

RESTRICTED

95.23

HEADQUARTERS  
UNITED STATES FORCES  
EUROPEAN THEATER

ADMINISTRATION OF  
MILITARY GOVERNMENT  
IN THE  
U. S. ZONE  
IN  
GERMANY

MARTYRS MEMORIAL AND  
MUSEUM OF THE HOLOCAUST

DIRECTIVE TO COMMANDING GENERALS  
MILITARY DISTRICTS

JULY 1945

HEADQUARTERS (J.A.)  
European Theater of Operations,  
United States Army.

RESTRICTED

95.33

HEADQUARTERS  
U.S. FORCES, EUROPEAN THEATER

AG 014.1-1 (Germany) CE

AGO 757 (Main)  
7 July 1945

SUBJECT: Administration of Military Government in the U.S. Zone in Germany

TO : Commanding General, Eastern Military District  
Commanding General, Western Military District

1. OBJECT: This directive constitutes your directions for the administration of Military Government in your Military District.

2. CONTENTS: This directive is divided into the following Sections, attached hereto:

Section I	General
Section II	Removal of Nazis and Militarists (Section II has already been published as a letter, Hq, ETOUSA, AG 014.1-1 (Germany) CE, dated 29 June 1945)
Section III	Political Activities
Section IV	Civil Service and Administration
Section V	Administration of Justice
Section VI	Public Health and Welfare
Section VII	Education and Religious Affairs
Section VIII	Police and Fire Services
Section IX	Communications
Section X	Industry
Section XI	Food and Agriculture
Section XIII	Internal Trade, and Rationing, and Price Control
Section XIII	Inter-Zonal and Foreign Trade
Section XIV	Transportation
Section XV	Manpower
Section XVI	Finance
Section XVII	Property Control
Section XVIII	Monuments, Fine Arts and Archives
Section XIX	Reparations, Deliveries and Restitution
Section XX	Displaced Persons and Prisoners of War
Section XXI	Information Control
Section XXII	Demobilization and Disarmament
Section XXIII	Ocean Shipping
Section XXIV	Military Government Legislation

3. MISSION: You are charged with primary responsibility for the administration of Military Government in your Military District, in accordance with the terms of this directive.

4. APPLICATION: a. This directive applies to the administration of Military Government in the Military Districts of the U.S. Zone after the termination of Combined Command. It is intended to cover the initial period of Military Government in the U.S. Zone. It represents U.S. policy and will be modified as required to conform to agreements reached in the Allied Control Council for Germany.

b. The functions covered by the following Sections of this directive remain the responsibility of 12th Army Group until you are otherwise notified:

- (1) Section X Industry
- (2) Section XIV Transportation
- (3) Section XX, Part I Prisoners of War
- (4) Section XXI Information Control
- (5) Section XXII Demobilization and Disarmament
- (6) Section XXIII Ocean Shipping

This directive has also been issued to the Commanding General, 12th Army Group, and you will carry out these Sections in accordance with his directions.

R E S T R I C T E D

c. You will be responsible for carrying out all other Sections of this directive, without further direction, immediately upon termination of Combined Command.

d. The Bremen and Bremerhaven Enclave will be under complete U.S. control including Military Government and responsibility for disarmament and de-militarization. However, in the administration of Military Government in the Bremen Enclave, the Commander of the Western Military District will conform to the general policies pursued in the administration of the British Zone, subject always to his right to vary the administration of the Enclave in any particular way that he may find necessary on military grounds.

5. EFFECT ON SHAEF AND ARMY GROUP DIRECTIVES AND INSTRUCTIONS:

a. This directive supersedes the SHAEF directive for Military Government in Germany prior to Defeat or Surrender (AG 014.1-1 (Germany) GE-MGM), dated 9 November 1944, and all amendments and supplements thereto.


b. Except to the extent modified or rescinded by the provisions of this directive or inconsistent with them, the following shall remain in effect in the U.S. Zone:

- (1) SHAEF Handbook for Military Government in Germany
- (2) Military Government Technical Manuals
- (3) SHAEF ECLIPSE Memoranda
- (4) SHAEF Military Occupation Handbook
- (5) SHAEF Administrative Memoranda and Technical Instructions.

c. You may continue in effect such of the directives and instructions of the 12th Army Group and 6th Army Group, not inconsistent with this directive, as you deem appropriate.

6. DISTRIBUTION OF DIRECTIVE: This directive should be distributed by you to subordinate commanders down to and including Divisions and to Supply Services within your District who are assigned production control and other responsibilities. This directive has been distributed to all Military Government Detachments for information. It will be followed by such Detachments in carrying out the activities for which they are responsible, except as otherwise prescribed by you (in accordance with the powers delegated to you in paragraph 2, Part 2, of Section I).

BY COMMAND OF GENERAL BRADLEY:

  
R. B. LOVETT  
Brigadier General, USA  
Adjutant General 2

24 Incls:

Sections as listed.

DISTRIBUTION:

- 100 - Ea addressee (for distribution down to Division Hq)
- 20 - War Department
- 5 - Secretary, Joint Chiefs of Staff
- 20 - CG, Com Z, USFET
- 20 - Hq, 21 Army Group
- 20 - CG, 12th Army Group
- 10 - CG, 6th Army Group
- 500 - CG, U.S. Group CG (Germany)
- 20 - Control Commission for Germany (British Element)
- 400 - European CA Div (for distribution to all Mil Gov Det)
- 85 - PWD (for distribution to Information Control Units)
- 500 - Hq, USFET Main
- 50 - Hq, USFET Rear
- 1 - AG Records, USFET Main
- 1 - AG, USFET Rear

## SECTION I

GENERALPART 1 - DEFINITIONS AND AREAS OF OCCUPATION1. Definitions

The following definitions concern terms used in this directive:

- a. Military Governor - Commanding General, US Forces European Theater.
- b. US Zone - The areas of Germany occupied by US Forces, including Bremen-Bremerhaven enclave, but excluding the City of Berlin.
- c. Zone Staff - The conventional military staff of the Commanding General, US Forces European Theater.
- d. Control Council - The agency established by the Allied Governments concerned for the Military Government of Germany as a whole.
- e. Military Districts - Areas of Germany, in general corresponding with or embracing Military Government Regions, employed for command purposes in connection with the occupation and Military Government of the US Zone.
- f. Military Government Regions - Areas of Germany, usually corresponding with German Länder or Province, established as a basic political unit for Military Government.

2. Areas of Occupation

The areas included within the two US Military Districts are as follows:

- (1) Eastern Military District - The Land Bavaria, less the Kreise Lindau.
- (2) Western Military District:
  - i. Hessen-Nassau, less the Kreise of Oberwesterwald, Unterwesterwald, Unterlahn, and Sankt Gearhausen.
  - ii. Land Hessen, less the area of South Hessen west of the Rhine.
  - iii. Northern Baden (Landkommissärbezirk Mannheim and the Kreise of Bruchsal, Karlsruhe, and Pforzheim in the Landkommissärbezirk Karlsruhe).
  - iv. Northern Württemberg (the area of northern Württemberg inclusive of the following Kreise: Leonberg, Böblingen, Württemberg, Münsingen northeast of the Autobahn, and Ulm).
  - v. Bremen-Bremerhaven Enclave.
- (3) The Eastern Military District comprises one Military Region - Land Bavaria.
- (4) The Western Military District comprises the Bremen-Bremerhaven Enclave and the following three Military Government Regions: Hessen-Nassau; Land Hessen; northeast Württemberg and northern Baden.

## PART 2 - MILITARY GOVERNMENT AUTHORITY

### 1. Basis.

The rights, powers and status of the Military Government in Germany are based on the unconditional surrender and total defeat of Germany. Subject to the exercise by the Control Council of authority on matters within its jurisdiction, the Theater Commander, by virtue of his position, is clothed with supreme legislative, executive and judicial authority within the areas occupied by forces under his command.

### 2. Delegation.

The Theater Commander's authority and power is hereby delegated to you, subject to this directive and such other directives and instructions as may be issued from time to time. Your authority will be broadly construed to allow you freedom of action to take such steps and measures deemed necessary to discharge your responsibility for Military Government.

