

quate supply of properly qualified and competent civil servants to meet the administrative needs of the government required by occupational authorities:

- a. By necessary revision of examination procedures and materials;
- b. By requesting through channels the return of German Civil Servants in Austria;
- c. By transfers within the U.S. Zone;
- d. By transfers from level to level;
- e. By investigation of training processes to advance capabilities of lower-level Civil Service employees;
- f. By stimulating abbreviated training courses in educational institutions;
- g. By providing for expeditious release of approved German prisoners of war who have had Civil Service experience.

7. Prevention of Abuses.

You will take necessary measures to insure that the Civil Service system is not used as an instrument for--

- a. Concealing preparations for another war, or as an agency for infiltration of a Nazi or militarist underground; or,
- b. Political, racial or religious discrimination.

8. Revised Civil Service Code.

A Revised Civil Service Code will be promulgated by HQ, USFET, to the U.S. Military District. You will be responsible for maintaining uniformity of interpretations of this code in all German governmental agencies within the Military Districts.

Part 4: Miscellaneous Agencies

Agencies to be Decentralized:

1. Agencies Involved.

The following agencies are expected to be decentralized:

Legislation and Administrative Law (Dept I), to Land Level.  
Reich Archives Office (Vienna), to Control Council/Austria.  
Endowments Office, to Land Level.

2. Reports.

a. With respect to any parts of these agencies found within your district, you will submit a report containing information described in paragraph 8.

b. You will investigate and report on any functions of Legislation and Administration Law of Dept. I and of the Endowments Office which are now operating at any administrative levels within your zone, with a view to re-establishing them at the Land and/or subordinate levels.

3. Other Action.

With respect to these agencies you will also:

a. Retain or hold under surveillance, any personnel who you deem will be useful in their reconstitution.

b. Recommend the administrative control structure which you propose to establish for the decentralized functions of these offices, the powers to be assigned to them, and the procedure proposed.

c. Recommend records and personnel which might be transferred to the Land or District, if and when the agency is reconstituted.

d. Take no action to reconstitute those functions until your recommendations have been acted upon.

Agencies to be Abolished:

4. Agencies Involved.

The following agencies are expected to be abolished:

Reich Minister's Office  
State Secretaries' Offices  
Head State Secretary  
Secretary of Dept. I  
Central Department

Department I:-  
Sub-Department O  
Sub-Department S  
Sub-Department Südost  
Sub-Department BM  
Sub-Department OST  
Sub-Department WEST

Supervised Functions:  
Reich Deputy for Electoral Examination Procedures  
Reich Election Leader

Department for Civil Defense of Reich:  
Sub-department R-V  
Sub-department R-W  
Sub-department R-S

Miscellaneous:  
Aid for Frontier Regions  
Non-German Groups  
Colonial Questions  
Reich Bureau for Emigration

5. Reports and Other Action.

You will insure that any parts of these agencies found in your District are completely suspended and not permitted to continue in any form at lower government levels. You will report immediately the location of any such parts of these agencies, together with such of the information specified in paragraph 8 as is available. You will retain and utilize temporarily for these purposes such personnel of the agencies involved as you deem necessary.

Agencies to remain Suspended for Investigation:

6. Agencies Involved.

The following agencies will remain suspended for investigation:

Reich Authority for Ascertainment of Damage Claims  
Reich Examining Office for Higher Civil Servants of Surveying  
Profession  
Central Office for War Casualties and War Graves

7. Report.

With respect to any parts of these agencies found in your District, you will submit a report containing the information specified in paragraph 8.

8. Form of Report.

The report required by paragraphs 2 a, 5, and 7 of this Part and by paragraph 2 of Part 5 will contain the following:

- a. A report on the organization, functions, and scope of each agency in the former operative status;
- b. A complete inventory of all the property, assets, and records of these offices and their locations;
- c. A complete list of all personnel of the offices as of 1 January 1945, showing name, rank, civil service or other status, salary, allowances, Nazi or affiliated agency membership, length of service, and exact duties.
- d. A plan for reassembling the property, assets, and records, at a place or places to be designated.

Part 5: Central Administration of Essential National Public Services

1. Agencies Involved.

The following agencies may be reconstituted and operated at the central level under the Control Council:

Reich Publications Office  
Reich Archives Office (Potsdam)  
Land Survey Office  
Reich Topography Office

2. Report.

With respect to any parts of these agencies found in your district, you will submit a report containing such of the information specified in paragraph 8 of Part 4 as is available.

SECTION V.

ADMINISTRATION OF JUSTICE.

1. General Policies.

The following policies will be carried out in your Military District:

- a. To restore and maintain law and order;
- b. To safeguard the persons, property and interests of the occupying forces and of the United Nations and their nationals, including prisoners of war and displaced persons;
- c. To complete the destruction of the legal foundations of German militarism, of Nazi domination, of the National Socialist Party and its affiliated and controlled organizations, and to suppress their activities as such;
- d. To prevent the operation of all German laws which discriminate against persons on account of race, nationality, creed, or political opinion;
- e. To complete the reorganization of the German system of justice so as to eliminate Nazi-affected personnel and Nazi doctrine;
- f. To insure that persons are not imprisoned, detained, or otherwise punished by German authorities without due process;
- g. To apprehend and bring to justice war criminals and all persons who have participated in planning or carrying out enterprises involving or resulting in atrocities;
- h. To release, subject to security requirements, all persons who have been deprived of their liberty because of acts antagonistic to the Nazi regime or in aid of the Allied Forces.

Part 1: Legislation.

1. Current Zone Legislation.

Military Government legislation, presently in force, including proclamations, laws, ordinances, notices and regulations issued by the Supreme Commander, AEF and legislation to be issued concurrently herewith, is listed and set forth in Section XXIV of this directive.

2. Future Zone Legislation.

Subsequent Military Government legislation will be enacted as follows:

- a. Legislation on subjects as to which uniformity of treatment throughout Germany is desirable will be enacted by the Control Council or by this Headquarters.
- b. Legislation on subjects as to which uniformity of treatment throughout the US Zone is desirable will be enacted by this Headquarters.

3. Authority of District Commander to Promulgate Legislation.

a. You may enact legislation on matters which concern your Military District alone. In a like manner, you may authorize Military Government Detachment Commanders to enact legislation on matters which concern their respective areas or parts thereof.

b. The exercise of the authority granted by this Par. 5 is subject to the following limitations:

(1) That the proposed legislation conforms to policies laid down and legislation enacted by the Control Council and this Headquarters, and

(2) That the proposed legislation is limited in application to the area of responsibility of the enacting authority and has no substantial effect outside such area.

c. Such legislation will be headed by the term "Military Government Germany - United States Zone", followed by a designation of the geographic area to which it is applicable, will be designated "Ordinance", "Notice" or "Regulation", will be subscribed "By Order of Military Government", and will, if an "Ordinance", be numbered serially within the area of each enacting authority.

d. All such legislation (other than "Notices" issued in an emergency) must be approved by the next higher Military Government echelon prior to its enactment.

e. This Headquarters will be furnished with ten copies of such legislation.

