

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

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DISAFFECTED MILITARY PERSONNEL
FEB. - OCT. 1944

CONFIDENTIALARMED FORCE HEADQUARTERS
APO 512

AG 383.4/139 GBI-0

20 October 1944

SUBJECT: Disposition of Subversive and Disaffected Personnel

TO : All Concerned



1. Letter, this headquarters, file AG 383.4-1 GBI-AGM, dated 21 February 1944, subject as above, is amended as follows:

a. Amend paragraph 5 by adding sub-paragraph f to read:

"f. Duties in connection with the information, education, orientation of troops or the educational reconditioning of troops. (To include training for such duties)."

b. Amend paragraph 6 to read as follows:

"6. Non-sensitive Duties. When investigation or facts otherwise obtained prove that an enlisted man is disaffected but not sufficiently dangerous to warrant transfer, he will not be permitted to remain in or be transferred to any of the duties mentioned in sub-paragraphs 5a, b, c, d, e and f above, or any other duties which afford frequent access to secret or confidential matter or opportunity seriously to injure the war effort. Except for the duties stated in 5a, b, c, d, e and f, above, the determination of what assignments give frequent access to secret or confidential matter or other opportunity seriously to injure the war effort is a function of command. Any lists of sensitive duties prepared by the Commanding Generals of the major commands for guidance of Commanding Officers will, however, be submitted to this headquarters for concurrence prior to issuance."

c. Amend paragraph 7b to read as follows:

"7. As soon as investigation or interrogation establishes that an enlisted man is so dangerously disloyal that he cannot be considered sufficiently reliable for any normal duties within the military establishment, recommendation will be made by the responsible Commanding Officer through military channels to this headquarters for his return to the United States for reassignment to an organization likely to have combat duty in the Alaskan or Pacific theaters of operation."

d. Amend paragraph 8 by adding sub-paragraph d to read as follows:

"d. Duties in connection with the information, education and orientation of troops or the educational reconditioning of troops. (To include training for such duties)."

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Ltr [REDACTED]
GRI-O, dtd 30 Oct 44 (cont'd)

2. Commanders concerned will ensure dissemination of the information contained herein down to and including battalions, separate companies and similar units in their commands.

By command of General WILSON:

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

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File S-144

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PENINSULAR BASE SECTION
APO 782SECRET:ARRH: CG :
:Initials: P 71 :
:Date: 26 Feb. 44 :

AG 384.2 EPCOS (17 Feb 44)

PES 1-2-44
26 February 1944

Subject: Rewards for Capture of enemy personnel Behind Allied Lines.

To : See Distribution.

1. Reference is made to classified Administrative Memorandum Number 9, AFHQ, same subject as above, dated 17 February 1944, with 1st Wrapper Indorsement, this Headquarters, 24 February 1944.

2. Until further advised by this Headquarters, no payment as prescribed by that directive will be made.

By command of Brigadier General PENCE:

L. F. Nickel

L. F. NICKEL
Lt. Col., A.S.D.
Adjutant GeneralDISTRIBUTION:"A" and "B" plus:
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ALLIED FORCE HEADQUARTERS
APO 512

S-22

AP 533

New File

JEH/wp

133

AG 383.4-1 GHI-AGM

21 February 1944

SUBJECT: Disposition of Subversive and Disaffected Military Personnel.

TO : Commanding Generals,
 Allied Central Mediterranean Force (U.S. Contingent).
 Fifth Army, APO 464.
 Seventh Army, APO 758.
 Army Air Forces, Mediterranean Theater of Operations, APO 650.
 31st AAA Brigade, APO 509.
 40th AAA Brigade, APO 512.
 SOS, NATOSUA, APO 750.
 Mediterranean Base Section, APO 600.
 Atlantic Base Section, APO 759.
 Eastern Base Section, APO 763.
 Island Base Section, APO 550.
 Peninsular Base Section, APO 782.
 Northern Base Section, APO 386.
 Deputy President,
 Allied Control Commission.
 Commanding Officer, Headquarters Command, Allied Forces.
 Director General,
 Military Railway Service.
 Commanding General, Mediterranean Air Transport Service, APO 512.

} THRU: CG, NATOSUA.

1. All previous instructions concerning the disposition of subversive or disaffected personnel issued by this or any other headquarters which are contrary to the provisions contained herein are rescinded.

2. This letter will govern the disposition of subversive and disaffected military personnel in this theater. The disposition of subversive and disaffected officers and enlisted men is a responsibility of command, which responsibility will be exercised subject to the provisions of this letter so as to maintain security, discipline and morale. The Commanding Generals of the major theater commands indicated in the distribution above are responsible for carrying out policies and procedures established by this letter and for keeping this headquarters informed of all general instructions issued thereunder.