### 3. Redelegation.

Except with the express consent of the Theater Commander, you will not redelegate responsibility for Military Government to your subordinate tactical commanders. Responsibility for Military Government within your District will be placed on the Military Government Detachments under your command, in accordance with paragraph 2 of Part 5 this Section. You will redelegate your authority to Military Government Detachment Commanders with appropriate reservations where required by this directive or believed advisable by you.

### 4. Relations With Other Commanders.

Subject to the approval of the Theater Commander, you are authorized to negotiate with the Commanding Generals of contiguous Military Districts in the US, UK, USSR, and French Zones in Germany and Austria and to conclude tentative agreements with them on matters of mutual interest.

## PART 3 - OBJECTIVES OF MILITARY GOVERNMENT

### 1. General.

Germany will not be occupied for the purpose of liberation but as a defeated enemy nation. The aim is not oppression but to occupy Germany for the purpose of realizing certain important objectives. In the conduct of your occupation and administration you should be just but firm and aloof. You will strongly discourage fraternization with the German officials and population.

### 2. Principal Objective.

The principal objective is to prevent Germany from ever again becoming a threat to the peace of the world. Essential steps in the accomplishment of this objective are the elimination of Nazism and militarism in all their forms, the immediate apprehension of war criminals for punishment, the industrial disarmament and demilitarization of Germany, with continuing control over Germany's capacity to make war, and the preparation for an eventual reconstruction of German political life on a democratic basis.

### 3. Other Objectives.

Other objectives are to enforce the program of reparations and restitution, to provide relief for the benefit of countries devastated by Nazi aggression, and to ensure that prisoners of war and displaced persons of the United Nations are cared for and repatriated.

### 4. German Responsibility.

It should be brought home to the Germans that Germany's ruthless warfare and the fanatical Nazi resistance have destroyed the German economy and made chaos and suffering inevitable and that the Germans cannot escape responsibility for what they have brought upon themselves.

5. Extent of Control.

Controls upon the German economy may be imposed to the extent that they are necessary to achieve the foregoing objectives and also to protect the safety and meet the needs of the occupying forces and insure the production and maintenance of goods and services required to prevent starvation or such disease and unrest as would endanger these forces. No action will be taken which would tend to support basic living conditions in the US Zone on a higher level than that existing in any one of the neighboring United Nations.

6. Use of German Authorities.

Military Government will be effected as a general principle through indirect rule. In the imposition and maintenance of such controls as may be prescribed, German authorities will, to the fullest extent practicable, be ordered to proclaim and assume administration of such controls. Thus, it should be brought home to the German people that the responsibility for the administration of such controls and for any breakdowns in those controls will rest with themselves and the German authorities.

7. Use of Terms 'Objectives of the Occupation' and 'Objectives of Military Government'.

As used in this and the following Sections of this directive, the terms "objectives of the occupation" and "objectives of Military Government" refer to the foregoing objectives. The following Sections specify in more detail the objectives applicable in particular fields in order to carry out the foregoing basic objectives.

PART 4 - OTHER GUIDING PRINCIPLES

1. Limitation On Action.

Except as may be necessary to achieve the objectives of the occupation, no affirmative steps will be taken:

- a. Looking toward the economic rehabilitation of Germany, or
- b. Designed to maintain or strengthen the German economy.

2. Decentralization.

The administration of affairs in Germany shall be directed towards the decentralization of the political and administrative structure and the development of local responsibility. However, to the minimum extent required to fulfill the objectives of the occupation, the Control Council may permit centralized administration or establish central control for (a) essential national public services such as railroads, communications, and power; (b) finance and foreign affairs; (c) production and distribution of essential commodities. Subject to the action of the Control Council, you will encourage autonomy in regional, local and municipal agencies of German administration, and decentralization of the German economic structure.

3. Full Use of Resources.

All practicable economic and police measures will be taken to assure that German resources are fully utilized and consumption held to the minimum in order that imports may be strictly limited and that surpluses may be made available for the occupying forces and displaced persons and United Nations prisoners of war and for reparation.

PART 5 - COMMAND AND CONTROL CHANNELS

1. Control Council.

The Control Council for Germany possesses paramount authority throughout Germany on matters affecting Germany as a whole. Subject to the surrender terms and the policies of the Control Council, the Theater Commander has exclusive authority within the US Zone of Occupation. The policies of the Control Council affecting your operations will be transmitted to you through Theater directives and instructions.

2. Chain of Command.

a. The relationship between the Military Governor, the Deputy Military Governor, the US Group Control Council and the Zone Staff is as outlined in the following documents:

- (1) US Theater Organization Plan, 12 June 1945 (Hq ETO, G 320.3-1 GC)
- (2) Relationship of Deputy Military Governor and US Group Control Council (Germany) to the Theater Staff, 29 April 1945 (Hq ETO, GCT/322.01 (Relationship)).
- (3) Organization for Military Government of US Zone and Areas in which US forces are deployed, 24 May 1945 (Hq ETO, AG 014.1-1 (Germany) GE-(G)).

b. The chain of command will pass conventionally from the Military Governor through Theater Headquarters to Military District Commanders on all Military Government matters. Military District Commanders will command and control Military Government activities in their Districts through a Territorial Military Government Detachment chain of command which will parallel the German civil administrative chain of command within the District. The chain of command for functions not charged to Military Government Detachments (e.g. Production Control, Transportation, Information Control, Prisoners of War, Disarmament and Demobilization) will be as outlined in the appropriate functional Sections of this directive or in instructions referred to therein.

3. Technical Channels.

A technical or staff channel of communication on Military Government matters will be authorized as a means to speed communication and gain consistency in operations and policy. This will permit direct communication between the G-5 of the Zone Staff, the G-5 of the staff of the Military District Commanders and the Military Government Detachments operating within the Districts. Similarly, functional specialists within the G-5 staffs and Military Government Detachments at each echelon will be authorized to employ functional staff channels. Notwithstanding this encouragement of the free use of technical and functional channels, the command channel specified in paragraph 2 (b) above will always be controlling, and technical and functional instructions may be contravened by those having command responsibility for Military Government. Technical channels are authorized for staff sections other than G-5 as outlined in appropriate functional Sections of this directive or in instructions referred to therein.

4. Civil Channels from German Central Agencies.

German civil chain of command will be permitted to operate out of a limited number of German agencies at the Ministerial level under the direction of Control Council.

5. Notice of Central Instructions.

Where the Control Council in Berlin has issued instructions to a German control authority requiring action by German civilian agencies in the Zone, US representatives sitting in the Quadripartite Military Government will provide the Zone Staff with copies of such instructions. If the action to be taken in

the Zone is one requiring coordination with the Military District Commanders, copies of the instruction handed the German central authorities will be provided the Military District Commanders' Staff.

6. Suspension of German Central Instructions.

Military District Commanders will be authorized to suspend the effect of any instruction from German central authorities received by German civil agencies in their Districts where:

a. They have not been advised by the Zone Staff of the Control Council action. This will permit Military District Commanders to interject themselves into the routine of German administration to the degree they consider necessary to insure complete control of the civil authorities within their District, and will permit them to intercept any undesirable instructions issuing from the central German authorities without the approval of the Control Council.

b. They consider the security of the forces under their command will be prejudiced in the execution of any such instruction. In cases where Military District Commanders suspend the effect of instructions issued by the German central authority pursuant to the direction of the Control Council, they will make an immediate detailed report to the Military Governor of the action taken with reasons supporting the belief that execution of the instruction would prejudice the security of US forces.

7. Civil Channels within Military Districts.

a. Military District Commanders may also permit a German civil chain of command to operate between civil agencies at regional and municipal levels, after insuring that Military Government Detachments at subordinate levels are not by-passed on matters within their jurisdiction.

b. Subordinate Military Government Detachments are authorized to suspend the effect of any instruction from higher German civil authorities received by German civil agencies under their supervision where the Detachment has not been advised by a superior Military Government Detachment that the civil instruction is in accordance with a Military Government order or is approved by higher Military Government authority.