#### 4. Effective Date.

All new Military Government legislation shall contain a statement "This Ordinance (or other applicable term) becomes effective .....1945" and shall be effective on the date stated therein.

#### 5. Publication and Enforcement of Zone Legislation.

Legislation enacted as provided in Pars. 1 and 2 above will be provided you by or through this Headquarters. You will take all appropriate steps to publish, enforce and carry out all Military Government legislation.

#### 6. Military Government Gazette.

You will arrange for the publication of a Military Government Gazette which will contain a compilation of all Military Government legislation effective within your Military District.

#### 7. Directions.

Directions to the German authorities, as distinguished from legislation, will be used in all cases in which the action required can most effectively be carried out through the German authorities.

#### 8. Elimination of Discriminatory Practices.

You will take steps to prevent the operation of all German administrative practices which discriminate on the basis of race, nationality, creed, or political opinion or which impose disabilities, penalties, or sentences on informants or others rendering aid or services to the Allied Forces.

#### 9. German Legislation.

You are authorized to arrange for the issuance of directions to German officials for the enactment by them of local legislation on appropriate matters, including the imposition of curfew and the restriction on circulation and travel. Where the subject matter of the German legislation covers the same ground as that previously enacted by Military Government, you will normally cause the corresponding Military Government legislation to be rescinded.

## Part 2: Military Government Courts

### 1. Composition and Appointment of Courts.

a. Authority is granted to Military District Commanders to appoint General Military Courts, Intermediate Military Courts and Summary Military Courts. Such authority may not be redelegated except that authority to appoint Summary Military Courts may be redelegated to LGOs of Regierungsbezirk Detachments.

b. Appointment of Courts shall be by Special Orders and shall designate by name, rank, branch and serial number the officers detailed to act as presidents, members, prosecutors, and, where appropriate, defense counsel. Appointments of Summary Military Courts may be made by letter orders furnishing the same data.

c. One or more General Military Courts shall be appointed to try all General Military Court cases arising in the District of appointment.

d. Intermediate Military Courts shall be appointed for each Regierungsbezirk in each District and, as required, for large cities or other subdivisions in the Regierungsbezirk.

e. Orders of appointment shall state whether the court is a General Military Court, Intermediate Military Court, or Summary Military Court. The order will normally authorize the trial of all persons and cases properly brought before the court, but may limit the authorization to the trial of a particular case or class of cases.

f. Orders appointing courts, including orders issued prior to this Directive, shall remain in force until revoked, notwithstanding changes of command within the area. For all purposes, including the review of cases tried prior to the issuance of this Directive or tried by courts appointed prior to this Directive, the "Appointing Authority" of any court shall be deemed to be the officer having authority under Par. 1 as above to appoint the court.

### 2. Prosecutors, Additional Provision.

Any officer or enlisted man acceptable to the court (necessarily an officer in a case before a General Military Court) may serve as prosecutor in lieu of or in addition to the persons designated in the order appointing the court. The order appointing a Summary Military Court need not designate a prosecutor.

### 3. Jurisdiction, Powers and Procedures.

a. The jurisdiction, powers and procedures of Military Government Courts will be governed by Military Government Ordinance No. 2, the Rules of Military Government Courts and the Guide to Procedure, as modified by this Directive. The powers conferred by the Rules (contained in the Manual) on the "Chief Legal Officer", or on the Army Group Commander, will be exercised by the Military District Commander, or an officer on his staff designated by him.

b. The exercise of jurisdiction by Military Government Courts over members of the German Armed Forces will be in accordance with Military Government Law No. 153, "German Courts Martial."

### 4. Court Registers and Case Records.

a. Each Military Government Court will maintain a Court Register (Legal Form No. 11) in accordance with the instructions contained on said Court Register.

b. A Case Record (Legal Form No. 8) will be made of every case tried by Military Government courts. In exceptional situations where the volume of small cases is believed to impose an undue clerical burden, a Summary Military Court may be authorized by an Appointing Authority to report more than one case of a minor nature on Legal Form 11a as provided in Par. 14 of the Guide to Procedure. When Legal Form 11a is used for this purpose, it will be designated a Case Record, will indicate the name and seat of the Court, and will be signed.

5. Reference to a Higher Court.

When a Summary Military Court decides in accordance with the Rules of Military Government Courts that a particular case should be tried by a higher court, it will report the case to the appointing authority with a recommendation as to whether the case should be tried by an Intermediate or a General Military Court. The appointing authority, may, if in his opinion such court has sufficient power of sentence, refer the case to an Intermediate Military Courts. If he thinks that the case should be tried by a General Military Court, he will report the case to the Military District Commander who will refer the case to a General Military Court. If, however, the Appointing Authority believes that a Summary Military Court could impose adequate punishment in the event of conviction, he may refer the case to the court in which it originated, or to another Summary Military Court, for trial. Similarly, the Military District Commander may refer to an Intermediate Military Court or a Summary Military Court a case which has been reported to him for trial by a General Military Court if in his opinion such court has sufficient power of sentence.

6. Transmittal of Records, Reports.

a. Every Military Government Court shall, at the end of each week, forward to the Appointing Authority a copy of the Court Register (Legal Form No. 11a), indicating thereon the name of the court, the seat of the court and the period covered.

b. Every Military Government Court shall, upon the filing of a petition for review, or upon the expiration of the time allowed for such filing, forward the Case Record, or Form 11a when authorized, to the Appointing Authority.

c. After final action thereon, all case records will be forwarded to this Headquarters. Copies of the Court Register received pursuant to para 6a above will be retained by the Appointing Authority.

d. In accordance with instructions to be issued by this Headquarters, reports shall be rendered by each court, furnishing data as to the cases tried, the disposition thereof and cases pending untried. Such reports shall be transmitted through channels to the Appointing Authority.

7. Administrative Examination of Case Records.

Every Military Government Court Case Record where review is not required will be administratively examined by a legal officer on the staff of the Appointing Authority for the purpose of:

a. Securing proper functioning of courts and uniformity of procedure and sentences.

b. Recommending review of cases requiring corrective action.

8. Cases to be Reviewed.

Review will be had of:

a. Every case in which the sentence imposed is imprisonment in excess of one year or a fine, forfeiture or other deprivation of property exceeding 10,000 Marks (in determining for this purpose the length of a prison sentence, the alternative prison sentence to be served in default of payment of any fine shall not be counted);

b. Every case in which a death sentence is imposed;

c. Every case in which a petition for review is filed;

d. Any other case in which the legal officer on the staff of the appointing authority recommends review.

#### 9. Reviewing authority.

a. The Appointing Authority shall be the Reviewing Authority for every Military Government Court case for which review is required. The Appointing Authority may, however, in his discretion, designate an officer or officers on his staff to act for him in the exercise of all or part of his powers as Reviewing Authority, except the power of review in cases where a sentence of death has been pronounced.

b. Every record of trial for which review is required will normally be submitted by the Reviewing Authority (or his designee) before he acts thereon to a G-5/Military Government Legal Officer on his staff for appropriate recommendation.

c. Action taken by the Reviewing Authority will be recorded on the Case Record (Legal Form No. 8) in the space provided.

d. The Military District Commander may review any case at any time.

e. Petition for review must be filed with the trial court within ten days after announcement of the decision, except that for good cause shown the court may extend such period. If a court is terminated, or removes from the area, such petition may be filed with the Military Government Court nearest the place where trial of the case was conducted.