3. The phrase "subversive personnel" is defined, for the purpose of this letter, as personnel engaging in, or who, while in the Army, have engaged in, subversive activity of any sort. The phrase "disaffected personnel" is defined as personnel who lack affection for or loyalty to the Government and Constitution of the United States. The use of the phrase "potentially subversive personnel" will be discontinued.

4. Cases of subversion or disaffection will be investigated as soon after the discovery of subversion or disaffection as is practicable. Investigation will be made by qualified investigative agencies, and will be

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Ltr, this headquarters, AG 383.4-1 GBI-AGH,
dtd 21 February 1944 (Cont'd).

made for the purpose of determining whether the officer or enlisted man in question is actually subversive or disaffected. Investigation will be initiated only upon reliable information of sufficient seriousness so that, when weighed against the individual's known reputation and record of service, it compels a grave suspicion that he is subversive or disaffected. The determination in each case as to whether investigation is justified will be made by a responsible officer having command jurisdiction of the individual concerned.

5. Action will be taken only upon verified factual information which positively establishes that the individual concerned is subversive or disaffected. No temporary or permanent action or restriction adverse to the interest of any officer or enlisted man will be taken until such proof has been obtained. As an exception to the foregoing statements, persons under investigation for subversive activity or disaffection will not be assigned to:

- a. Officer candidate schools, as candidates.
- b. Aviation cadet training.
- c. Security and Intelligence duties.
- d. Duties in connection with Radar.
- e. Duties in connection with secret or confidential cryptographic systems or equipment.

6. Commanding Officers will be responsible that enlisted personnel under investigation for subversion or disaffection are not placed or retained in assignments which will give them frequent access to secret or confidential matter or other opportunity to seriously injure the war effort. Except for the duties stated in 5 a, b, c, d and e, above, the determination of which assignments give frequent access to secret or confidential matter or other opportunity to seriously injure the war effort, is a matter of command.

7. Permanent Disposition.

a. In all cases of proven subversive activity concerning either officer or enlisted personnel, commanding officers will institute court-martial proceedings when legally justified. It is desired that investigation by the Counter Intelligence Corps be directed primarily at obtaining evidence to support court-martial charges.

b. As soon as investigation or interrogation establishes that an enlisted man is so dangerously disloyal that he cannot be considered sufficiently reliable for any normal duties within the military establishment, recommendation will be made by the responsible commanding officer through military channels to this headquarters for his transfer. The recommendation will be accompanied by a report of the investigation. Such investigations will be made only by qualified investigative agencies.

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Ltr, Allied Force Headquarters, AG 383.4-1 GBI-ACM,
dtg 21 February 1944 (Cont'd).

c. When investigation or facts otherwise obtained indicate good cause to believe a soldier is disloyal but not sufficiently dangerous to warrant transfer, the soldier will not be permitted to remain in, or be transferred to, any of the duties or organizations mentioned in subparagraphs 5 a, b, c, d and e of this letter. In all cases of individuals restricted in accordance with this paragraph, a statement of the restriction will be placed in individual's Service Record and Form 20.

d. When investigation or facts otherwise obtained indicate the presence of a reasonably understandable refusal or reluctance on the part of a soldier to bear arms against a particular European enemy and further indicates no disloyalty to this country, other than that which can be inferred from his expression of refusal or reluctance to fight, he will be returned to the United States.

- (1) The refusal or reluctance to fight a particular European enemy must be expressed.
- (2) The presence of close relatives, a background which is not remote, or citizenship in any enemy country will constitute sufficient grounds to cause the reluctance or refusal to be understandable.

e. If the service record of any enlisted personnel in this theater contains the notation "not available for service in the European or African Theater of Operations", such an individual will be returned to the United States.

8. Only paragraphs 4 and 7a of this letter are applicable to commissioned officers. Commissioned officers who are proven by investigation to be subversive or potentially subversive will, when possible, be court-martialed, discharged or otherwise disposed of under Articles of War or Army Regulations. If disposition as stated above is not possible, such officers will not be given assignments which will result in security being endangered by reason of their lack of loyalty and in no case will be assigned to or retained in any of the following duties:

- a. Security and Intelligence duties.
- b. Duties in connection with Radar.
- c. Duties in connection with secret or confidential cryptographic systems or equipment.

9. The Commanding Generals of each of the major theater commands indicated in the distribution above will disseminate copies of this directive down to the Commanding Officers of battalions, separate companies, or similar

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Ltr, this headquarters, AG 383.4-1 GBI-AGM,
dtg 21 February 1944 (Cont'd).

units in their commands.

By command of General WILSON:

J. L. TARR
J. L. TARR,
Colonel, AGD,
Asst Adjutant General.

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