

*71*REENLISTMENTS OF PS AND 14TH INF
AUS PERSONNEL

PS & AUS - 20

6318

HEADQUARTERS AFMSPAC
CHECK SHEET

Telephone: UN 501
UN 505

Do Not Remove From Attached Sheets

Major Crumm
Lt. Elfred

FILE: SENOR

SUBJECT:

(1)

FROM: AG-P (JCS)

18 September 1946

TC: Recovered Personnel Division

1. Enlistment in the Philippine Scouts can only be accomplished by the AG Recruiting Division, present location, Taft Avenue and Bubandia Street.
2. Commanding Officer, Philippine Scouts Detachment, Replacement & Disposition Command, has been informed by radio this date.



W. P. MOORE
Col. AGD

AGD MIJ GEN

DECLASSIFIED

Authority *NND 383078*

3d Ind
6, Hqs, Philippine Scouts Processing
Section, Replacement & Disposition Command,
APO 900-2.

Subject individual may re-enlist
in your command.

71676
ect, Repl & Disp Comd,
fication, dtd 27 Aug 46.

August 1946. *47*

ound Force, APO 707. *4581*

H.B.H.

H.B.H.

PO 707,

LDL/ian
29 Aug 46

L.

DECLASSIFIED

Authority NND 883078

3676
BASIC: Ltr Hq Phil Scout Processing Sect, Repl & Disp Comd,
APO 900-2, subj: Request clarification, dtd 27 Aug 46.

1st Ind

HQ 25TH REPL DEPOT (PS), APO 900-2, 28 August 1946.

TO: Commanding General, Philippine Ground Force, APO 707. 4581

H.B.H.

H.B.H.

6884
PGFC 342 (27 Aug 46) GFAG 2nd Ind
HEADQUARTERS, PHILIPPINE GROUND FORCE COMMAND, APO 707,

LDL/ma
29 Aug 46

TO: Commanding General, AFWESPAC, APO 707.

Incls: n/c

LDL
L. D. L.

HEADQUARTERS
PHILIPPINE SCOUT PROCESSING SECT
REPLACEMENT AND DISPOSITION COMMAND
APO 900 UNIT 2

SI/sgb

27 August 46.

SUBJECT: Request clarification

TO : Commanding General, AFWESPAC, APO 707.
(Thru Channels)

1. In reference to paragraph 2, enclosed 1st indorsement, AFWESPAC, APO 707, dated 19 August 1946, request clarification as to whether this headquarters can reenlist members of the 14th Infantry AUS.

2. This headquarters processes former members of the 14th Infantry Regt (FA) under Colonel Guillermo Nskar who were inducted into the Army of the United States per Radio from General MacArthur, 14 July 1942.

3. If upon completion of processing, enlisted men are confirmed as bonified members of the AUS, they are immediately sent to the Separation Center, this Depot for discharge. Those who chose to remain in service, have been discharged by this headquarters and enlisted in grade in the Philippine Scouts within the 20 days limit per radio, AFWESPAC, 270755Z, dated 29 June 1946.

4. In cases of Philippine Scouts, this headquarters reenlists only those enlisted men directed here by headquarters, AFWESPAC, APO 707 as shown per enclosure #2 attached.

FOR THE COMMANDING OFFICER:


SABINIANO IBANEZ
Captain, Cav, AUS
Actg Asst Adj Gen.

2 Incls:

- Incl #1- 1st Ind. AFWESPAC
(in dup) dtd 19 Aug 46.
- Incl #2- Ltr, AFWESPAC, GSXRP 201
Rolden, G., dtd 9 Aug 46

BASIC: Ltr fr Hq Replacement and Disposition Command, APO 900-2
dtd 26 July 46. Subj: "Request RTO for EM"

1st Ind NBE/hes
GSXCR 300.4
HEADQUARTERS, UNITED STATES ARMY FORCES, WESTERN PACIFIC, APO 707
19 August 1946

TO: Commanding Officer, Replacement and Disposition Command,
APO 900-2.