PART 6 - MILITARY GOVERNMENT ORGANIZATION.

1. Military Government Detachments.

a. Military Government Detachments will be provided Military District Commanders as units for use in the exercise of Military Government in their Districts. These detachments have been trained to work in the areas and at the level of government to which they were assigned by the Military Government operated by the Supreme Commander, Allied Expeditionary Force, e.g., Military Government Region (German Land/Province), Regierungsbezirk, and Kreise.

b. The Military Government Detachment chain of command will operate as follows:

- (1) Military Government Regional Detachment will be located at the capital of each Military Government Region. This Detachment will be responsible for controlling the activities of German civil administration in the Military Government Region on behalf of the Military District Commander. The officer commanding each Regional Military Government Detachment, known as the Regional Military Government officer, will command all Military Government Detachments within the region.



- (2) Military Government Detachments will be located at each Regierungsbezirk capital and will be responsible directly to the Regional Military Government officer for the administration of Military Government throughout the Regierungsbezirk.
- (3) Military Government Detachments will also be located at the headquarters of the principal Stadt- and Land-Kreise and will be responsible directly to the appropriate Regierungsbezirk Detachment for the administration of Military Government throughout the Stadt- or Land-Kreise.
- (4) Military Government control will therefore run in a direct line upwards from Stadt- or Land-Kreise Detachments, to Regierungsbezirk Detachments, to Regional Detachments, and thence to the Military District Commander.

c. Among the principal functions of Military Government Detachments are the following:

- (1) Serve as the primary agency for the control, direction and supervision of the German civil authorities on behalf of the Military District Commander. Subordinate military Commanders will submit any local military requirements they may wish imposed on German civil authorities through the appropriate Military Government Detachments.
- (2) On behalf of the District Commander to conduct the operations of Military Government concerned with the direction and control of the German civil government at the appropriate Detachment level; with the care, control and repatriation of United Nations displaced persons; with the operation of Military Government courts; with the execution of financial control policies; with the execution of policy with respect to reparations, deliveries and restitution; with the preservation of monuments, fine arts and archives; and with the execution of de-Nazification and de-militarization programs in the agencies they are supervising.

## 2. Military District G-5 Staff.

Every effort will be made to utilize Commanding Officers of Regional Military Government Detachments, and their key functional personnel as Assistant Chiefs of Staff, G-5, and chiefs of functional sections of G-5 Divisions on appropriate Military District Staffs. Where a Military District comprises more than one Military Government Region, the Commanding Officers of Regional Military Government Detachments should be utilized as Chiefs of Regional sections in the G-5 Division of the District Commander's Staff. In such cases, over-all coordination of inter-regional matters will be obtained by the ACOS, G-5, of the District Commander.

## 3. Augmenting Military Government Detachments.

a. Trained personnel adequate to constitute a nucleus for the control of German civil administration will have been deployed throughout the Zone. However, the sharply increased burden of the occupation will require that this personnel be incremented. Military District Commanders will therefore attach suitable personnel from tactical and service forces under their command to Military Government Detachments when required. Such personnel may be ordered for brief Military Government instructions to schools to be established by the Military Governor for the purpose.

b. Military District Commanders will likewise be required to assign officers and enlisted men from forces under their command to operate displaced persons' installations and supervise repatriation proceedings in order to supplement Military Government officers and UNRRA specialists assigned to the work.

4. Administration, Service, and Supply of Military Government Detachments.

Military Government personnel serving in Military Government Detachments will be attached with their detachment to the nearest tactical headquarters having administrative and supply responsibility. They will be assigned, however, to European Civil Affairs Division or, if this is dissolved, to the District Military Government Regiment. Though the tactical headquarters to which they are attached will be primarily responsible for discipline, rationing and other maintenance of the Detachment, European Civil Affairs Division/the District Military Government Regiment will retain residual responsibility for the supply and service of these detachments and will control the supply of TE items, delivery of mail, the promotion and assignment of personnel, etc.

PART 7 - REPORTS, COMMUNICATIONS AND HISTORICAL RECORDS

1. Reports.

Military District Commanders, in coordination with G-5 Division, Headquarters, U.S. Forces, European Theater, will provide for the collection and transmittal of reports required of Military Government Detachments. Reporting requirements contained in existing instructions and in this directive will be received at this Headquarters. A new directive which will summarize all existing reporting requirements and will clearly define responsibility therefor will be issued at a later date.

2. Communications.

Military District Commanders will insure that essential signal facilities are provided Military Government Detachments by the Signal Corps. However, Military Government Detachments will assist the Signal Corps in obtaining the use of civil communications and will employ civilian nets whenever practical.

3. Historical Data.

Military District Commanders will provide for the collection, preservation, classification and evaluation of all data of historical importance relating to the conduct of Military Government within their Districts and will make this material available to the Military Governor in a form from which a history of the Military Government of US areas of control in Germany may be prepared.

## SECTION II

### REMOVAL OF NAZIS AND MILITARISTS

#### Part 1: General Policy

##### 1. Purpose.

It is the purpose of this directive to set forth the policy to be followed in the US Zone with respect to the removal and exclusion of Nazis and German Militarists from public office and positions of importance in quasi-public and private enterprises and to furnish detailed instructions to Military Government Officers in the execution of this policy. All other directives on this subject are repealed. All instructions on this subject are repealed only insofar as they are in conflict herewith.

##### 2. Policy.

One of the principal objectives of the war and of all military operations in GERMANY as stated in the official communique of the Crimea Conference is "to destroy German militarism and Nazism" and "to remove all Nazi and militarist influences from public offices and from the cultural and economic life of the German people." The policy as applied to the US Zone is as follows:

"All members of the Nazi party who have been more than nominal participants in its activities, all active supporters of Nazism or militarism and all other persons hostile to Allied purposes will be removed and excluded from public office and from positions of importance in quasi-public and private enterprises. . . ."

##### 3. Definitions.

a. Persons are to be treated as more than nominal participants in party activities and as active supporters of Nazism and militarism when they have (1) held office or otherwise been active at any level from local to national in the party and its subordinate organizations, or in organizations which further militaristic doctrines; (2) authorized or participated affirmatively in any Nazi crimes, racial persecutions or discriminations; (3) been avowed believers in Nazism or racial and militaristic creeds, or (4) voluntarily given substantial moral or material support or political assistance of any kind to the Nazi party or Nazi officials and leaders.

b. The term "public office" shall include all officials, civil servants, or employees in the governmental service excepting employment of such minor importance that the incumbent or appointee is not placed in a position to endanger Allied interests or commit acts hostile to Allied principles and purposes by reason of his employment.

c. The term "positions of importance in quasi-public and private enterprise" shall include policy making, executive positions and personnel officers in (1) civic, economic, and labor organizations; (2) corporations and other organizations in which the German government or subdivisions have a major financial interest; (3) important industrial, commercial, agricultural, and financial institutions; and (4) the press, publishing houses and other agencies disseminating news and propaganda. In the field of private or parochial education, the term shall include teachers as well as policy making or executive officials in such institutions.

d. The term "important industrial, commercial, agricultural and financial institutions" shall include all such institutions directly supervised, utilized or controlled by Military Government and all industrial, mining, public utility and commercial enterprises, combines and cartels which--by virtue of their capitalization (more than RM. 1,000,000), number

of employees (more than 250), type of products produced or services rendered--are important factors in the German economy or in the economy of the region or community in which they operate. In the discretion of Military Government detachments, the removal of Nazi and militaristic influences from less important industrial, commercial, agricultural and financial institutions is authorized.

e. The term "removal" as used herein shall mean to discharge the person immediately and summarily from the position in question and to terminate his influence and participation therein, directly or indirectly. The property of all removed persons will be blocked. Persons removed from public office will not be entitled to the benefit of any pension or other civil service rights except with the consent of the Military Government Detachment.