#### 10. Confirmation of Death Sentences.

No death sentence shall be carried out until confirmed in writing by the Commanding General, USFET, or his designee. In the event of confirmation, the Case Record, properly confirmed, will be returned to the District Commander who will issue the order of execution (Legal Form No. 15 or 16).

#### 11. Dismissal of Charges.

A charge may be dismissed at any time by a court on its own motion or on motion of either the prosecution or the defense.

### Part 3: German Courts.

#### 1. General.

You will promote the establishment in your area of control of a working German Court system which will administer justice free from Nazi principles and practices and you will assure the elimination therefrom of undesirable personnel in accordance with the policy set forth in Section II, "Removal of Nazis and Militarists", of this directive.

#### 2. Courts Abolished.

Certain extraordinary Courts, including the Volksgerichtshof (People's Court) and the Sondergerichte (Special Courts)



and all other Courts and tribunals of the Nazi party and of its formations and affiliated and controlled organizations have been abolished by the Supreme Commander, Allied Expeditionary Force. Their reconstitution will not be permitted.

### 3. Reopening of Ordinary Courts.

On the commencement of occupation, all Courts were closed and in a few instances only have they been reopened by order of Military Government. These ordinary criminal and civil courts not so reopened which are to exercise jurisdiction within your area of control will be permitted by you to reopen as soon in each case as a sufficient nucleus of personnel has been found who can be relied on to administer justice in accordance with par. 1 above.

### 4. Procedures for Reopening Courts.

a. You will make every effort to expedite the reopening of the Amtsgerichte and the Landgerichte in your area of control as rapidly as suitable personnel can be found. Normally, this action will be effected through the designation of a Landgericht President and directions to him to select, subject to approval of Military Government, suitable judges, prosecutors, and other personnel required for the functioning of the Landgericht and of the Amtsgerichte in the Landgericht area. However, an Amtsgericht may be opened independently of the Landgericht if action to that end has been commenced or such course is for other reasons considered more expeditious;

b. The reopening of the Oberlandesgerichte in the near future is considered premature and will not be authorized by you without prior approval of this Headquarters. Should you believe such action desirable in any case, a plan of the action proposed and a statement of the circumstances believed to justify it will be submitted;

c. You will also establish procedures for the licensing of lawyers and notaries as a condition to practice of their professions;

d. Instructions governing the reopening of German Courts and the licensing of lawyers and notaries are contained in the Technical Manual for Legal and Prison Officers, and in the instructions (to be incorporated in the Technical Manual) forwarded under cover of letter, Supreme Headquarters, AEF, file number SH.AEF/G-5/Fwd/1822, subject "Reopening of German Courts", dated 29 April 1945, which continue in effect.

### 5. Control Over Jurisdiction.

In authorizing the reopening of German Courts in your Military District you will issue appropriate directions to insure that:

a. No such Court exercises jurisdiction outside of the boundaries of your Military District; and

b. No appellate or administrative jurisdiction over any such Court will be exercised by a German Court located outside your Military District.

### 6. Supervision of German Courts.

a. You will supervise and control the administration of justice by German Courts in accordance with Military Government Law No. 2, "German Courts", and with the applicable instructions contained in the Technical Manual for Legal and Prison Officers. Your powers of supervision and control

(which may be redelegated) will include the power to review and set aside decisions of such Courts and where appropriate to order retrial of cases either in German Courts or in Military Government Courts. The power to set aside decisions or to order a retrial shall extend to cases in which the finding of the German Court was "Not Guilty."

b. The Germans themselves are responsible for the administration of justice as between themselves, provided such administration does not interfere with Military Government or adversely affect the interests of the United Nations or their nationals.

c. Cases in which the interests of Military Government or the United Nations or their nationals are affected will, in general, be withdrawn from the German courts and dealt with in Military Government Courts. You should make it your special duty to insure that in such cases tried by German courts the rights of such nations and their nationals are protected.

d. No sentence of death or corporal punishment imposed by a German court shall be carried out without the consent of Military Government.

e. In the interest of assuring the maximum control of German Courts with minimum interference with their administration, supervision and control of each German Court will be effected by Military Government principally by directions and instructions to the President of the applicable Landgericht (or Oberlandesgericht, if functioning, or Land Ministry of Justice, if established). Required periodic and special reports of such Landgericht or Oberlandesgericht and of all Courts subordinate to it will be furnished to Military Government through such President. Direct observation and inspection of the operation of each court will, however, be made by legal officers of Military Government. Detachments and reports thereof will be made to the Military Government detachment charged with supervision at the Landgericht or Oberlandesgericht level.

#### 7. Supervision of German Courts Martial.

You will supervise and control through your Judge Advocate the operations of German Field Courts Martial permitted to function under Military Government Law No. 153, with the aim of assuring that:

- a. Law and order are maintained;
- b. Persons who have assisted or may assist the Allied Forces or the Military Government are not objects of discrimination;
- c. The German Armed Forces are not the means of concealing war criminals or other undesirable persons.

#### Part 4: Political Prisoners

##### 1. Review of Detentions.

You will institute a survey of all persons remaining in German prisons or other places of detention in your District to insure that all cases have been reviewed by Boards of Review in accordance with instructions contained in the Technical Manual for Legal and Prison Officers and instructions (to be incorporated in the Technical Manual) contained in letter, Supreme Headquarters, AEF, file number AG 014.1-1 (Germany) GE-1GM, subject "Release of Political Prisoners", dated 16 April 1945. Where cases have not been reviewed or further review is deemed desirable, you will effect the appointment of Boards of Review to handle such cases in accordance with the instructions mentioned above, and you may authorize such Boards to order release or take other appropriate action.

## 2. Report on Continued Detentions.

A report will be made to this Headquarters of each case where continued detention is ordered by the Board of Review in which there is a claim or suspicion that conviction or detention was based on grounds of race, nationality, creed, or political opinion or on account of acts antagonistic to the Nazi regime or in aid of the Allied Forces.

## Part 5: Prisons.

### 1. General.

Instructions with respect to the supervision and control of German prisons and other places of confinement (other than police lock-ups) are contained in the Technical Manual for Legal and Prison Officers.

### 2. Objectives to be Attained.

You will take the necessary action to insure that within your District such instructions are carried out in such a manner as to:

- a. Secure the safe custody and proper regulation of the inmates using the minimum of US personnel;
- b. Eliminate all Nazi influences, procedures and personnel from the prison administration, in accordance with the policy stated in Section II "Removal of Nazis and Militarists", of this directive;
- c. Insure the security of prison records and documents and the rendering of adequate reports to Military Government;
- d. Provide adequate and suitable facilities for the safe custody of prisoners delivered by Military Government officers to be held, pending trial, and for the confinement of prisoners sentenced thereto by Military Government or German Courts; and
- e. Segregate from other prisoners, prisoners of United Nations nationality.