1. Attach Philippine Scouts to First Replacement Depot(FS) for assignment.
2. Attention directed to radio this headquarters GX 19224 GSXE 6 July 1946. Future applicants for enlisting in the Philippine Scouts will be directed to AG Recruiting Division for accomplishment of enlistment. Your command not authorized to enlist such personnel.

BY COMMAND OF MAJOR GENERAL CHRISTIANSEN:

/s/ N. B. ELDRED
1st Lt. AGD
Asst. Adj GEN

1 Incl:
n/c

Incl #1

HEADQUARTERS
UNITED STATES ARMY FORCES, WESTERN PACIFIC

GSKRP 201 - ROLDAN, GERMAN

APO 707
9 August 1946

SUBJECT: Re-enlistment of Philippine Scout Discharged Without Honor by Reason of Service Under the Japanese Puppet Government.

TO : Commanding Officer, PS Det, Replacement & Disposition Command, APO 900-2.

1. Under authority of Section III, War Department Letter, AG 210.8 (28 Jul 45) OB-S-A, dated 3 Aug 1945, Subject: "Discharge of Disloyal Philippine Scouts and Similar Personnel x x x", it has been determined that Pvt GERMAN ROLDAN, 6739096, remained loyal notwithstanding his service under the Japanese Puppet Government for which on 3 August 1945 he was discharged without honor.

2. If he so desires, and is physically qualified, subject individual will be re-enlisted in the Philippine Scouts, notwithstanding his prior discharge without honor. At the time of his re-enlistment the following remark in addition to other appropriate remarks will be entered in his Service Record under "Remarks Administrative":

"Re-enlisted in Philippine Scouts under authority Ltr WD, AG 210.8 (28 Jul 45) OB-S-A, 3 Aug 45, Subject: Discharge: "Disloyal Philippine Scouts and Similar Personnel x x x". Upon honorable termination of this enlistment the outstanding discharge from the Philippine Scouts will be administratively determined to be under honorable conditions and an appropriate indorsement placed on the outstanding certificate of Discharge Without Honor from the PS." (auth Ltr Hq AFWESPAC GSKRP 201 - ROLDAN, German, 9 Aug 46)

3. Subject is being advised to report to your Headquarters for necessary action if he desires to re-enlist.

BY COMMAND OF MAJOR GENERAL CHRISTIANSEN;

MORRIS H. MARCUS
Colonel AGD
Asst Adj General

Incl #2

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10-135

File No. GSAA Subject Reenlistment in AUS of Discharged Philippine Scouts.

(2) FROM: G-1

TO: G-3

RSM/WDP/wdb

DATE: 15 May 1946

1. Concurring in proposed action as contained in Paragraph 6, basic C/N.
2. It is considered that 31 December 1945 was selected as the final date for enlisting former Scouts in AUS, in an arbitrary manner without thought or reference to the application of the provisions of Section III, Ltr dated 3 August 1945.
3. Your concurrence or comment is requested.
4. Some 30 to 40 Scouts will be effected by this action.

Incls: n/c

George A. Mackie
for ROBB J. MACKIE
Colonel, GSC
Assistant Chief of Staff, G-1

(2)

HEADQUARTERS
UNITED STATES ARMY FORCES AND SERVICES CENTER
CINCINNATI

CHECK FILE

Do not remove from attached sheets.

FILE NO. GSCF

SUBJECT: Reenlistment in AUS of Discharged Philippine Scouts

254/255/ah
TP-25133
15 May 46

(GSCF)

(1) FROM: C-3 JC: G-1
(3)

Concur in action proposed in par 6 basic C/S.

1 Incl
n/c

Revised for
E. J. McGAN
Brig Gen, GSC
G-3

(4) FROM: G-1 TO: Director, RSM/WDF/npl
16 May 1946
Recovered Personnel Division

The action proposed by you in paragraph 6, basic C/S, dated 14 May, is approved.