#### 4. Instructions for Removals and Exclusions.

a. To assist in the carrying out of this policy, there is set forth in Part 2, a list of the categories of persons who are to be considered as more than nominal participants in the activities of the Nazi party, active supporters of Nazism or militarism, and as hostile to Allied purposes. The removal or exclusion from public office and from positions of importance in quasi-public and private enterprises of persons coming within the categories listed in Part 2 is mandatory.

b. No such persons are to be appointed or retained in public office or in positions of importance in quasi-public and private enterprises because of administrative necessity, convenience or expediency. It is recognized however, that the removal of persons by categories may result in individual injustices in that investigation may establish that a person falling within some of the categories listed in Part 2 was in fact only a nominal Nazi. When such a person has been removed from or denied appointment to an essential administrative or technical position for which it is impossible to find a qualified replacement of acceptable political character, an application may be made to this Headquarters for his appointment or reinstatement in accordance with the provisions set forth in paragraph 5 of this Part 1. No such person may be appointed or reinstated until this Headquarters has registered its approval in writing.

c. In addition to the categories of persons listed in Part 2, you will remove or exclude from public office and positions of importance in quasi-public and private enterprises all persons whom you deem hostile to Allied purposes. Part 3 hereof sets forth criteria for your guidance in determining which persons may prove hostile to Allied purposes. The decision in these cases must rest in the exercise of a sound discretion.

d. Commanding Officers of Military Government Detachments may appoint or retain members of the NSDAP whom they believe to have been no more than nominal participants in the activities of the party and who do not come within the mandatory removal and exclusion categories listed in Part 2. In each such case a report containing the information and supporting data prescribed in Paragraph 5 c of this Part shall be sent direct to this Headquarters for review, with information copies to intermediate Military Government Headquarters.

e. Procedures to be followed and the respective responsibilities of various officers in carrying out the policies for removal and exclusion of Nazi and Militarists from public and private positions are set forth in Part 4.

f. The selection of persons for key positions, with adequate educational background, practical experience and freedom from Nazi and German Militaristic contaminations, collaboration and influence is of prime importance and will be given priority. Diligent search will be made for residents of the city or other governmental unit to be served for such suitable personnel replacements.

5. Applications for Approval.

a. Applications of Military Government Detachments for approval of appointments or reinstatements under Paragraph 4 b of this Part 1 shall be sent directly to this Headquarters, with information copies to intermediate Military Government Headquarters.

b. The application must contain a definite and precise statement covering the following points:

- (1) The importance of the position occupied or to be occupied and the necessity of the appointment of someone to carry on essential activities;
- (2) The technical qualifications of the individual and the impossibility of finding suitable replacement;
- (3) A statement that the individual was never more than a nominal Nazi as above defined.

c. The application must be accompanied by the following documents:

- (1) A copy of the Fragebogen (MG/PS/G/9a, revised 15 May 45);
- (2) A summary of the investigation conducted and the results of checks made against available civil service, police, party and other records.
- (3) A statement from the CO of the nearest CIC detachment concerning any security considerations involved or any information available from CI sources.

Part 2: Mandatory Removal and Exclusion Categories

1. War Criminals.

Individuals on the War Crimes List of the United Nations War Crimes Commission.

2. The NSDAP.

a. All persons who at any time have been officials or officers, or who at any time have occupied any post of authority in the NSDAP, from local NSDAP units to the national headquarters.

b. All members of the NSDAP who joined the party or were accepted for membership before 1 May 1937, or who have otherwise been more than nominal participants in activities of the NSDAP.

c. All members of the NSDAP who were selected and transferred to the party after four years service in the Hitler Jugend and upon attaining the age of eighteen.

Formations

3. Schutzstaffel (SS).

Officers and non-commissioned officers of the Waffen SS and all members of the other branches of the SS.

4. Sturmabteilung (SA).

Officers and NCO's of the SA at any time and all members who joined the SA prior to 1 April 1933.

5. Hitler Jugend (HJ).--(including Bund Deutscher Mädel)

Officers of the HJ and of the Deutsche Jungvolk at any time. With respect to positions in the field of Education and Information Services--all leaders at any time of the HJ and the Deutsche Jungvolk.

6. NSD-Studentenbund (NSDSt.B).

Officers at any time of this formation.

7. NS-Deutscher Dozentenbund (NSDoB).

Officers at any time of this formation.

8. NS-Frauenschaft (NSF).

Officers at any time of this formation.

9. Das Nationalsozialistische Kraftfahrkorps (NSKK).

Officers and NCO's at any time of this formation.

10. Das Nationalsozialistische Fliegerkorps (NSFK).

Officers and NCO's at any time of this formation.

Affiliated Organizations

All officials at any time of the following organizations:

11. Reichsbund der Deutschen Beamten.

12. Deutsche Arbeitsfront (DAF), including particularly representatives who have acted as Betriebsobmänner in business establishments.

13. NS-Volkswohlfahrt (NSV), including NS Reichsbund der Deutschen Schwestern.

14. NS Kriegspflerversorgung (NSKOV).

15. NS-Bund Deutscher Technik (NSBDT).

16. NS-Deutscher Aerztebund (NSDAeB).

17. NS Lehrerbund (NSLB).

18. NS-Rechtswahrerbund (NSRB).

Supervised Organizations

All officials at any time of the following organizations:

19. Deutsches Frauenwerk.

20. Reichsbund Deutsche Familie.

21. NS Reichsbund für Leibesübungen.

22. NS Altherrenbund.

23. Deutsche Studentenschaft.

24. Deutscher Gemeindetag.

25. Reichs-Dozentenschaft.

### Other Nazified Organizations

All officials at any time of the following organizations:

26. Der Reichsarbeitsdienst (RAD).

Officers of the RAD at any time down to and including the rank of Arbeitsführer.

27. Volksbund für das Deutschtum im Ausland (VDA).

28. Reichskolonialbund.

29. Reichsluftschutzbund.

30. Deutsche Jägerschaft.

31. Reichskulturkammer and subsidiary bodies.

32. Institut zur Erforschung der Judenfrage.

33. Kameradschaft USA.

34. Ibero-Amerikanisches Institut.

35. Weltdienst.

36. Deutscher Fichte Bund.

37. Deutsches Auslandinstitut (DAI).

38. Staatsakademie fuer Rassen - und Gesundheitspflege.

39. Deutsche Akademie, Munich.

40. Osteuropäisches Institut.

41. Amerika Institut.

42. Werberat der Deutschen Wirtschaft.

### Nazi Honors

Recipients of the following Party decorations:

50. National Socialist Order of Blood of 9 November 1923  
(National Sozialistisches Blutorden vom 9 November 1923)

51. Insignia of Honor for the first 100,000 members  
(Ehrenzeichen für Mitglieder unter Nummer 100,000)

52. Coburg Badge  
(Coburger Abzeichen)

53. Nürnberg Party Convention Badge of 1929  
(Nürnberger Parteitagabzeichen von 1929)

54. Badge of the SA Convention at Braunschweig of 1931  
(Abzeichen vom SA-Treffen Braunschweig 1931)

55. Gold Hitler Youth Badge  
(Goldenes HJ - Abzeichen)

56. Nazi Party Service Badges  
(NSDAP Dienstauszeichnungen)

57. District Insignia of Honor of the Nazi Party  
(Gau-Ehrenzeichen der NSDAP)

Civil Servants

Any person who has been appointed to any of the following positions since 30-January 1933, and any person who was an incumbent on that date and who survived the successive Nazi purges which followed:

66. Reich Ministers, State Secretaries, Ministerial Directors and their Deputies, Ministerial Dirigenten, Generalreferenten and all other officials of a rank higher than Referent or its equivalent in Reich Ministries.