### 3. Facilities for Military Government Detentions.

You will maintain suitable facilities for the detention of persons arrested by Military Government officers and for the execution of sentences of imprisonment imposed by Military Government Courts. You may make use of German prisons for such purpose, but will provide for segregation of such persons from other classes of prisoners.

## Part 6: War Crimes

### 1. Instructions Continued.

Execution of the policy relating to war criminals, including the determination of the appropriate tribunal to try each case or class of cases, will be effected through the War Crimes Branch of the Judge Advocate's Section of Military District staffs in accordance with instructions previously issued and to be issued by this Headquarters and with Eclipse Memorandum No. 18, "War Crimes and Security Suspects", issued by Supreme Headquarters, A.E.F.

SECTION VI  
PUBLIC HEALTH AND WELFARE

Part 1: German Medical, Veterinary and Health Affairs.

1. Purpose of Control.

Control and supervision of German medical, veterinary and health affairs will be exercised to the extent required to carry out the aims of the military occupation and administration of Germany.

2. Duties of German Health Services.

a. The German local and regional administrations will be required to provide public health service for the control of communicable diseases among German civilians and animals, and to eliminate public health hazards which may threaten the safety of the occupation forces or which may interfere with the military administration of Germany.

b. The regional and local German administrations will be directed to carry out, under military government supervision, health activities within the means available to them, providing such activities do not interfere with the aims of the military occupation.

c. The basic directive on Denazification (Section II) will apply to Germans holding office in the Public Health Services.

3. Medical Care for Displaced Persons.

Essential medical care will be provided for displaced persons. For this purpose German supplies, equipment and facilities will be used to the extent available. Where Allied personnel are not readily available, German personnel will be employed under Military Government supervision to render services required.

4. Communicable Diseases in Germany.

You will require the necessary measure to control communicable diseases among civilians in Germany. This necessitates:

a. Health organizations responsible for each locality competent to recognize, evaluate, and take adequate measures to eliminate actual and potential communicable disease hazards.

b. A system for rapid collection, analysis, publication and distribution of morbidity and mortality reports.

c. A system for procuring and distributing medical, veterinary, and sanitary supplies needed for communicable disease control.

d. A medical laboratory service to enhance early diagnosis of communicable disease.

e. An organization with authority to enforce adequate measures to prevent the spread of dangerous diseases by refugees and displaced persons.

f. A plan for procuring emergency hospital facilities, medical personnel, and ambulances in the event of a serious epidemic.

5. Spread of Disease Beyond Germany.

You will require the necessary measures to prevent the spread of dangerous diseases across German boundaries. This necessitates:

a. Enforcement of the provision of the 1944 Revision of the In-

ternational Sanitary Convention signed at Paris on 21 June 1926 and the International Sanitary Convention for Aerial Navigation, The Hague, 12 April 1933.

b. The adoption of such additional quarantine procedures at sea-ports, airports and border stations as may be required in view of emergency conditions.

#### 6. Medical Care for United Nations Nationals.

You will require the provision of medical care necessary to protect the health of United Nations Nationals in Germany. This necessitates:

a. The establishment and maintenance of sanitary conditions in camps housing homeless United Nations nationals.

b. The provision of hospital and emergency treatment facilities.

c. The provision of medical personnel, equipment, supplies and transportation for treatment of patients.

#### 7. Economical Use of German Resources.

You will require the economical utilization of German medical, veterinary, and public health resources and productive capacity to supply urgent needs of the United Nations and to allow the balance to be used for the maintenance of public health in Germany. This necessitates:

a. Requiring German authorities to surrender medical, veterinary, and sanitary supplies and equipment to you for re-distribution under your control or to allot such supplies and equipment in accordance with your direction.

b. Requiring German authorities to provide for the classification and earmarking of medical, veterinary, and sanitation personnel to provide a pool from which civilian public health posts may be filled in public health organizations essential to Military Government.

c. The use of personnel resources in excess of those mentioned in b. above for the benefit of the United Nations as needed.

d. A constant search for medical, veterinary and public health resources and productive capacity.

f. The maintenance of medical and surgical care of sick and wounded military personnel and civilians to be continued by the entire medical and nursing services of the German nation in the normal manner currently existing. The maintenance of such care will be the direct responsibility individually and collectively of the German medical, nursing and related services until further directed by Military Government.

g. The report to this headquarters, of available surpluses of medical supplies, equipment and resources.

#### 8. Scientific Discoveries.

New scientific discoveries and inventions pertinent to medicine, preventive medicine, medical and surgical practices, veterinary medicine and sanitation will be uncovered and reported to this Headquarters.

### Part 2: German Public Welfare Activities

#### 1. Purpose of Control.

Control and supervision of the German Public Welfare agencies will

be exercised to the extent required to carry out the aims of the military occupation and administration of Germany.

2. Restrictions on Imported Relief.

No welfare services or relief supplies will be furnished from U. S. military or imported civilian sources for the German population, except in extreme emergencies to alleviate conditions which would seriously interfere with the military occupation or military administration of Germany. When this is necessary, relief supplies will be issued, where possible, through approved local organizations. Such organizations will be charged for the items issued.

3. Welfare Agencies Abolished.

a. The following welfare organizations have been abolished by Law No. 5:

National Sozialistische Volkswohlfahrt (NSV)  
(National Socialist People's Welfare)  
Winter Hilfe (WHW)  
(Winter Help)  
National Sozialistische Kriegsepferversorgung (NSKOV)  
(National Socialist Welfare Organization for War Victims.)  
National Sozialistische Frauenschaft (NSF)  
(National Socialist Women's Organization)  
Hitler Jugend (HJ)  
(Hitler Youth)

b. You will insure that these organizations are not reconstituted but transfer desirable non-political local services, formerly performed by them, to other appropriate German agencies.

c. You will abolish all non-essential public welfare functions of the German administrations.

4. Elimination of Discrimination.

All public assistance practices which discriminate for or against any person because of race, language, color, religion or political opinion will be eliminated.

5. Removal and Exclusion of Nazis and Militarists.

The basic directive pertaining to Denazification (section II) will apply to officials in German Public Welfare Agencies.

6. Decentralization.

The administration of public welfare will be decentralized to the local German administration, except those functions that you determine must be performed on a regional basis. These German administrations will be required to maintain or re-establish public welfare services, within the means available to them, to prevent public disorders which would interfere with the military occupation or military administration of Germany.

SECTION VII

EDUCATION AND RELIGIOUS AFFAIRS

Part 1: Education

1. Definitions.

a. The term "elementary schools" (Volksschulen) throughout includes the following types whether publicly or privately controlled:

- (1) Grundschulen or Unterstufen der Volksschulen and Oberstufen der Volksschulen.
- (2) Hauptschulen, and
- (3) Mittelschulen.

b. The term "secondary schools" (Oberschulen) throughout includes, among other, the following types whether publicly or privately controlled:

- (1) Aufbauschulen, and
- (2) Gymnasien.