1 Incl: n/c

for *W.D. Parham Col GSC*
ROBB S. MACHIE
Colonel, GSC
Assistant Chief of Staff, G-1

(5) FROM: Dir, Rec Pers Div TO: OIG, Phil Scouts Sec DATE: 20 May 46
Legal Officer (In turn)

Note and return.

1 Incl: n/c

W.D. Parham

HEADQUARTERS AFWESPAC
Check Sheet

9-10-75

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File No. G5XDF Subject: Reenlistment in AUS of Discharged Philippine Scouts

11/11/46/ret
(1) FROM: Dir, Rec Pers Div. TO: G-1, AFWESPAC DATE: 14 May 1946

1. This Division is charged with the review and approval or disapproval of finding and recommendations of the Board of Officers appointed under authority of WD Ltr AG 210.8 (26 July 1945) OB-S-A, dated 3 Aug 1945, Subject: Discharge of Disloyal Philippine Scouts and Similar Personnel (Incl 1).

2. Sections I and II authorize discharge of such personnel, who served under the Japanese or a Japanese Puppet Government in any capacity unless it clearly appears that they remained loyal notwithstanding such employment.

3. Section III of this letter in pertinent part provides:

"1. The Secretary of War by direction of the President directs authority is granted for the mentioned Commander-in-Chief to take action in compliance with the following provisions in any case in which affirmative findings were made under Section I or Section II hereof without consideration of the question whether the person concerned remained loyal notwithstanding service under a Japanese or a Japanese puppet government and in which the mentioned Commander-in-Chief believes that the facts may warrant the relief hereafter provided:

a. Upon an approved affirmative finding in the case of a former enlisted man,

(2) if it is determined by the mentioned Commander-in-Chief that such former enlisted man shall render further military service, he shall be reenlisted in the Army of the United States, and, if his reenlistment is honorably terminated, the outstanding discharge from the prior enlistment in the Philippine Scouts shall at that time be administratively determined to be under honorable conditions and an appropriate indorsement then placed upon the outstanding certificate of discharge from the Philippine Scouts; and"

4. This Division now has pending for review and final action several cases in which a board of officers has determined on rehearings based upon additional evidence that individuals who had been discharged under the provisions of Section II of the WD letter, remained loyal notwithstanding such employment.

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HEADQUARTERS AFMSPAC
Check Sheet

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File No. GSKRF Subject: Reenlistment in AUS of Discharged Philippine Scouts (Continued)

(1) FROM: Dir, Rec Pers Div. TO: G-1, AFMSPAC

DATE: 14 May 1946

5. Since per lb (2) Section III of the applicable directive expressly provides that such individuals shall be reenlisted in the Army of the United States, and is in effect a provision for reinstating individuals erroneously discharged, it is not believed that withdrawal of the authority to discharge Philippine Scouts and reenlist them in the AUS on return to military control should be construed to withdraw the specific authority granted in Section III of the letter of 3 August 1945.

6. This Division therefore proposes to approve the board proceedings in cases recommending reenlistment in the AUS and to direct in the action on the board proceeding that the subject be reenlisted in the AUS.

7. Your concurrence or comment is desired.

8. If you do not concur it is suggested that a radio be dispatched to the War Department in substance as follows:

"Reference War Department Letter, AG 210.8, 3 August 1945, Subject: Discharge of Disloyal Philippine Scouts. This headquarters is of the opinion that withdrawal of authority to enlist Philippine Scouts in the AUS after 31 Dec 1945 does not deprive this headquarters of authority to reenlist personnel in the AUS where board on second hearing under Section III finds they remained loyal, and they have been previously dropped from enlistment in AUS under provision of Section II of cited letter. Request concurrence."

