

Declassified E.O. 12356 Section 3.3/NND No. 785015

ACC

10000/101/248

Declassified E.O. 12356 Section 3.3/NND No.

785015

10000/101/248

RETIREMENT & RETIRED OFFICERS
MAR. - NOV. 1944

RESTRICTED

ADJ. 4485
DGE/arHEADQUARTERS
MEDITERRANEAN THEATER OF OPERATIONS
UNITED STATES ARMY
APO 512

File

AG 210.83/702 P-3

29 November 1944

SUBJECT: Resignation of Officers.

TO : All Concerned.

Asst. Dir.	
Asst. Acc.	
Chief Clerk	

Attention is directed to new AR 605-275, dated 9 Nov 1944, following major changes are published for your information and guidance pending receipt of full distribution of AR 605-275, 9 November 1944. These changes are effective immediately upon receipt of this letter:

"Paragraph 1d - During the present emergency an officer whose military status is terminated by acceptance of his resignation becomes subject to induction under the Selective Training and Service Act of 1940."

"Paragraph 1e - In the case of a resignation accepted under honorable conditions when it is subsequently discovered that facts existed at the time of the acceptance under which the separation should have been other than honorable, the acceptance under honorable conditions does not estop the War Department from subsequently determining that the separation so effected was, in fact, under other than honorable conditions."

"Paragraph 4 - Resignation for good of service - a. An officer whose conduct has rendered him liable by court martial for an offense punishable by dismissal may tender his resignation for the good of the service in lieu of trial by court martial, using Form G.

(1) The immediate commanding officer of an officer who tenders his resignation in lieu of trial by court martial will prepare a complete summary of all facts which relate to the conduct upon which the resignation is predicated. This summary will include, or carry as inclosures or by reference to other papers submitted with the summary:

- a. A statement of the substance of the testimony of any witnesses who have been examined.
- b. The recommendation of the commanding officer as to whether the resignation should be accepted.

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Hq HTOUSA Ltr AG 210.81/702 F-0
30 29 November 1944 (cont'd)

- c. Any statements, documents, or other matters considered by him in arriving at his conclusions and making his recommendation.
- d. A statement of any reasonable ground for the belief that the accused is, or was at the time of his misconduct, mentally defective, deranged, or abnormal.

(2) A resignation for the good of the service tendered under (c) above ordinarily will not be accepted where the offense or offenses with which the officer is, or may be, charged would warrant imposition by a general court martial of punishment more severe than dismissal from the service.

b. An officer who is under a suspended sentence of dismissal may tender his resignation for the good of the service using Form D.

c. Any resignation tendered for the good of the service may be withdrawn only with the consent of the War Department. Normally such consent will not be given."

* * * * *

"Paragraph 7 - Special provisions for National Guard and Reserve officers. - a. Upon acceptance of the resignation of an officer of the National Guard of the United States, The Adjutant General will notify the Chief, National Guard Bureau, and the adjutant general of the State of origin, in order that Federal recognition may be withdrawn and appropriate action may be taken with respect to the status of the officer in the State organization.

b. In the case of an officer of the Officers' Reserve Corps, acceptance of a resignation constitutes complete separation from the service including Officers' Reserve Corps status."

* * * * *

"Paragraph 9 - a. Form A - Resignation submitted in lieu of reclassification (reclassification based solely on factors over which the officer has no control).

SUBJECT: Tender of Resignation.
TO: The Adjutant General (through channels).

1. I, John Doe, Major AUS, 0000000, have been informed by my commanding officer pursuant to provisions of AR 605-230 that I have been recommended for reclassification.

2. Therefore, under the provisions of AR 605-275, I hereby voluntarily tender my resignation from the Army in lieu of reclassification.

3. I understand that this resignation, if accepted, will be accepted under honorable conditions and I will be furnished a certificate of service.

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1. ITOWSA Ltr AG 210.83/702 P-0
21 November 1944 (cont'd)

4. I am entitled to _____ days accrued leave as of _____ (last day of preceding month).

b. Form B - Resignation in lieu of reclassification (reclassification based on factors over which the officer does have control).

SUBJECT: Tender of resignation.

TO : The Adjutant General (through channels).