2. Policy.

It is the policy to eradicate Nazism and German militarism in all their aspects from the German educational system and to establish an affirmative program of reorientation which is designed to eliminate completely Nazi and militaristic doctrines and to encourage the development of democratic ideas.

3. General Responsibilities.

It is your responsibility to take the following actions:

a. unless authorized to the contrary by this Headquarters, to keep closed all educational institutions except schools for the handicapped and boarding schools (including schools for juvenile delinquents (Fürsorgeerziehungsanstalten), evacuation camps (Kinderlandverschickungs-lager) and orphanages, in which, however, you will prohibit all teaching.

b. to ensure that German authorities impound all school textbooks which incorporate Nazi or militaristic teaching.

c. to remove all active Nazis and ardent Nazi sympathizers from educational positions, in accordance with Section II of this directive.

d. to take steps preparatory to the re-opening of schools in accordance with the procedure specified in the Technical Manual for Education and Religious Affairs.

4. Control.

You will exercise control and direction of the existing German educational system to the extent necessary to carry out the above policy, employing, as far as possible, personnel of the existing German educational system as purged or freed from Nazi influence.

5. Re-opening of Elementary Schools.

a. You will take all practical measures to re-open all eight grades of the elementary schools, at the earliest possible date, which is believed to be not later than 1 October 1945. When it is practicable to open one or more elementary schools, you will advise this Headquarters. You will not, however, permit the re-opening of elementary schools until you are so directed.

b. You will provide for the assignment of adequate numbers of qualified education and religious affairs officers at Military District level and also in each Regierungsbezirk (or comparable area) in your zone, together with adequate enlisted personnel and transportation. A preliminary field survey indicates that at least three qualified officers are needed at the District level and three in each Regierungsbezirk.

c. You will secure the appointment of suitable German school administrators on a temporary basis. Initially these should be appointed in accordance with the former German pattern, to the posts of Regierungsdi- rektor, Bezirksdirektor, and Kreisschulrat. Ministers of Education for each Land or equivalent may also be appointed.

d. You will require these administrators to--

- (1) distribute Fragebogen to all residents of the governmental area concerned who, when the schools closed, were employed as teachers or administrative educational officials or who have the requisite qualifications and desire to be so employed.
- (2) make a survey of school space and other facilities, making maximum use of publicly owned or vacant premises. Report promptly on their present use and conditions of repair and make recommendation as to the amount of space needed and the uses to which it is to be put.
- (3) submit a detailed statement of the proposed budget for the schools to be opened, and also the proposed curriculum and time-table for each class in the schools under their supervision and a statement of the objectives which this program is designed to attain and of the attitudes it is designed to inculcate.

e. With respect to par 5 d (2) above, you should assist the German administrators by evacuating school premises occupied by your forces if practical to do so. You should require German administrators to effect the necessary repairs to buildings which are earmarked for school purposes and cooperate with them in the solution of problems arising from the necessary repair program.

f. This Headquarters will make available emergency textbooks for use in the eight years of the elementary schools. Due to the shortage of textbooks and the difficulty of reproduction, maximum use will be made of local stocks. If any apparently suitable book is available locally, one copy will be furnished this Headquarters for approval together with a statement of the number of copies available.

g. You will provide for the prompt vetting of candidates for teaching positions, on the basis of the Fragebogen submitted, and you will secure the appointment of the most suitable teaching personnel available, subject to the general provision that in no circumstances shall anyone who has been an ardent Nazi sympathizer or more than a nominal Nazi be employed as a teacher.

h. You will require all subordinate military government units to submit reports on the first and fifteenth of each month on forms similar to the one attached as Annex "A". The first such report is due 15 July 45.



## 6. Re-opening of Secondary Schools.

a. As soon as preparations for the re-opening of elementary schools have been completed, you will prepare for the re-opening of secondary schools. You will not, however, permit the re-opening of secondary schools until you are authorized by this Headquarters.

b. After the opening of secondary schools has been authorized:

- (1) you will permit no secondary school to be reopened unless the number of secondary school pupils now resident in the area served by the school justifies such action;
- (2) you will permit secondary school pupils, for whom no secondary school is available, to be directed to attend appropriate classes of the nearest elementary school;
- (3) you will continue the type of secondary school existing in a given place. If there is objection on the part of the German local authorities, you will refer the matter to this Headquarters.

## 7. Further Education.

As soon as preparations for the re-opening of elementary schools have been completed, you will make preparations for the re-opening of institutions or parts of them to provide medical, theological, agricultural, and teacher training.

## 8. Textbooks.

You will receive further instructions on procurement of textbooks for schools other than elementary schools. Meanwhile, you will require German authorities to submit copies of such textbooks deemed by them to be suitable under the policies of Military Government, and one copy will be furnished this Headquarters for examination, together with a statement of the stocks locally available.

## 9. Removal and Appointment of Educational Officials.

a. You will dismiss or suspend German educational officials, including teachers, in accordance with the provisions of Section II of this directive. You will add to the Discretionary Removal and Exclusion categories the following groups in the field of education:

- (1) Schulräte of all grades, and educational administrative officials of the rank of Regierungsrat or higher, who entered the educational service under the National Socialist regime.
- (2) Headmasters and headmistresses of secondary schools, and heads of institutions for adult education, who were appointed to their present offices under the National Socialist regime.
- (3) Persons who, in their public speeches or writing, have actively and voluntarily propagated National Socialism, militarism or racialism.

b. This Headquarters has available a list containing the names of persons inside Germany whose character, professional standing, experience and political reliability render them especially suitable to act (1) as temporary educational administrators and/or advisers, pending the establishment of a regular administrative system; (2) as acting Rectors of universities, pending regular elections by the Senate; (3) as acting Heads of Teachers' Training Colleges. Upon request the names of suitable individuals available for specific positions will be furnished you.

c. You will direct that no appointment or re-instatement to any

MARTYRS MEMORIAL AND  
MUSEUM OF THE HOLOCAUST

position in the German educational system be considered permanent, but that all educational personnel not dismissed or suspended and all candidates for temporary appointments be investigated as prescribed in Section II of this Directive.

10. Abolition of Nazi Educational Organizations and Social Schools.

You will prevent any reconstitution or activity of any sort of Nazi party educational organizations (including the Deutsche Volksbildungswerk) and their affiliates in schools and universities and sequester their records and property. You may place the use of such property at the disposal of approved educational authorities.

11. Curricula.

You will order the abolition of all objectionable courses of study introduced by the Nazis and will direct German teachers to eliminate from their teaching anything which:

a. glorifies militarism, expounds the practice of war or of mobilization and preparation for war, whether in the scientific, economic or industrial fields, or promotes the study of military geography;

b. seeks to propagate, revive or justify the doctrines of Naziism or to exalt the achievements of Nazi leaders;

c. favors a policy of discrimination on grounds of race, nationality, creed, or political opinion;

d. is hostile to, or seeks to disturb the relations between, any of the United Nations.