Morris H. Marcus

MORRIS H. MARCUS
Colonel AGD

1 Encl: WD Ltr AG 210.8 (28 July 45)
GE-S-A, dtd 3 Aug 45

Director, Rec Pers Div

WAR DEPARTMENT
The Adjutant General's Office
Washington 25, D. C.

AG 210.8 (28 Jul 45) OB-S-A

fm-2B-939 Pentagon

42-PS
11-PS

VIA AIR MAIL

3 August 1945

SUBJECT: Discharge of Disloyal Philippine Scouts and Similar Personnel, and Determination of their Status under the Missing Persons Act, as amended.

TO: Commander-in-Chief, United States Army Forces, Pacific

- REFERENCES:**
- a. Letter AG 210.8 (1 May 45) OB-S-A, 4 May 1945, subject: Discharge of Disloyal Philippine Scouts and Similar Personnel.
 - b. Radio-gram WAR 26675, 3 July 1945, to Commander-in-Chief, Army Forces, Pacific.
 - c. Letter AG 210.8 (15 Jun 45) OB-S-A, 5 July 1945, subject: Disloyal Philippine Scouts.

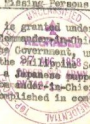
1. The purpose of this letter is:

- a. To consolidate previous directives to the Commander-in-Chief, Army Forces, Pacific, pertaining to discharge of disloyal Philippine Scouts and similar personnel.
- b. To rephrase previous directives to indicate clearly that the discharge of the mentioned personnel under conditions other than honorable by reason of service under the Japanese or a Japanese puppet government shall not be ordered if it appears that the person concerned remained loyal notwithstanding his mentioned conduct.
- c. To provide for equitable treatment of persons heretofore discharged under the mentioned directives without consideration of their loyalty.

2. References noted above are rescinded and the following substituted therefore:

Section I. Discharge of Disloyal Philippine Scouts, Filipino Reserve Officers called to active duty under US Army Officers' Reserve Corps commissions, and former Philippine Scouts appointed temporary officers, AUB; and determination of status of mentioned personnel under the Missing Persons Act, as amended.

1. The Secretary of War directs authority is granted under paragraph 1, Army Regulations 615-365, 15 December 1944, for the Commander-in-Chief, Army Forces, Pacific, to discharge, for the convenience of the Government, under conditions other than honorable, disloyal enlisted men of the Philippine Scouts administratively determined to have served under the Japanese or a Japanese puppet government in any capacity. In any case in which the mentioned Commander-in-Chief believes that the facts may justify such discharge, it may be accomplished in compliance with the following provisions:



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AG 210.8 (28 Jul 45)CB-8-A

(Cont'd)

3 August 1945

a. The provisions of subparagraph 6a. Army Regulations 615-365, 15 December 1944, and paragraph 4 Army Regulations 615-360, 20 July 1944, shall not be applicable in the mentioned cases.

b. The mentioned Commander-in-Chief shall convene a board of officers, three in number if practicable, to determine in each case, subject to review and final determination by the mentioned Commander-in-Chief, whether the enlisted man concerned served under the Japanese or a Japanese puppet government in any capacity. Such action will not be based upon mere suspicion alone, but will rest upon evidence. Evidence that the enlisted man concerned admitted such service shall be deemed sufficient to support an affirmative finding. The mentioned affirmative finding shall not be made in any case in which it clearly appears that the person concerned remained loyal notwithstanding such conduct.)

c. The enlisted man concerned shall be entitled to notice, actual wherever possible, of the mentioned hearing and to counsel upon his request.

d. Upon an approved affirmative finding, the enlisted man concerned shall be discharged for the convenience of the Government, under conditions other than honorable (WD AGO Form 53-96, 1 Nov 1944), with character of less than "good", as the mentioned Commander-in-Chief shall determine on the basis of the record. There shall be placed upon the face of the certificate of discharge the words, "By reason of service under the Japanese (or a Japanese puppet) government". If discharge is ordered, the record of proceedings and action thereon, including a statement of the evidence, shall be forwarded to The Adjutant General for filing.