1. I, John Doe, Major AUS, 0000000, have been informed by my commanding officer pursuant to provisions of AR 605-230 that I have been recommended for reclassification.

2. Therefore, under the provisions of AR 605-275, I hereby voluntarily tender my resignation from the Army in lieu of reclassification.

3. I understand that this resignation, if accepted, will be accepted without specification as to the character thereof, and that this implies neither honorable nor dishonorable conditions.

4. I understand that I am not entitled to a certificate of service or mustering-out pay, and will not be granted accrued leave.

c. Form C - Resignation in lieu of trial by court martial.

SUBJECT: Tender of resignation.

TO : The Adjutant General (through channels).

1. Under the provisions of AR 605-275, I hereby voluntarily tender my resignation from the Army for the good of the service in lieu of trial by court martial.

2. I understand that this resignation, if accepted, will be accepted for the good of the service and my separation from the Army will be considered as under other than honorable conditions.

3. I understand that I will not be entitled to a certificate of service or mustering-out pay, and will not be granted accrued leave.

4. I understand that I will be barred from all rights, based upon the period of service from which I will be separated by acceptance of this resignation, under any laws administered by the Veterans Administration, except that this provision does not apply to my war risk, Government (converted), or national service life insurance policy.

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Hq AFMUSA Ltr AG 210.83/7021-0
dtg 29 November 1944 (cont'd)

d. Form D - Resignation tendered while under suspended sentence of dismissal.

SUBJECT: Tender of resignation.

TO : The Adjutant General (through channels).

1. Under the provisions of AR 605-275, I hereby voluntarily tender my resignation from the Army for the good of the service.

2. I am now under a suspended sentence of dismissal and
----- (insert other part, if any, of suspended sentence).

3. I understand that this resignation, if accepted, will be accepted for the good of the service and my separation from the Army will be considered as under other than honorable conditions.

4. I understand I am not entitled to a certificate of service or maturing-out pay, and will not be granted accrued leave.

5. I understand that I will be barred from all rights, based upon the period of service from which I will be separated by acceptance of this resignation, under any laws administered by the Veterans Administration, except that this provision does not apply to any war risk, Government (converted), or national service life insurance policy."

By command of Lieutenant General McARNEY:

C. V. Christensen
C. V. CHRISTENSEN,
Colonel, AGD,
Acting Adjutant General.

DISTRIBUTION:

"2"

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HEADQUARTERS ARMED COMMISSION
APO 194Suspense AG 210-83/702 P.O. MTOUSADate 29 NOV. 1944

DIST.

FROM	TO	REMARKS	TO
Staff Officer to A/CC		Establishment Section	✓
Chief of Staff		Executive Officer (A)	✓
Message Centre		Executive Officer (B)	✓
Civil Affairs Section		G-1 (A)	✓
Int & Rep		G-1 (A) Civilian Emp.	
Local Govt		G-1 (B)	
Patriotic Branch		G-2 (A)	✓
Public Safety		G-2 (B)	
Security Division		2675th Regt	20
Public Health		N.Q. Secuit	✓
Legal		Assistant	✓
Education		Navy	✓
Monuments & Fine Arts		Land Forces (IMIA)	✓
Economic Section		Air	✓
Regulation Division		Communications	
Agriculture		Civil Censorship Group	
Commerce		W.M.D. & P.O.T.	
Finance		Public Relations Branch	
Property Control Div.		Information Division	
Food		Archivist	
Industry		U.N.E.E.A.	
Mining Division		I.G.C.R.	
Labor		ALL REGIONS	✓
Public Works & Utilities		ANG 578 ARMIES	
Shipping			
Transportation			
Political Section			

Signature _____
 Remarks & Recommendation _____
 Information _____
 Approval/Disposal _____
 Appropriate Action _____
 Investigation & Report _____
 Dispatch _____

Remarks _____

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HEADQUARTERS
NORTH AFRICAN THEATER OF OPERATIONS
UNITED STATES ARMY
APO 634

Hq ACC File

AG 210.85/322 P-0

31 October 1944

SUBJECT: Relief from Active Duty of Officers for Whom no Suitable
Assignment Exists.

TO : All Concerned.