Any infringement of these provisions will be cause for immediate dismissal and punishment.

12. You will prevent any reconstitution or activity of any sort of the Nazi Youth Organizations (Jungvolk, Hitlerjugend, Jungmädel, and Bund Deutscher Mädel) and sequester their records and property. You may permit the use of such property by approved educational authorities. No youth organizations will be founded or revived without the approval of US Group Control Council.

13. New Educational Organizations or Schools.

You will not permit the founding of new educational organizations or new types of school or the revival of formerly existing organizations or types of school without the consent of this Headquarters.

14. Religious Instruction and Denominational Schools.

So far as possible, you will leave questions concerning denominational control of German schools and religious instruction in German schools to the decision of the appropriate German authorities, except insofar as may be necessary to insure that religious instruction and the administration of church-controlled schools conform to such regulations as are, or may be, established for all subjects and all schools, including the purging of personnel and curricula. If, for lack of appropriate German authorities, decisions in this field must be made, they shall be made on a temporary basis, with due regard to the system of church-school relations existing prior to 1933, until such time as appropriate German authorities are available.

Part 2: Religion

1. Policy.

It is the policy to eliminate Nazi influence in official religious

circles, to provide protection and fair treatment for all religious elements, and to permit freedom of religious worship for everyone.

2. Freedom of Religion.

You will foster freedom of religion and the maintenance of respect for the churches and other religious institutions in Germany. Subject to military necessity, you will permit all places of worship to remain open and will not restrict normal religious activities. You should, however, take steps to ensure that religious activities, including sermons, are not used as a cloak for the spreading of political ideas or of propaganda contrary to the policy announced in Section III of this directive, "Political Activities".

3. Treatment of Clergy and Ecclesiastical Property.

Ecclesiastical leaders will be treated with respect. Leading local clergy may be consulted on appropriate community problems. Ecclesiastical property will, as far as is consistent with military necessity, be used only for religious purposes. In the case of real property normally used for religious purposes, seized by the Nazis and diverted from church use, it will be your policy to appoint former church owners as temporary custodians, pending decision as to its ultimate disposal.

4. Elimination of Nazi Elements.

You will remove from ecclesiastical office (normally through the established ecclesiastical authorities) all churchmen who are proved by investigation to have been active Nazis. New officials will not be appointed by you; ecclesiastical authorities will fill their own vacancies. You will, however, ensure that such appointees have not been active Nazis. Ecclesiastical institutions must not be permitted to propagate Nazi ideology in any form.

5. Political Activity of Clergy.

Any member of the German clergy engaging in political activity should in principle be treated in the same manner as any other person guilty of such activity. You are, however, at liberty to initiate appropriate action through the offender's superior ecclesiastical authority, should you consider such a course preferable to direct action.

6. Revision of Ecclesiastical Constitutions or Rituals.

You will leave to the German churchmen of the respective faiths the revision of the constitutions, rituals or the internal relationships of purely ecclesiastical bodies.

7. Church Taxes and State Subsidies.

You may permit the collection of church taxes and the granting of state financial assistance to ecclesiastical bodies, excluding such revenues and assistance as may be of Nazi purpose and design.

8. Youth, Sport and Welfare Activities.

Subject to the provisions of par 10, you may permit religious groups to conduct appropriate youth, sport and welfare activities and to receive contributions for such purposes.

9. Religious Literature.

Subject to the general regulations for the control of public information in Germany, you will permit the establishment or revival of religious periodicals and the publication of other religious literature.

10. Misuse of Clerical and Ecclesiastical Status.

Notwithstanding any of the foregoing provisions of this directive, you will take all practicable measures to prevent any group or individual from carrying on, under the guise of religion, any activity which seeks to maintain the theories or practices of the former Nazi party, or which constitutes an interference with the accomplishment of the objectives of your military government.

ANNEX "A"

EDUCATION AND RELIGIOUS AFFAIRS REPORT FORM

REOPENING OF ELEMENTARY SCHOOLS

Five copies to be made by each Military Government Detachment; one to be retained by reporting Detachment, and four to go forward. (One each to Education and Religious Affairs Sections at Regierungsbezirk, District, Zone and Control Council levels on the first and fifteenth of each month until further notice).

1. Detachment reporting \_\_\_\_\_.
2. Area of operations \_\_\_\_\_.
3. Name (s) of Education & Religious Affairs Officer (s):  
\_\_\_\_\_  
\_\_\_\_\_.

Administration

4. In area of detachment operations, have qualified German school administrators been appointed at grades of Kreisschulrat or above? \_\_\_\_\_.  
Give names and positions if not previously reported: \_\_\_\_\_  
\_\_\_\_\_.
5. Have these administrators:
  - a. Distributed Fragebogen to former teachers (active at time of closing schools) and to qualified applicants for teaching positions? \_\_\_\_\_.  
If so, to what percentage of total former teachers? \_\_\_\_\_.
  - b. Completed school survey and filed report according to approved form (Appendix "B", SH&EF Technical Manual for Education and Religious Affairs officers) together with recommendations as to space needed and intended uses? \_\_\_\_\_. If so, what percentage of total survey and report work has been completed? \_\_\_\_\_.
  - c. Submitted required statements of proposed curricula, timetables and objectives? \_\_\_\_\_. If so, for what percent of total classes? \_\_\_\_\_. Of total subjects? \_\_\_\_\_.

School buildings (to include school buildings of all types suitable for elementary instruction).

6. Total space needed (in sq. ft.) \_\_\_\_\_, Total suitable space now available (including space not previously used for school purposes)  
\_\_\_\_\_.

7. Are local school buildings in need of repair? \_\_\_\_\_. If so, what is amount of space which can be made available by comparatively minor repairs? \_\_\_\_\_.
8. What is total cost of needed minor repairs? \_\_\_\_\_. What percentage of these needed minor repairs has been contracted for? \_\_\_\_\_ . Completed? \_\_\_\_\_.
9. What is amount of space which can be made available by major repairs? \_\_\_\_\_.
10. What is total cost of needed major repairs? \_\_\_\_\_. What percentage of these needed major repairs has been contracted for? \_\_\_\_\_ . Completed? \_\_\_\_\_.
11. Are local school buildings occupied by army units? \_\_\_\_\_. Name of unit \_\_\_\_\_ . C.O. \_\_\_\_\_ . Date to be vacated \_\_\_\_\_.
12. Are local school buildings occupied by civilian non-educational agencies? \_\_\_\_\_ . Name of agency \_\_\_\_\_ . Responsible head \_\_\_\_\_ . Date to be vacated \_\_\_\_\_.

Teaching staff (To include all teachers of all types who are capable of giving elementary instruction.)

13. Total number of elementary teachers needed \_\_\_\_\_.
14. Number of teachers' Fragebogen distributed \_\_\_\_\_.
15. Number of teachers' Fragebogen returned \_\_\_\_\_.
16. Number of teachers' Fragebogen evaluated \_\_\_\_\_.
17. Number of available vetted teachers \_\_\_\_\_.
18. Number of available vetted teachers appointed \_\_\_\_\_.
19. Number of vacancies still to be filled \_\_\_\_\_.