2. The Secretary of War directs authority is granted to the mentioned Commander-in-Chief to announce, by direction of the President, the discharge of disloyal Philippine reserve officer called to active duty under U.S. Army Officers' Reserve Corps commissions and disloyal former Philippine Scouts appointed temporary officers, AU⁶, upon administrative determination that such officers served under the Japanese or a Japanese puppet government in any capacity.) In any case in which the mentioned Commander-in-Chief believes that the facts may justify such action, it may be accomplished in compliance with the following provisions:

a. Army regulations relating to reclassification of officers, and directives relating to action by the Secretary of War's Separations Board, shall not be applicable in the mentioned cases.

b. The provisions of subparagraphs 1b and 1c, above shall apply.)

c. Upon an approved affirmative finding, the discharge of the officer concerned shall be announced by direction of the President. The discharge (WD AGO Form 53-99, 1 Nov 1944) shall contain the statement "By reason of service under the Japanese (or a Japanese puppet) government". If such discharge is ordered, the record of proceedings and action thereon, including a statement of the evidence, shall be forwarded to The Adjutant General for filing.

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AG 210.8 (28 Jul 45)OB-S-A

(Contd)

3 August 1945

3. The Secretary of War directs authority is granted to the Commander-in-Chief, Army Forces, Pacific, under the provisions of the Missing Persons Act, as amended, to make a determination of "absent from post of duty without authority", for Filipino personnel covered by paragraphs 1 and 2 above, when there is reasonable conclusive evidence of intent to avoid or shirk combat or hazardous duty of abandonment of loyalty.

Section II. Rescission of honorable discharge from Philippine Scouts and reenlistment in the Army of the United States in cases of disloyalty.

1. The Secretary of War directs authority is granted for the Commander-in-Chief, Army Forces, Pacific, in any case in which a disloyal enlisted man of the Philippine Scouts was or is hereafter honorably discharged from the Philippine Scouts for the purpose of reenlistment in the Army of the United States, to rescind the mentioned discharge and reenlistment for fraud by reason of the concealment of service under the Japanese or a Japanese puppet government in any capacity. In any case in which the mentioned Commander-in-Chief believes that the facts may justify such action, it may be accomplished in compliance with the following provisions:

a. The mentioned Commander-in-Chief shall submit to a board, convened as directed in paragraph 1 of Section I hereof, the issue whether the enlisted man concerned served under the Japanese or a Japanese puppet government in any capacity, and whether he failed to disclose such conduct prior to his discharge from the Philippine Scouts and reenlistment in the Army of the United States. Affirmative findings shall not be made in any case in which it clearly appears that the person concerned remained loyal notwithstanding such conduct.

b. Upon approved affirmative findings,

- (1) the discharge and reenlistment shall be declared by direction of the Secretary of War to be null and void by reason of fraud, and the enlisted man dropped from the enlistment in the Army of the United States (a certificate of discharge shall not be issued with respect to the enlistment in the Army of the United States);
- (2) the person concerned shall thereupon be discharged from his enlistment in the Philippine Scouts under conditions other than honorable; and
- (3) the status of the person concerned under the Missing Persons Act, as amended, shall be determined under the provisions of paragraph 3 of section 1 hereof.

2. These proceedings shall conform to the procedure outlined in paragraph 1 of Section I hereof.

Section III. Redetermination of affirmative findings made under Section I and Section II.