Adjutant	✓
Asst. Asst.	
Asst. Asst.	
Chap/ Clerk	✓

Paragraph 2 of letter, this headquarters, file and subject
above, dated 9 September 1944 corrected as of 18 September 1944 is amended
by adding the following:

c. Statement that the officer is not accountable for govern-
ment funds or government property, or indebted to the government beyond any
amount which will accrue prior to separation from the service.

d. Statement that action has been initiated to comply with
the provisions of Change 1, paragraph 6 c, AS 35-1740."

By command of Lieutenant General McNARNEY:

DISTRIBUTION:

"W"
"X"

HEADQUARTERS

1 NOV 1944

Jack Carter
Captain, AGO,
Asst Adjutant General.

ACC-DIST
EXEC.O (A)
G-1 (A)
2475 REGT. (2)

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RESTRICTED

18 September 1944

HEADQUARTERS
NORTH AFRICAN THEATER OF OPERATIONS
UNITED STATES ARMY
APO 534

ADJ.
RHF/har

Files
ACC 2145

AG 210.85/322 P-0

9 September 1944

SUBJECT: Relief from Active Duty of Officers for Whom no Suitable Assignment Exists.

TO : All Concerned.

Adj. Gen.	
Asst. Adj.	<i>HP</i>
Asst. Adj.	<i>HP</i>

1. Letter, this headquarters, file AG 210.85/371 -P, Subject, "Relief from Active Duty of Officers for Whom No Suitable Assignment Exists or Is in Prospect", dated 22 July 1944 is rescinded. Attention is invited, in this connection, to War Department Circular Number 341, 1944, which has been reproduced and distributed by this headquarters.

2. In addition to the requirements of Circular Number 341, the following information will be included in recommendations:

- Officer's home address.
- An explanation in detail, when applicable, showing reason why recommendation was not initiated within ten (10) days after the date on which the officer became surplus.

3. When reassignment is accomplished in accordance with paragraph 7, War Department Circular Number 341, 1944, the recommendation will be returned direct by the reassigning officer to the initiating agency.

By command of Lieutenant General DEVERS:

DISTRIBUTION:

"H"
"Y"



R. H. Freese
R. H. FRIESE,
Captain, AGD,
Asst Adjutant General.

ACC-DIST
Exec. O. (A)
G-1 (A)
2675 Regt (2)

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Adjutant	
Asst. Adj.	M.P.
Asst. Adj.	
Chief Clerk	

HEADQUARTERS
NORTH AFRICAN THEATER OF OPERATIONS
UNITED STATES ARMY
APO 534

Hq. ACC

FILE

22 July 1944

AG 210.45/371-P

SUBJECT: Relief from Active Duty of Officers for Whom No Suitable Assignment Exists or is in Prospect.

TO : All Concerned.

1. The instructions contained herein will govern the submission of recommendations and applications of officers who request relief from active duty by reason of having passed their 38th birthday and for whom no suitable assignment exists or is in prospect. The instructions are a compendium of the following publications, and other instructions received from the War Department in various radiograms:

a. Letter AG 210.85 (30 Dec 43) FC-A-A, Subject: "Relief from Active Duty of Officers for Whom no Suitable Assignment Exists", dated 12 January 1944.

b. Memorandum 6 605-44, War Department, 27 February 1944.

c. Memorandum 6 605-44, War Department, 23 March 1944.

2. Officers who meet the eligibility requirements prescribed herein may be recommended by their immediate commander or any other commander for relief from active duty or they may themselves request relief from active duty. All recommendations and applications will be forwarded through military channels to The Adjutant General, through this headquarters, except as noted in paragraph 6.

3. a. Officers who are recommended for relief by their immediate commander or any other commander must:

- (1) Have reached their 38th birthday.
- (2) Have completed the duties for which they were called to active duty or appeared from civil life, or
- (3) Have been rendered surplus as a result of reduction in overhead, changes as a result of reorganization which has eliminated the officer's specific assignment, or as a result of other similar conditions not through fault of the officer.
- (4) Be recommended for relief from active duty within ten (10) days following date on which rendered surplus.