Textbooks

- |   |   |
|---|---|
| 20. Total number of textbooks needed by class and subject<br>(e.g., 8th yr arithmetic<br>3rd yr reader) | Number of suitable certified textbooks available. |
| _____   | _____   |
| _____   | _____   |
| _____   | _____   |

(25 lines)

(25 lines)

21. Names (if not previously reported) of existing German textbooks submitted by reporting detachment for possible approval by this Hq.

Number of these textbooks available.

\_\_\_\_\_  
\_\_\_\_\_

(10 lines)

\_\_\_\_\_  
\_\_\_\_\_

( 10 lines)

22. Printing facilities (If no change, check here \_\_\_\_\_ and leave remainder blank)

Do you have in your district a press capable of producing a paper-backed, stapled book? \_\_\_\_\_ Location and ownership \_\_\_\_\_.

\_\_\_\_\_ Daily capacity \_\_\_\_\_

How many pressmen are needed for this capacity? \_\_\_\_\_

How many are available? \_\_\_\_\_ Is book paper available? \_\_\_\_\_

\_\_\_\_\_ How much? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## SECTION VIII

### GERMAN POLICE AND FIRE SERVICES

#### Part 1: Basis for Reconstitution

##### 1. Purpose.

It is the purpose of this directive to provide for the abolition of German police and fire organizations within the US Zone and for their reconstitution in accordance with the principles and specific directions set forth herein. All other directives on this subject are rescinded. All instructions on this subject are rescinded only insofar as they are in conflict herewith.

##### 2. Abolition of police, fire and civil defense agencies.

a. You will ensure the abolition of all police, fire and civil defense agencies within your District, except those heretofore established by or under the authority of military government which are in accordance with the provisions of this directive.

b. The functions hitherto performed by the Schutzpolizei des Reiches, Schutzpolizei der Gemeinden, Kriminalpolizei, Gendarmerie, Verwaltungspolizei, Wasserschutzpolizei, Feuerschutzpolizei, and Feuerwehren will be transferred to new police and fire agencies to be created as specified in this directive.

c. All records, property, equipment and suitable personnel of abolished police, fire and civil defense agencies will be distributed appropriately among the newly created police and fire agencies.

##### 3. Policy in the reconstitution of police and fire organizations.

The fundamental policy within the US Zone is the establishment of local responsibility and control. This means:

a. That each agency has jurisdiction and responsibility only within the boundaries of the unit of government which it serves.

b. That each agency is completely free from command or supervision by any national authority or any other authority outside the unit of government which it serves, except as specifically provided in this directive.

c. That the entire responsibility (including responsibility for buildings and real estate, budgets, equipment, supplies, personnel, recruitment, training, discipline, communications, pay and all other administrative matters) for each agency will be vested exclusively in the appropriate officials, as provided in this directive, of the unit of government which it serves.

##### 4. Personnel policies.

You will ensure that the following personnel policies are applied to all police and fire agencies in your District:

a. That all personnel are completely vetted in accordance with Section II of this directive, "Removal and Exclusion of Nazis and Militarists."

b. That the police and fire services are made career services in which race, religious or political beliefs will not be a bar to recruitment (except as provided in paragraph a, above) and in which personnel can enter at the lowest rank and through merit alone rise to the highest



position for which they may be qualified. No credit for previous military service or training shall be given for entrance to or promotion with the police and fire services.

#### 5. General Limitations on Authority.

You will assure that the chief of any police or fire force or any of his subordinate personnel are denied the authority:

a. To enact ordinances, regulations or other orders having the effect of law.

b. To adjudicate cases of offenses against ordinances, regulations or other laws, to assess penalties or in any other way to act in a judicial capacity.

c. To expend funds appropriated for police or fire defence purposes or to sell, transfer or otherwise dispose of police or fire department property or any other property that may come into the possession of the police or fire defence force or office without the approval in each instance of the (Ober) Bürgermeister, Landrat, Regierungspräsident, or Minister of Interior to whom they are responsible.

### Part 2: Police Agencies

#### 1. Municipal Police.

a. In each municipality of five thousand population or more, policing is the responsibility of the (Ober) Bürgermeister. Subject to the exceptions provided below, he will establish a unified municipal police department headed by a chief of police to perform all police functions within the city. Each (Ober) Bürgermeister will assume total administrative responsibility for the municipal police department and will utilize the property, facilities and suitable personnel of abolished police agencies within his municipality in establishing this force.

b. Two or more contiguous communities may be permitted voluntarily to enter into agreements to combine their police resources under one police force (Zweckverbände) and to agree upon the particular (Ober) Bürgermeister or board of officials to which the chief of police is to be responsible. The (Ober) Bürgermeister of any municipality of five thousand to twenty thousand population may be permitted to contract with the civil authorities in control of the rural police force for police protection in lieu of creating an independent municipal police department.

#### 2. Rural Police.

The policing of rural areas and of towns of less than five thousand population is the responsibility of the Regierungsbezirke through the Regierungspräsidenten in those Länder\* which have Regierungsbezirke and of the Länder through the Ministers of Interior in those Länder which do not have Regierungsbezirke. Each Regierungspräsident and appropriate Minister of Interior will establish an independent rural police force, headed by a chief of police, to perform all police functions within the rural areas and towns of less than five thousand population within his jurisdiction. Each of these officials will assume total administrative responsibility for the rural police force within his jurisdiction and will utilize the property, facilities and suitable personnel of the abolished police agencies within his jurisdiction (the National Gendarmerie including the Motorized Gendarmerie and the Mountain Gendarmerie) in establishing this force.

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\* When used in this Section, the term "Land" includes "Provinz" wherever applicable.

### 3. Criminal Police.

There will be no separate criminal police in the US Zone. There will be within each municipal and rural police department a criminal investigation unit, in the creation of which the records (except those specified in paragraph 8) property, facilities and suitable personnel of the abolished criminal police (Kriminalpolizei) including its directorates (Leitstellen), offices (Stellen) and departments (Abteilungen) will be utilized.

### 4. Verwaltungspolizei.

The existing division of Verwaltungspolizei functions between the police agencies and the general administration will be altered to place in the new police agencies only those functions and suitable personnel which are necessary to perform their clerical and administrative work and such licensing and inspection functions as are determined to be a suitable part of police activities. All other Verwaltungspolizei functions will remain under or be transferred to the general administration and the term "polizei" will not be used in any way in relation thereto.

### 5. Land- und Stadtwacht, Kasernierte Polizei, Verkehrskompanie (Mot) z.b.V.

There will be no Land- und Stadtwacht, Kasernierte Polizei or Verkehrskompanie (Mot) z.b.V. in the US Zone. Any suitable and reliable personnel thereof may be transferred to the individual municipal and rural police departments in accordance with need.

