

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

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785015

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DISCHARGE OF EM  
MAR., SEPT. 1944

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

AF 573

/wp ADJ.

AG 220.8 (31 Aug 44) OP-S-A-SFGAM-M

CJM - 2B-939 Pentagon

10 September 1944

SUBJECT: Policy covering disposition of reports concerning discharges from the Army allegedly secured through misrepresentation, concealment or fraud.

TO : \* \* \* \* \*  
Commanding Generals,  
Theaters of Operations  
\* \* \* \* \*

Adjutant

Asst. Asst.

Asst. Asst.

Chief Clerk

1. Any person who obtains a discharge from the military service by misrepresentation, concealment or fraud, may be prosecuted by the Federal civil courts (18 U.S.C. 80) or the discharge may be revoked and the offender returned to military control for trial by court-martial. The revocation of such a discharge is a matter for administrative determination under all the facts and circumstances of each particular case.

2. Upon receipt of a report alleging that a discharge from the Army has been secured through misrepresentation, concealment or fraud, the matter will be promptly transmitted through channels to the commanding general of the service command within which the soldier was stationed at the time of his discharge, who will, when warranted by the facts, cause an investigation to be made.

3. The commanding general of the service command will take final action as follows:

a. If it is determined that a case of fraudulent discharge exists, the discharge will be revoked and the individual will be returned to military control for trial by court-martial.

b. When during the course of the investigation by the commanding general of the service command it appears that civilians are involved in the alleged fraud, or that it may be undesirable to have the fraudulent discharge revoked and the offender returned to military control, such investigation will be discontinued and the case will be transmitted to the proper Federal civil authorities for prosecution of the offenders.

4. It is desired that all appropriate subordinate commanders be advised of the foregoing policy.

By order of the Secretary of War:

Reproduced Hq NATCUSA, 23 September 1944.

A. B. E.

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s/ J. A. Ullo  
t/ J. A. ULIO,  
Major General,  
The Adjutant General.

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HEADQUARTERS PENINSULAR BASE SECTION  
A.F.O. 782 U. S. ARMY

LCS/TC/ert  
25 March 1944

AG 220.8-2194F

SUBJECT: Release from Active Service of Enlisted Men 38 Years of  
Age and Over.

TO : See Distribution.

1. In compliance with messageform, File No. AG 220.8/133, Hqs  
HATOUSA, dated 17 March 1944, applications for release from active  
service of enlisted men 38 years of age and over, reference Circular  
#92, dated 3 April 1943 and HATOUSA Circular #102, dated 1 June 1943,  
are rescinded.

2. Submission of applications to this Headquarters for release  
from active service under the above regulations will be discontinued.

3. Rescinding of regulations in paragraph 1 above does not affect  
applications forwarded to HATOUSA before 23 March 1944.

By command of Major General WILSON:

*L. C. SUTTER, Jr.*

L. C. SUTTER, Jr.,  
Captain, A. G. D.  
Asst. Adj. General

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THIS FOLDER  
CONTAINS PAPERS  
FROM MAR. 44  
TO SEPT. 44  
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