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Relief From Active Duty of Officers for Whom No Suitable Assignment Exists or is in Prospect, 22 Jul 1, AM (cont'd)

- (5) Have served honorably, faithfully and satisfactorily and have a record which merits separation under honorable conditions.
 - (6) Not be awaiting result of disciplinary action or reclassification proceedings under AR 605-230.
4. a. Recommendations will contain a concise, specific statement concerning the following:
- (1) Date officer became surplus.
 - (2) Description of conditions under which officer became surplus, including statement showing whether or not the position has been eliminated.
 - (3) Reason for recommending release.
 - (4) Whether or not any other position exists or is in prospect commensurate with the grade and qualifications of the officer to which he might be assigned.
 - (5) A description of the position to which officer was assigned immediately preceding date on which he became surplus.
 - (6) Whether or not the case is one which should be handled under disciplinary action or AR 605-230.
 - (7) Whether or not the officer has served honorably, faithfully and satisfactorily and his record has been such as to merit separation under honorable conditions.
 - (8) Amount of leave officer has accrued as of the last of the month preceding recommendation.

5. a. Each endorsement forwarding the recommendation to a higher headquarters will contain:

- (1) An expression of approval or disapproval.
- (2) A statement that a suitable assignment, commensurate with officer's grade and qualifications, does not exist or is not in prospect.
- (3) A statement that the conditions upon which approval of relief from active duty is based (see paragraph 3a (2) and (3)), are applicable within that particular command.

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Relief from Active Duty of Officers for Whom No Suitable Assignment Exists or is in Prospect, 22 July '44. (cont'd)

6. Each officer who is recommended for relief from active duty under the provisions of the above-mentioned letter will be given notice of such selection by his immediate or higher commander and will be given an opportunity to reply thereto. Notification will be in substantially the following form:

"a. Inclosed is a copy of (or reference is made to) War Department letter AG 210.85 (30 Dec 43) PO-A-A, 12 January 1944, subject: 'Relief from Active Duty of Officers for Whom No Suitable Assignment Exists'.

"b. After careful consideration it has been decided to recommend to the War Department that you be placed on inactive status under the provisions of the letter referred to above. Pending further notification, it is suggested that any arrangements made by you for return to civil life be made on a tentative basis only.

"c. It is desired that the receipt of this letter be acknowledged within ___ days after its receipt together with any remarks you wish to make."

7. Each recommendation will include as an inclosure a certified true copy of the officer's WD AGO Form 66-1 or 66-2, which must be complete in all respects, showing duty performed and manner of performance of duty to include date of recommendation, and a complete certified true copy of the letter and indorsements referred to in paragraph 6. The original Form 66-1 or 66-2 will be forwarded with the officer.

8. Each commander who takes action on a recommendation will reassign the officer to an appropriate vacancy within his command, provided one exists. If reassignment is accomplished, the correspondence will be returned direct to the organization which initiated the recommendation.

9. It is deemed essential to the war effort to retain on active duty an officer who is filling efficiently a necessary position or one who possesses special skills or qualifications which have been designated as being in scarce categories or in which an overall Army shortage exists.

10. For the purpose of this directive, an officer who is unassigned or assigned to a position established for a lower grade, and whose present status is the result of one of the conditions described in paragraph 3 a (2) or (3), may be considered surplus, provided no position commensurate with his grade and qualifications exists or is in prospect.

11. It is desired to emphasize the following points:

a. That only officers who are eligible for relief from active duty in accordance with paragraph 3 of this letter will be recommended for relief from active duty.

496

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Relief from Active Duty of Officers for Whom No Suitable Assignment Exists or is in Prospect, 22 July '44 (cont'd)

Recommendations or applications of ineligible officers will not be forwarded to this headquarters.

b. Commanders will take prompt action to recommend eligible officers in all cases where suitable assignments do not exist or are not in prospect.

c. That final approval rests with the War Department and that it is not mandatory that the application of an officer be finally approved.

d. That separation must be accomplished without prejudice to the officer concerned.

