharge of National Guard enlisted men while not in active Federal service, 6 January 1942, is rescinded.

[AG 220.8 (6 Oct 44)]

BY ORDER OF THE SECRETARY OF WAR:

OFFICIAL:

J. A. ULIO,
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The Adjutant General.

G. C. MARSHAL,
Chief of Staff.