"Reich Ministries" are defined as the following:

- a. The High Command of the Armed Forces (OKW) including the High Commands of the Army (OKH), Navy (OKM) and Air Force (OKL)
- b. The Foreign Office
- c. The Ministries of:

Armaments and War Production	Propaganda
Labor	Interior
Economics	Justice
Food & Agriculture	Science &
Transport	Education
Finance	Posts
Air	Ecclesiastical Affairs
- d. The Ministry of Occupied Eastern Territories

67. Heads and their Deputies, Delegates, Commissioners and all other officials of rank higher than Referent or its equivalent of the following Reich Authorities:

Reich Plenipotentiary for Total War Effort (Reichsbevollmächtigter für den totalen Kriegseinsatz)

Reich Commissioner for Strengthening German Folkdom (Reichskommissar für die Festigung deutschen Volkstums)

Commissioner General for Medical and Health Services (Generalkommissar für das Sanitäts- und Gesundheitswesen)

Reich Housing Commissioner (Reichswohnungskommissar)

Commissioner General for Internal Defense (Generalkommissar für die Innere Verteidigung)

Reich Commissioner for Ocean Shipping (Reichskommissar für die Seeschifffahrt)

Inspector General for Water and Power (Generalinspekteur für Wasser und Energie)

Inspector General for Motor Transportation (Generalinspekteur für das Kraftfahrwesen)

Reich Commissioner for Treatment of "Enemy Property" (Reichskommissar für die Behandlung feindlichen Vermögens)

Reich Youth Leader (Reichsjugendführer)

Head of the Reich Office for Spatial Planning (Reichsstelle für Raumordnung)



Delegate for the Four Year Plan (Beauftragter für den Vierjahresplan) and Division Chiefs in the Four Year Plan Office

Inspector General for German Roads (Generalinspektor für das deutsche Strassenwesen)

Reich Forestry Office (Reichsforstamt)

Supreme Administrative Tribunal (Reichsverwaltungsgericht)

68. Heads and their deputies and all other officials of a rank higher than Referent or its equivalent of Reich Institutions:

Reich Committee for Public Health Services (Reichsausschuss für Volksgesundheitsdienst)

Reich Office for Social Insurance (Reichsversicherungsamt)

Reich Hereditary Farm Court (Reichserbhofgericht)

Reich Labor Court (Reichsarbeitsgericht)

Supreme Court of Honor and Discipline of the German Labor Front (Oberster Ehren- und Disziplinarhof der DAF)

Reich Archives (Reichsarchiv)

Supreme Auditing Court of the Reich (Rechnungshof des Deutschen Reiches)

National Court of Finance (Reichsfinanzhof)

69. All officials of the Reich Ministry of Public Enlightenment and Propaganda and heads of its regional offices and subsidiary agencies, down to and including Kreis level. In addition, all officials of these agencies who have written propaganda of a primarily political nature.

70. High officials (Minister, Chief Adjutant, State Secretary, Heads and Deputy Heads of Departments and Agencies, and all other officials of a rank higher than Referent or its equivalent) of the Reich Ministry for Armaments and War Production, including Chairmen of the Hauptausschüsse and Ringe.

71. All Reich officials who have held any of the following titles:

Reich Commissioners (Reichskommissare)

General Commissioners (Generalkommissare)

Plenipotentiaries (Generalbevollmächtigte)

Reich Deputies (Reichsbevollmächtigte)

Deputies (Bevollmächtigte)

Inspector General (Generalinspektoren)

Reich Delegates (Reichsbeauftragte)

Delegates (Beauftragte)

Special Delegates (Sonderbeauftragte)

Reich Trustees (Reichstreuhänder)

Trustees (Treuhänder)

Special Trustees (Sondertr<sup>u</sup>eh<sup>u</sup>nder)

72. Members of the German Reichstag or Preussische Staatsrat after 1 January 1934.

73. Reich Trustees of Labor and Special Trustees of Labor (Reichs-  
tr<sup>u</sup>eh<sup>u</sup>nder der Arbeit und Sondertr<sup>u</sup>eh<sup>u</sup>nder der Arbeit).

74. The following officials of the Reich Food Estate (Reichn<sup>u</sup>hrstand):  
(a) all Landesbauernf<sup>u</sup>hrer and their deputies, (b) all heads of Central and  
Regional Marketing Associations (Hauptvereinigungen and Wirtschaftsverb<sup>u</sup>nde),  
(c) all Kreisbauernf<sup>u</sup>hrer and (d) all heads of Landes and Regierungs-  
forst<sup>u</sup>amter.

75. Gau Housing Commissioners (Gauwohnungs-kommissare) and their Deputies.

76. Commissioned or non-commissioned officers of the Stosstruppen or  
Werkscharen.

77. University Rectors and Curators, heads of Teachers' Training  
Colleges, and heads of institutions of University rank.

78. Ministers, State Secretaries, and Ministerial Directors of German  
States (L<sup>u</sup>nder).

79. Provincial Presidents (Oberpr<sup>u</sup>äsidenten), Reich Governors (Reichs-  
statthalter), and their Department Heads.

80. Regierungspr<sup>u</sup>äsidenten or Landeskommissare (Land Baden).

81. Landr<sup>u</sup>te.

82. All urban and rural mayors (Oberb<sup>u</sup>rgermeister and B<sup>u</sup>rgermeister).

83. Police Presidents and Directors (Polizei-pr<sup>u</sup>äsidenten and Polizei-  
direktoren); Commissioned Officers of the Technical Emergency Corps  
(Technische Nothilfe); Police Officers above the rank of Lieutenant or  
equivalent; all members of the Secret State Police (Gestapo) and of the  
Security Service of the SS (S.D. - Sicherheitsdienst der SS) and members  
of the Administrative Police (Verwaltungspolizei) serving with them;  
Inspectors or Commanders of the Security Police and Order Police (Inspekt<sup>u</sup>re  
oder Befehlshaber der Sicherheitspolizei oder der Ordnungspolizei - ORPO).

84. Judges, Prosecutors, and officials of the People's Court (Volks-  
gericht), special courts (Sondergerichte) and other extraordinary courts  
created by the Nazi regime.

85. All persons who have held any of the following legal positions  
since 30 January 1933:

a. President, Vice President, Judges of the Special Senate, all  
Prosecutors and members of the Supreme Senate of the Supreme Court (Reichs-  
gericht);

b. President, Deputy President, Directors and Treasurer of the  
Academy for German Law (Akademie f<sup>u</sup>r Deutsches Recht);

c. Commandant and all instructors in the Nazi Indoctrination  
Camp for Lawyers and Judicial Officials (Gemeinschaftslager H<sup>u</sup>rn<sup>u</sup> Kerrl);

d. President of the Reich Office for final examination of  
Lawyers and judges (Reichsjustizpr<sup>u</sup>efungsamt);

e. All Presidents, Vice Presidents and Generalstaatsanw<sup>u</sup>lte of  
the Oberlandesgerichte;

- f. All Presidents and Oberstaatsanwälte of the Landgerichte;
- g. All Presidents of the Disciplinary Courts for Legal Personnel (Dienststrafkammern);
- h. President and all Judges of the Reich Supreme Honor Court for Lawyers and Patent Attorneys (Reichsehrengerichtshof);
- i. President, Vice Presidents and all members of the Reich Chambers of Notaries, Patent Attorneys and Lawyers (Reichsnotarkammer, Reichspatentanwaltskammer und Reichsrechtsanwaltskammer);
- j. President and Vice President of the Reich Patent Office (Reichspatentamt).

86. The Plenipotentiary for the Employment and Distribution of Labor (Generalbevollmächtigter für den Arbeitseinsatz); the Special Commissioner for Agricultural Labor (Generalbevollmächtigter für den Arbeitseinsatz in der Landwirtschaft); the Reich Labor Inspectorate (Reichsinspektion des Generalbevollmächtigten für den Arbeitseinsatz); the Reich Labor Allocation Engineer (Reichsarbeitseinsatzingenieur).

87. Deutsche Reichsbank: President, Vice President, and all other members of the Reichsbank Directorate (Direktorium); all members of the Advisory Board (Beirat) and all Reichsbank Directors (Direktoren).

88. Chief Regional Finance Officials (Oberfinanzpräsidenten).

89. Armament Inspectors (Rüstungsinspektoren); Armament Commissioners (Rüstungsobmänner); Army District Deputies (Wehrkreisbeauftragte); District Labor Allocation Engineers (Bezirks-Arbeitseinsatzingenieure); Building Delegates (Baubevollmächtigte); policy-making officials of the Gau Economic Chambers (Gauwirtschaftskammern); and the Gau Economic Consultants of the NSDAP (Gauwirtschaftsberater der NSDAP).