12. a. The following instructions are applicable to officers who initiate request for their relief from active duty, as distinguished from those who are recommended for relief from active duty.

b. The officer must:

- (1) Have reached his 38th birthday.
- (2) Be performing a duty which is not considered essential to the war effort.
- (3) Have served honorably, faithfully, and satisfactorily and have a record which merits separation under honorable conditions.
- (4) Submit a detailed statement showing reasons for desiring relief from active duty.

c. The 1st indorsement must contain:

- (1) An expression of approval or disapproval.
- (2) A statement that the officer has served honorably, faithfully and satisfactorily and that his record is such as to merit separation under honorable conditions.
- (3) A statement that the retention of the officer on active duty is not considered essential to the war effort.
- (4) A statement showing amount of leave accrued as of the last of the month preceding submission of application

d. Other forwarding indorsements will contain an expression of approval or disapproval.

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Relief from Active Duty of Officers for Whom No Suitable Assignment Exists or is in Prospect, 22 July '44 (cont'd)

e. A certified true copy of MD AGO Form No. 66-1 or 66-2, complete in all respects, showing duty performed and manner of performance of duty to include date of recommendation, must be submitted with each application.

13. Letter, AG 210.85/371-P, this headquarters, subject, "Relief from Active Duty of Officers for Whom No Suitable Assignment Exists or is in Prospect," dated 21 June 1944, is rescinded.

By command of Lieutenant General DEVERS:

H. V. ROBERTS,
Colonel, AGO,
Adjutant General

DISTRIBUTION:

"W" & "X"

ACC-DIST
G-1 (A)
2675 REGT-(2)
ADJ.

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HEADQUARTERS
NORTH AFRICAN THEATER OF OPERATIONS
UNITED STATES ARMY
APO 534

/bt
21 June 1944

AG 210.85/371-P

SUBJECT: Relief from Active Duty of Officers for Whom no
Suitable Assignment Exists or is in Prospect.

TO: All Concerned.

1. The instructions contained herein will govern the submission of recommendations and applications of officers who request relief from active duty by reason of having passed their 38th birthday and for whom no suitable assignment exists or is in prospect. The instructions are a compendium of the following publications, and other instructions received from the War Department in various radiograms.

a. Letter AG 210.85 (30 Dec 43) PO-A-A, Subject: "Relief from Active Duty of Officers for Whom no Suitable Assignment Exists", dated 12 January 1944.

b. Memorandum W 605-44, War Department, 29 February 1944.

c. Memorandum W 605-44, War Department, 23 March 1944.

2. Officers who meet the eligibility requirements prescribed herein may be recommended by their immediate commander or any other commander for relief from active duty, or they may themselves request relief from active duty. All recommendations and applications will be forwarded through military channels to The Adjutant General, through this headquarters, except as noted in paragraph 10.

3. The instructions contained herein, except where noted to apply to only one class, are applicable to officers recommended for relief from active duty and officers who request relief.

4. a. To be eligible for relief from active duty an officer must:

(1) Have reached his 38th birthday.

Adjutant	RBV
Asst. Asst.	496
Asst. Asst.	MP
Chief Clerk	

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AG 310.85/371-P (Continued)

(2) Have completed the duties for which he was called to active duty or appointed from civil life, or

(3) Must have been rendered surplus as a result of reduction in overhead, changes as a result of reorganization which has eliminated the officer's specific assignment, or as a result of other similar conditions not through fault of his own.

(4) Be recommended for relief from active duty within ten (10) days following date on which rendered surplus. (This does not apply to officers who request relief.)

(5) Have served honorably, faithfully, and satisfactorily and have a record to warrant separation under honorable conditions.

(6) Not be awaiting result of disciplinary action or reclassification proceedings under AR 605-230.

5. It is deemed essential to the war effort to retain on active duty an officer who is filling efficiently a necessary position or one who possesses special skills or qualifications which have been designated as being in scarce categories or in which an overall Army shortage exists.

6. For the purpose of this directive, an officer who is unassigned or assigned to a position established for a lower grade, and whose present status is the result of one of the conditions described in paragraph 4a (2) or (3), may be considered surplus provided no position commensurate with his grade and qualifications exists or is in prospect.

7. Recommendations, or in the case of officers initiating request the 1st Indorsement, will contain a concise, specific statement covering the following:

- a. Date officer became surplus.
- b. Description of conditions under which officer became surplus, including whether or not the position has been eliminated.
- c. Reason for recommending release.