3



40 210.8 (28 Jul 45)CE-S-A

(Contd)

3 August 1945

1. The Secretary of War by direction of the President directs authority is granted for the mentioned Commander-in-Chief to take action in compliance with the following provisions in any case in which affirmative findings were made under Section I or Section II hereof without consideration of the question whether the person concerned remained loyal notwithstanding service under a Japanese or a Japanese puppet government and in which the mentioned Commander-in-Chief believes that the facts may warrant the relief hereafter provided:

a. There shall be submitted to a board of officers, convened in accordance with Section I hereof, the issue whether it clearly appears that the person concerned remained loyal notwithstanding his mentioned conduct.

b. Upon an approved affirmative finding in the case of a former enlisted man:

- (1) if it is determined by the mentioned Commander-in-Chief that such former enlisted man shall not render further military service, the mentioned Commander-in-Chief shall administratively determine that the discharge is deemed to be under honorable conditions and an appropriate indorsement may be placed upon the outstanding discharge certificate, unless it appears that his discharge under honorable conditions is otherwise not warranted, in which event there shall be noted administratively a change in the basis for the discharge under other than honorable conditions and a like notation may be indorsed upon the outstanding certificate; or
- (2) if it is determined by the mentioned Commander-in-Chief that such former enlisted man shall render further military service, he shall be reenlisted in the Army of the United States, and, if his reenlistment is honorably terminated, the outstanding discharge from the prior enlistment in the Philippine Scouts shall at that time be administratively determined to be under honorable conditions and an appropriate indorsement then placed upon the outstanding certificate of discharge from the Philippine Scouts; and
- (3) a redetermination of his status under the Missing Persons Act, as amended, may be made.

c. Upon an approved affirmative finding in the case of a former officer,

- (1) if it is determined by the mentioned Commander-in-Chief that such former officer shall not render further military service, the provisions of subparagraph lb(1) of this Section shall apply; or
- (2) if it is determined by the mentioned Commander-in-Chief that such former officer shall render further military service, the



AG 210.8 (28 Jul 45) ~~OP-S-A~~

(Contd)

3 August 1945

provisions of subparagraph 1b(2) of this Section shall apply, except that instead of reenlistment the mentioned Commander-in-Chief by direction of the President shall announce his appointment as a temporary officer, AUS, in the grade held by him at the time of his discharge; and

- (3) a redetermination of his status under the Missing Persons Act, as amended, may be made.

2. These proceedings shall conform to the procedure outlined in paragraph 1 of Section I hereof.

By order of the Secretary of War:

/s/ Edward F. Witsell
EDWARD F. WITSELL
Major General
Acting The Adjutant General

COPIES FURNISHED:

AC of S, G-1 WDGS
AC of S, G-2, WDGS
AC of S Opns Div, WDGS
War Department Dependency Board
Director of Personnel, ASF
Director, Military Personnel Div, ASF
The Judge Advocate General
Officers Branch, AGO
Enlisted Branch, AGO



MEMORANDUM

24 July 1945

TO : AUS Section

In future cases, Philippine personnel claiming service in the AUS or Philippine Scouts will be handled as follows:

1. If proof can be submitted that the applicant was actually enlisted in either the AUS or PS he may be enlisted at the present time in the AUS. Very few, if any, could have served in the AUS. Very few are believed to have been enlisted in the PS. Therefore, it is believed most such cases will resolve into being PA cases. Definite proof, however, must be established and the burden of such proof is on the individual. Assistance can be given the individual to some extent by questioning the individual as to his unit, names of other men in it, his commanding officer, etc. Information might also be obtained from some of the former unit Sgt. Majors now known to be serving in this vicinity. If by such means proof of prior service can be established, he may be enlisted in the AUS.
2. If by such questioning and lack of other definite evidence it can be determined definitely that the man did serve in the armed forces during the time in question, but proof cannot be established that he served in the AUS or PS then the applicant will be referred to the PA for enlistment.
3. If no proof at all can be furnished that the man served in any of the armed forces then it can be assumed that he was working in a civilian status and his case should be processed as a civilian. Care must be taken in many of these cases to prove that the man was a civilian employee of the government and not the employee of some civilian firm which was working under contract to the government.
4. Conference with Gen. Stivers and Col. Taylor on the above subject has resulted in their concurrence with the above.

M. H. M.

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Authority *NND 883078*