#### Business Officials

100. All individuals who have accepted Nazi honors (Paragraphs 50 et seq above) or have held any of the following positions since 30 January 1933:

101. Head of the National Economic Chamber (Reichswirtschaftskammer) and his immediate subordinates, or President or Chairman of a Gau Economic Chamber (Gauwirtschaftskammer) or affiliated Economic Chamber (Wirtschaftskammer).

102. Chairman, President, Deputy or Business Manager of Reichsgruppe, Economic Groups (Wirtschaftsgruppe or Fachgruppe), Main Committee, Special Committee, Main Ring, Special Ring, Production Committee or Reichsvereinigung.

103. Chairman, President or Deputy of a national transportation group (Reichsverkehrsgruppe).

104. War Economy Leaders (Wehrwirtschaftsführer).

105. Chairman, all members of the Board of Directors, and leading executives of a corporation in which the Reich has or had (at any time since 30 January 1933) an interest representing actual or working control; chairman, all members of the Board of Directors and leading executives of a corporation in which the NSDAP or any of its subsidiary organizations has or had (at any time since 30 January 1933) an interest representing actual or working control.

106. Reich Commissioners having jurisdiction of a raw material or industry (e.g. Reichsbeauftragte Kohle, Reichsbeauftragte Eisen, etc.), as well as policy-making officials of the Reichsstellen and Bewirtschaftungsstellen.

### Military Service

115. Persons who have at any time been members of the German General Staff Corps.

116. Persons who have been National Socialist Indoctrination Officers (N.S.-Führungsoffiziere).

### Organizations in Occupied Territory.

120. Persons who have been chiefs of military or civil administration in countries and territories occupied by Germany, or who have headed main functional or regional Divisions thereof.

121. Officials of the Ministry of Armaments and War Production (RUK - Reichsministerium für Rüstung und Kriegsproduktion).

122. Officials of the "Roges" Raw Materials Trading Company ("Roges" Rohstoff-Handelsgesellschaft).

### Unclassified

130. High ranking officials of the Organization Todt (Einsatzleiter and higher).

131. Any national of any of the United Nations who has committed offenses against his national law in support of the German war effort, or any such national who has assumed or been granted German citizenship after the date of entry of his former native country into a state of war with Germany.

132. Members of non-German native administrations (Quislings) and members of non-German Nazi or Fascist parties who may have assumed or been granted German citizenship after 1 April 1933.

133. Persons who have denounced or contributed to the seizure of opponents of the Nazi regime.

134. Persons who have instigated or perpetrated acts of violence against political or religious opponents of the Nazi regime.

135. Persons employed to disseminate Nazi or Fascist ideology.

136. Persons who have been officials, teachers or pupils at any time in National Political Educational Institutes (Nationalpolitische Erziehungsanstalten - NAPOLAS or NPEA), Adolf Hitler Schools (Adolf Hitler Schulen) or Ordensburgen.

### Part 3: Discretionary Removal and Exclusion Categories

#### 1. General.

Below is a list of categories of persons who may prove hostile to Allied purposes. With respect to some of these categories it will be difficult to establish with certainty that a person falls within them; with respect to others definite determination of a person's inclusion does not constitute conclusive proof of hostility to Allied purposes, but serves as a danger sign or warning. The decision to remove or retain with respect to these categories of persons is therefore left to the sound discretion of the supervising Military Government Officer who can weigh all the relevant factors in each case. It is suggested, however, that the employment or retention of such persons be based only on the non-availability of other suitable personnel and continue only until other suitable personnel become available.

## 2. Categories.

a. Militarists. The eradication of militarism in Germany will require in part the elimination of persons likely to perpetuate the militaristic tradition from positions of influence. In addition to "militarists" defined in Part 2 and therefore, subject to mandatory removal, the following should be considered in determining other "militarists": career officers of the German Army or, prior to the creation of the Wehrmacht, of the Reichswehr, or of the German Navy or Air Force, and any persons who represent the Prussian Junker tradition. The last mentioned category is difficult to define exactly. Information as to any individual, however, which show him to have been a member of an aristocratic Prussian or East Prussian, Pomeranian, Silesian or Mecklenburg family, or of one which is the owner of extensive property in Prussia, or that he was a member of any of the elite German University Students Corps (such as the Bonner Borussia or all corps belonging to the Kösener S.C.); or a member of any of the East Prussian or Silesian Landschaften, should be removed or excluded because he is likely to be an individual who would perpetuate the German militaristic tradition.

b. Nominal members of the NSDAP who joined the Party after 1 May, 1937, and persons who have been candidates for membership in the NSDAP.

c. Members (other than conscripts) of the Waffen SS.

d. Persons who have been candidates for membership in any of the branches of the SS.

e. Persons who joined the SA on or after 1 April 1933.

f. NCO's of the Hitler Jugend (including the Bund Deutscher Mädel) and members who joined the HJ before 25 March 1939.

g. Members of the NSKK, NSFK, NSDStB, NSDoB, and NSF.

h. Officers of the RAD below the rank of Arbeitsführer.

i. Persons who have benefited by acceptance or transfer of property incidental to spoliation of occupied countries, "Aryanization", or confiscation of property on political, religious or racial grounds.

j. Persons who have had exceptionally rapid promotions in civil service, education and the press since 30 January 1933.

k. Persons other than those covered in paragraph 120 of Part 2 who have been employed in policy-making or executive position in the military or civil administration of German-occupied territories.

l. Persons who have made substantial contributions to the Party (sums large in themselves or large in proportion to the means of the individual in question). In this connection it should be noted that contributions to German political parties, including the NSDAP, were frequently made by companies, cartels, etc., and prominent sympathizers with the Party may have used this method rather than that of personal subscription to support the Party.

m. Persons who have held membership in other political parties or organizations in Germany which ultimately provided support for the National Socialist Party at the time of its coming into power (e.g. Hagenberg's "Harzburger Front" group of the Deutschnationale Volkspartei, the Stahlhelm and the Kyffhäuserbund).

n. Persons holding high positions in the German Red Cross, particularly if they were appointed since 1933. Leading posts in this organization have been given only to men and women considered reliable by the Nazis.

o. Persons belong to the "German Christian Movement" (Deutsche Christen-Bewegung). This organization consists mainly of Nazis who claim to be Protestant Christians and who have managed with the help of the NSDAP to gain a majority control of the administrative machinery of the German Evangelical Church. Membership in this organization indicates Nazi sympathy.

p. Persons belonging to the "Neo-Pagan Movement" (Deutsche Glaubensbewegung). This organization is composed of Nazi sympathizers frank enough to admit that Nazism and Christianity are irreconcilable. Membership in this organization raises a strong presumption of Nazi sympathy.

q. Recipients of the Spanish Cross, the Austrian Commemoration Medal, the Sudeten Commemoration Medal, the Memel Commemoration Medal, the Danzig Cross, the S-A Military Badge, or Reich Labor Service Badges of Merit.

r. Persons who have been the recipients of financial favoritism at the hands of the Nazis.

s. Persons who have escaped military service, or active combat duty, through Nazi favoritism.

t. Persons who have held the office of Vertrauenslehrer (formerly Jugendwarter) in schools.

u. Parents who have permitted any of their children to attend National Political Educational Institutes (Nationalpolitische Erziehungsanstalten - NAFOLAs or NPEA), Adolf Hitler Schools (Adolf Hitler Schulen), or Ordenburgen.

v. Officials of important industrial, commercial, agricultural and financial institutions having the titles of General-Direktor, Direktor, Präsident, Vize-Präsident, Geschäftsführer, Betriebsführer, Betriebsleiter, Betriebsobmann, Bürochef or their equivalents; policy making technical personnel such as Chefingenieur, Oberingenieur, Betriebsingenieur, etc.; all members of the Vorstand and Aufsichtsrat; all persons with the power to hire and fire employees.

#### Part 4: Procedure for Removal and Exclusion of Nazis and German Militarists.

##### 1. Purpose.

This Part prescribes the procedures to be followed and the respective responsibilities of the various officers involved in the removal and exclusion of Nazis and Militarists from public and private positions. The policy is stated in Part 1.