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AG 210.85/371-P (Continued)

d. Whether or not any other position exists or is in prospect commensurate with the grade and qualifications of the officer to which he might be assigned.

e. A description of the position to which officer was assigned immediately preceding date on which he became surplus.

f. Whether or not the case is one which should properly be handled under disciplinary action or AR 605-230.

g. Whether or not the officer has served honorably, faithfully, and satisfactorily and whether service has been such as to merit separation under honorable conditions.

h. Amount of leave officer has accrued as of the last of the month preceding recommendation or application.

8. Officers who request relief from active duty will include in their application a detailed statement showing reasons for desiring relief.

9. Each recommendation or application will include as an inclosure a certified true copy of the officer's WD, AGO Form 66-1 or 66-2, which must be complete in all respects, showing duty performed and manner of performance of duty to include date of recommendation or application, and in the cases of officers recommended for relief, a complete certified true copy of the letter and indorsements referred to in paragraph 11 will be submitted. The original form 66-1 or 66-2 will go with the officer.

10. Each commander who takes action on a recommendation or application will reassign the officer to an appropriate vacancy within his command, provided one exists. If reassignment is accomplished, the correspondence will be returned direct to originator. Each indorsement forwarding a communication to a higher headquarters will contain:

a. An expression of approval or disapproval.

b. A statement that a suitable assignment, commensurate with officer's grade and qualifications, does not exist or is not in prospect.

c. A statement that the conditions upon which approval of relief from active duty is based (See paragraph 10 (2) and (3)) are applicable within that particular command.

11. Each officer selected for recommendation for relief from active duty under the provisions of the above mentioned letter will be given notice of such selection by his

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AG 210.85/371-P (Continued)

immediate or higher commander, and will be given an opportunity to reply thereto. Notification will be in substantially the following form:

"a. Inclosed is a copy of (or reference is made to) War Department letter AG 210.85 (30 Dec 43) PO-A-A, 12 January 1944, Subject: 'Relief from Active Duty of Officers for whom no Suitable Assignment Exists'.

b. After careful consideration, it has been decided to recommend to the War Department that you be placed on inactive status under the provisions of the letter referred to above. Pending further notification, it is suggested that any arrangements made by you for return to civil life be made on a tentative basis only.

c. It is desired that the receipt of this letter be acknowledged within ___ days after its receipt together with any remarks you wish to make."

12. It is desired to emphasize the following points:

a. That only officers who are eligible for relief from active duty in accordance with paragraph 4 of this letter will be recommended for relief from active duty. Recommendations for ineligible officers will not be forwarded to this headquarters.

b. Commanders will take prompt action to recommend eligible officers in all cases where suitable assignments do not exist or are not in prospect.

c. That final approval rests with the War Department and that it is not mandatory that the application of an officer be finally approved.

d. That separation must be accomplished without prejudice to the officers concerned.

13. First Indorsement, AG 210.85/371-O, this headquarters, 27 January 1944, on letter AG 210.85 (30 Dec 43), War Department, Subject: "Relief from Active Duty of Officers for whom no Suitable Assignment Exists.", 12 January 1944, and other Theater instructions in conflict with this letter, are rescinded.

By command of Lieutenant General DEVERIS:

ACC-5151
Cmg Offr (Act Br)
G-1 (A1)
2675 Rgt
Adj-Rear
RESTRICTED

H. V. ROBERTS, JR.
Colonel, AGD,
Adjutant General.

DISTRIBUTION:

"W" & "X"

Declassified E.O. 12356 Section 3.3/NND No.

785015

2675 REGIMENT ALLIED CONTROL COMMISSION
(U. S. Contingent) (Provisional)
APO 394

Cross Reference Sheet.

File: 210.85

Application Of Public Law 190 - 77th. Congress

Subject: Discharge Or Retirement Of Officers

Date: W. D. Letter 12 May 1944 - NATOUSA Letter 28 May 1944

To: All Concerned

From: W. D. Washington, NATOUSA

Documents Filed: 210.45 Duty Tours And Status

4959

6. Optimal Portfolio Value:

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0 6 1 8