##### 2. Responsibility of Military Government Officers.

Military Government Officers are responsible for carrying out such policy. This will require screening incumbents of and applicants for appointment to public office and positions of importance in quasi-public and private enterprises. In certain cases the officials to be removed may already have been interned by CIC as dangerous to military security or the success of Military Government, but Military Government Officers have the broad responsibility of removal and exclusion from office of undesirable elements, in addition to action which CIC may have taken. Moreover, experience in the field indicates that there is a tendency among Military Government Officers to consider CIC clearance as equivalent to a complete vetting investigation and to overlook the fact that CIC interests and information are primarily concerned with security considerations which are much narrower than the factors involved in Denazification and demilitarization. CIC clearance, which should be obtained, of course, is only one factor in the vetting process and does not relieve Military Government

Officers of their primary responsibility for making the investigation and the final decision on removal, retention or appointment.

### 3. Special Branches.

Public Safety Officers will assist other Military Government Officers in this task by providing the Special Branch machinery for "vetting," but each Military Government Officer is responsible for removal and exclusion of undesirable elements in his field.

### 4. Obtaining Lists of Officials.

Military Government Officers will first satisfy themselves of the political reliability of the leading official or officials of governmental or civil agencies or enterprises under their supervision. When such officials are found satisfactory or acceptable substitutes have been appointed, Military Government Officers will instruct these officials to submit immediately to them a list (in triplicate) of all officials, civil servants or employees of their agencies or enterprises whom the records show or who are known to have been:

- a. Officials or officers of the NSDAP at any time and members who joined the NSDAP prior to 1 May 1937;
- b. Officers or NCOs at any time of the Waffen SS or members of the Allgemeine SS;
- c. Officers or NCOs at any time of the SA or members who joined the SA prior to 1 April 1933;
- d. Officers at any time of the Hitler Jugend (including the Bund Deutscher Mädel);
- e. Officers or NCOs at any time of the NSKK, NSFK, NSDStB, NSBoB or NSF;
- f. Officers at any time of the RAD down to and including the rank of Arbeitsführer;
- g. Officials or officers at any time of any of the affiliated associations (Angeschlossene Verbände) or supervised organizations (Betreute Organisationen) of the NSDAP.

### 5. Use of Lists.

Such lists will by no means complete the Denazification process but will provide a simple first step towards removal of obviously disqualified personnel. Military Government Officers will promptly remove all persons whose names appear on such lists. Two copies of such lists will be forwarded, to the appropriate Public Safety Officer, who will retain one for his information and records, and will forward the other to the nearest CIC Unit, to assist in its mission of arrest and detention. Fragebogen (see below) should be obtained in addition from each such individual before he is notified of his dismissal.

### 6. Fragebogen.

In addition to the above lists, Military Government Officers will require the officials of governmental or civil agencies or enterprises for the vetting of which they are responsible, to distribute Fragebogen (Form MB/PS/G/9a) to individuals occupying "public office" and "positions of importance in quasi-public and private enterprise" as defined in Part 1 above. Instructions will be given that such Fragebogen are to be filled out, signed and returned within 3 days.

#### 7. Review by Supervising Officer.

When officials of the agency or enterprise under supervision deliver the Fragebogen to supervising Military Government Officers and before the Fragebogen are turned over to Public Safety Officers for evaluation and investigation, Military Government Officers will:

a. Review the Fragebogen for the purpose of removing immediately those officials, civil servants or employees who obviously come within the mandatory removal categories.

b. Arrange the Fragebogen in the order of the importance of positions held and the urgency of the need for information concerning the individual incumbent or applicant for appointment.

c. Endorse on individual Fragebogen a notation that the incumbent has already been removed, if such is the fact, together with the date of removal. Such Fragebogen will be bundled separately in order that Public Safety Officers will not be delayed by their unnecessary evaluation and investigation.

#### 8. Fragebogen Action Sheet.

After Public Safety Officers have completed their investigation, they will forward to the Military Government Officer concerned a Fragebogen Action Sheet (form MG/PS/G/10) for each official for whom a Fragebogen has been submitted. The Fragebogen Action Sheet will contain a summary of facts concerning the Nazi background of the particular official, together with a finding of the Public Safety Officers concerning whether:

a. Removal or non-appointment appears mandatory in accordance with existing policies or directives.

b. Removal or non-appointment appears within the discretion of supervising Military Government Officer (border line case). A recommendation by the Public Safety Officers will ordinarily be made as a guide in discretionary cases.

c. No objection is raised to retention or appointment on the basis of positive evidence of anti-Nazi activity.

d. Appointment or retention is recommended on the basis of positive evidence of anti-Nazi activity.

#### 9. Record of Action.

After the Military Government Officer has taken action in accordance with the information contained on the Fragebogen Action Sheet, he will endorse the action taken in the space provided thereon and return the Fragebogen Action Sheet to the Public Safety Officer in order that the records in each case may be complete.

#### 10. Removal Procedure.

An official removed under the above procedure will not have the hearing or any of the other procedures precedent to removal of Beamten to which he may have been entitled under German law, but rather the Military Government Officer will direct his superior officer to dismiss him summarily. The superior officer will be handed an order directing the removal of the official forthwith, with the simple statement that his continuance in office is deemed inimical to the interest of Military Government. Where no service superior is available, the removal will be by the Military Government Officer direct, the official being given an order dismissing him from office on the grounds mentioned above.



11. Technical Manual.

Attention is directed to Appendix I of the Military Government in Germany, Technical Manual, Public Safety, which sets forth the detailed procedures to be followed by Public Safety Officers in fulfilling their vetting responsibilities.

### SECTION III: POLITICAL ACTIVITIES

#### 1. Restrictions on Party Activities and Parades.

- a. No political party activity shall be permitted until authorized by this Headquarters.
- b. No organized political party group shall be permitted to have any part in determining the policies of Military Government.
- c. No German parades, military or political, civilian or sport, shall be permitted.

#### 2. Formation of Advisory Groups.

While no political party activity will be permitted now, and no political party group will be authorized to assist in Military Government, the formation of small advisory groups composed of representatives of ascertained anti-Nazi views will be encouraged by local Military Government. Such groups must represent a broad front of political views and must not be dominated by any single party.

#### 3. Use of Advisory Groups.

- a. These groups will not be permitted to function politically or to hold meeting for political purposes or to use political party names. They should prove helpful to Military Government in Demozification, rehabilitation, and provision of housing and food in local communities.
- b. While the present ban on political activity will not permit the formation of political groups as such, the formation of these advisory groups should encourage Germans believing in the democratic processes of government to maintain interest in local government. The utilization of these groups will make it possible to relax the present ban on political activity earlier than would be possible otherwise.
- c. Through the utilization of these groups we can avoid the loss of the services and assistance of the more democratic anti-Nazi forces in Germany which might otherwise result from the ban on political activities.
- d. In utilizing these groups, care must be taken not to give them responsibilities which would place them or their members in preferred positions to obtain political support when political activities are permitted to resume.

#### 4. Reports.

Reports will be submitted to this Headquarters giving the names and former political affiliations of members of such groups. In addition thereto, reports will be made to this Headquarters on the possible emergence of political party groups within your areas to include particularly your views as to the desirability of such groups being permitted to undertake limited political activities. Such information will be helpful to this Headquarters in determining the appropriate time to recommend changes in existing policy.

SECTION IV  
CIVIL SERVICE AND ADMINISTRATION

Part 1: Regional and Local Government

1. Policy.

Administration of German governmental affairs shall be directed toward the decentralization of the political and administrative structure and the development of local responsibility. Regional, local, and municipal autonomy will be encouraged, and preparations will be made for the eventual reconstruction of German political life on a democratic basis.

2. Definition.

As used in this directive, the term "regional and local government" includes only the general internal administration (Innere Verwaltung) of governmental (as distinct from Party and other non-governmental) units below the Reich-Prussian level. These units are the following: Länder, Provinzen, Special Administrative Districts, Regierungsbezirke, Landeskommissarbezirke, Stadtkreise, Landkreise, Gemeinden, and Gemeindeverbände. The provinces of Kurhessen and Nassau, however, are considered to be a single land for occupational purposes, leaving no provinces in the U.S. Zone. (Hq. ETO directive, Subject: "Organization of Western U.S. Military District .....", 24 June 1945).

3. Land Minister-President.

You will appoint as Acting Minister-President (or its equivalent) for each Land in your Military District a German of your own choice, subject to standard Denazification procedures prescribed in Section II of this directive. His jurisdiction will extend only to the parts of the Land within your Military District.

4. Land Minister of Interior.

a. You will require each Acting Minister-President to appoint an Acting Minister of the Interior acceptable to you, who will be given authority for direction and execution of all functions assigned by Military Government to him, to be exercised under Military Government supervision. You will direct him to exercise his authority over agencies of general and internal administration at lower levels, in such a way that the requirements of Military Government will be met. He will be directed to establish offices for the control of the Civil Service system, the administrative structure and finances of regional and local governments, and the administrative tribunals below the Reich and Prussian levels. Supplementary instructions on the functions to be exercised by the Land Ministries of the Interior on each of the above subjects will be sent as separate directives, as needed.

b. You will notify this Headquarters immediately if any agency of the former Ministry of the Interior concerned with the supervision of regional and local government is discovered operating in your Military District without proper Military Government authority, and report the circumstances.

5. Office of Local Government Affairs.

You will direct each Land Acting Minister of the Interior to establish within his Ministry an Office of Local Government Affairs (OLGA). The OLGA will operate initially on the basis of the Municipal Code of 1935 (Deutsche Gemeindeordnung), insofar as it applies after the Nazi Party functions, discriminatory provisions, and national-level powers have been eliminated from it. The following functions, among others will remain:

- a. Approving charters and charter amendments;
- b. Approving local budgets, tax rates, and borrowing transactions;
- c. Establishing the official status of local units;
- d. Examining local audits;
- e. In certain cases specified in the Municipal Code, invalidating orders of local authorities and issuing appropriate instructions to them without their concurrence;
- f. Acting as the highest supervisory authority (Aufsichtsbehörde) of the lower levels in the chain of general internal administration, and as service-superior (Dienstvorgesetzter) of civil service in that chain;
- g. Making administrative interpretations of laws concerning supervision of regional and local government, making regulations supplementary to them, and recommending to you (through German channels) amendments to these laws.

6. Supervision of Administration.

- a. You will notify each Acting Minister-President that in general the regional and local government pattern existing under the Municipal Code of 1935 (Deutsche Gemeindeordnung) will be in effect during the early period of Military Government, except for those provisions which specify Nazi Party functions, discrimination, and national-level powers.
- b. You will insure that the operations of the OIGA are coordinated with those of other agencies set up on the Land level, and particularly with the Ministry of Finance or its equivalent.
- c. You will insure that no interpretations are made, orders issued, or practices permitted which discriminate against any person because of race, color, or creed (except in the case of former Nazi party adherents or militarists), and that no Nazi or militarist personnel disqualified from office under the provisions of Section II of this directive are retained, appointed, or permitted to influence the conduct of the general internal administration at levels below the national.
- d. You will continue to supervise the agencies established as directed above, and will continuously review policies in the light of experience and changing conditions, and will recommend changes in policy to this Headquarters.

7. Advisory and Legislative Bodies.

- a. Initially, you will permit no elected legislative bodies to be constituted at any level. Appointive advisory councils may be established if local conditions permit, and such action will be reported to this Headquarters. The composition of advisory committees will be such as to represent all major interests of the community or communities involved.
- b. You will not take any action which will seriously prejudice or foreclose the inauguration at a later date of elected legislative bodies (at both the regional and local levels) which will have substantial final powers independent of units at any higher level of government.
- c. You will report any forces and tendencies in local government which appear to you to permit the future introduction of less direct forms of military control than practiced currently by Military Government. These reports will include evidences of need for greater or less control of municipal affairs by the Office for Local Government Affairs of each Land Ministry of the Interior.

## Part 2: Administrative Court System

### 1. Supreme Administrative Courts.

The Reich Supreme Administrative Court (Reichsverwaltungsgericht) and the Prussian State Supreme Administrative Court will not be reconstituted. You will be supplied with a list of their property, records, and qualified personnel, available for the operation of State (except Prussia), District, and Kreis administrative courts, when such are reconstituted and re-opened.

### 2. Re-opening of State and Local Administrative Courts.

a. After the elimination of all Nazi features and personnel, in accordance with the procedures and principles specified in Section II of this directive, you will permit any State, District, and Kreis administrative court, the jurisdiction of which does not cross the boundaries of the U.S. Zone, to resume operations under such regulations, supervision, and control as you may deem appropriate.

b. When authorization is given for the re-opening of State, District, and Kreis administrative courts, the jurisdiction of which crosses the boundaries of the U.S. Zone, you will be furnished regulations for the supervision and control of such courts.

### 3. Preparations for Re-opening.

In anticipation of the re-opening of the administrative courts mentioned in Paragraph 2, you will be responsible for taking the following action:

a. Investigation of the property, records, dockets, judgments, and personnel of such courts, with a view to the development of a plan for their re-opening;

b. Development of a system of control and supervision over the personnel, jurisdiction, and procedure of such courts;

c. Insuring an adequate, competent, and acceptable administrative and professional personnel for the exercise of the functions of administrative justice.

### 4. Jurisdiction.

You will direct the acting Minister of the Interior of each Land to prepare in conjunction with the acting Minister of Justice of such Land, a statement of principles and rules clarifying the respective jurisdiction of the administrative courts and the ordinary civil courts, which principles and rules will become effective when approved by Military Government.

### 5. Supervision of Administrative Courts.

As and when administrative courts are re-opened you will be responsible for:

a. The control and supervision of such operations;

b. Enforcing compliance, on the part of German judicial personnel, with all principles and rules of competence, as between administrative courts and the ordinary civil courts;

c. Seeing that actions for damages incurred before the collapse of the Nazi regime are barred, and pending judgments against Reich, State, Municipality, or other public authority, stayed;

d. Effecting compliance with the rule that simple administrative procedure must first be exhausted before recourse to administrative courts is granted;

e. Insuring that no administrative procedure or judgment shall discriminate on the basis of race, creed, nationality, or political opinion.

### Part 3: Civil Service System

#### 1. Purpose.

You will take the action specified in this Part in order to assist in decentralizing the operations of Department II of the Reich Ministry of Interior to the Land level.

#### 2. Land Civil Service Department.

You will direct and supervise the establishment of a Civil Service Department in each Land Ministry of Interior to control the civil service functions and personnel at the Land and lower levels. This Department shall have the following functions as to Land Civil Service personnel at all administrative levels:

- a. Administration of the Land Civil Service System;
- b. Interpretation of Civil Service Code;
- c. Examinations for the Civil Service and Angestellte;
- d. Training policies;
- e. Affairs of Salaried Employees and Workers;
- f. Pensions;
- g. Reports and statistics.

#### 3. Authority over Personnel.

You will delegate direct authority over Civil Service personnel at the Land and subsidiary levels to the heads of the other Land administrative agencies which employ them, or if needed, to Stadtkreise of 300,000 or more inhabitants. This authority should be exercised in conformity--

- a. With orders and instructions from Military Government; and,
- b. With the Revised Civil Service Code (to be supplied), and the regulations, rules, orders, and interpretations issued pursuant to the code by the Land Ministry of Interior.

#### 4. Use of Labor Exchanges.

You will ensure that labor exchanges know of the needs of the Civil Service systems, and make available an adequate supply of such personnel for administrative needs in the Lander.

#### 5. Pension System and Disciplinary Courts.

You will post announcements:

- a. That the Civil Service Pension System will be continued in force, but its operations will be suspended until the pension rolls are purged of Nazis and other undesirable persons; and,
- b. That the Civil Service Disciplinary Courts are suspended pending the purging of Nazi and militaristic persons and influences.

#### 6. Supply of Personnel.

You will require the Land Civil Service Systems to provide an ade-