### 6. Land Wasserschutzpolizei.

You will ensure the creation of a Land Wasserschutzpolizei department in each Land requiring such a force at such time when in your judgment it is needed. The property, facilities and suitable personnel of the abolished national Wasserschutzpolizei will be utilized in the organization of the new Land Wasserschutzpolizei. Pending the creation of such Land Wasserschutzpolizei departments you will ensure that the other police forces perform any needed Wasserschutzpolizei functions within their respective jurisdictions.

### 7. Land Border Control Police.

a. You will ensure the creation of a Land border control police department in each Land requiring such a force at such time when in your judgement it is needed. The property and facilities of the abolished Grenzpolizei will be utilized in the organization of the new Land border control police.

b. The functions of each Land border control police department will be to police the borders of its Land where such borders comprise the international boundaries of GERMANY, to enforce immigration and emigration laws and regulations, to regulate travel across the international boundaries of GERMANY, to assist customs officials in the prevention and detection of smuggling and to enforce any travel restrictions which may be imposed between the US Zone and other parts of GERMANY.

c. Pending the creation of such Land border control police departments you will ensure that the municipal or rural police forces enforce border control regulations within their respective jurisdictions.

### 8. Land office of criminal identification, police statistics and Communications.

a. You will ensure that an office for criminal identification, police statistics and communications is set up in each Land in the US Zone to and from which police forces in the Land can contribute and receive information.

b. Nuclei of criminal identification and record collections can be formed as follows:

- (1) For Hessen-Nassau out of the criminal records and fingerprint files of the former Kriminalpolizei Leitstelle at Frankfurt a.M.
- (2) For Hessen out of the criminal records and fingerprint files of the former Kriminalpolizei Stelle at Darmstadt.
- (3) For Baden out of the criminal records and fingerprint files of the former Kriminalpolizei Stelle at Karlsruhe.
- (4) For Württemberg out of the criminal records and fingerprint files of the former Kriminalpolizei Leitstelle at Stuttgart.
- (5) For Bavaria out of the criminal records and fingerprint files of the former Kriminalpolizei Leitstellen at Nürnberg-Fürth and Munich.

9. Sonderpolizei.

You are authorized to continue, subject to necessary vetting and reorganization, any of the Sonderpolizei which in your judgment are needed but you will abolish the SS Bahnschutz, SS Postschutz, SS Funkschutz, and any other police organization which has been controlled by or has formed a part of the SS.

10. Cooperation.

You will ensure that facilities and procedures are established (utilizing to the fullest extent the Land Office of Criminal Identification, police statistics and communications) for the exchange of information of mutual interest among police departments, the apprehension of law violators who commit crimes in one jurisdiction and flee to another and for the return of property that is unlawfully obtained in one jurisdiction and transported to another.

11. Due Process of Law.

You will ensure that the German police do not deprive a citizen of his property, liberty or other civil right without due process of law in a Military Government or German court except when acting under the direct orders of a member of the US Armed Forces.

12. Authority of German Police as to Allied Personnel.

You will forbid the German police in your district all powers of interrogation and arrest in respect to members of the Allied forces, including civilians accompanying such forces. The German police will be authorized to request particulars of any person in the Allied forces whom they consider likely to be required as a witness, but they will not be permitted to take a deposition from him, or to call him as a witness, before any German court or any other authority without prior consent. You will ensure that the German police report immediately to Military Government any action taken by them with respect to any nationals of the United Nations.

Part 3: Fire Agencies

1. Municipal Fire Departments.

a. In each Stadtkreis, each Gemeinde of twenty thousand population or more, and in each smaller city that had its own professional fire fighting force before 1938, fire protection is the responsibility of the (Ober)

Bürgermeister who will establish a unified municipal fire department headed by a fire chief to perform all fire protection and prevention functions within the city.

b. Each (Ober) Bürgermeister will assume total administrative responsibility for the municipal fire department and will utilize the property, facilities and suitable personnel of abolished Feuerschutzpolizei and other fire agencies within his city in establishing this force. The fire department will be completely separated from and independent of the police department.

c. Two or more nearby cities may voluntarily enter into agreements of mutual aid, or combine their resources for fire protection into one fire fighting force (Feuerwehrzweckverbände) and agree upon the particular (Ober) Bürgermeister or board of officials to which the chief of the fire department is responsible.

## 2. Rural Fire Departments.

a. In each Landkreis fire protection is the responsibility of the Landrat who will establish a unified Landkreis fire department, headed by a fire chief, to perform all fire protection and prevention functions in all Gemeinden that do not have their own fire-fighting forces and in the rural areas throughout the Landkreis.

b. Each Landrat will assume total administrative responsibility for the Landkreis fire department and will utilize the property, facilities and suitable personnel of abolished fire-fighting agencies within his jurisdiction in establishing this force. The fire department will be completely separated from and independent of any police force or official.

c. The Landräte voluntarily may enter into mutual aid agreements with officials of adjacent Landkreise and municipalities.

## 3. Land Fire Agencies.

You will ensure that in each Land an office of fire protection and prevention is established to keep fire statistics, maintain fire protection and prevention research laboratories and to perform public education in the field of fire prevention and protection.

## Part 4: General Provisions

### 1. Training.

You will ensure that suitable and adequate police and fire defense schools and in-service training programs for training policemen and firemen are established in the various jurisdictions where they are needed. Land governments will establish such schools for training instructors and for training policemen and firemen from localities which do not have the facilities for establishing such schools of their own. You will ensure that all Nazi and militaristic subject matter and military training are excluded from the programs in all police and fire schools and training classes.

### 2. De-militarization.

You will ensure that the police and fire forces do not become a cloak for clandestine organization or activity; that all police and fire organizations are strictly civilian and not military in character and that military ranks or insignia are not used in designating positions in the police and fire service.

### 3. Disarmament.

You will ensure:

a. That the police do not possess any fully automatic weapons or any weapons except pistols or revolvers and truncheons; rural and border control police may be allowed to possess carbines. The police will not be allowed to carry pistols, revolvers, or carbines without approval of this Headquarters.

b. That the fire services are totally disarmed and are not permitted to possess weapons of any kind.

4. Communications.

You will provide for the reestablishment of radio, telephone and teletypewriter communication within the limits of such facilities available for police and fire agencies as soon as security and censorship considerations permit.

5. Uniforms.

Each separate police and fire department will be allowed to design its own uniform provided that the uniforms adopted are not military in character nor patterned after or similar to uniforms worn by any police, military or para-military organization under the Nazi regime.

SECTION IX  
COMMUNICATIONS

Part 1: Civilian Postal Service

1. Resumption of Service.

You are directed to take necessary action to see that civilian postal service is resumed locally, that is, in cities, towns, and Kreise, at the earliest date practicable, to embrace:

a. The transmission of post cards, to be supplemented, as conditions may warrant, with communications enclosed in envelopes or containers;

b. The Postal Check System. This System will be resumed in accordance with instructions to be issued through technical channels of the Finance Division. The P. T. & T. officers will issue all necessary instructions to the German Post Office officials and handle all other dealings with them.

c. Payment of civilian pensions. The payment of civilian pensions will be made only as expressly authorized by this and other directives and instructions.

2. Conditions for Resumption of Civilian Postal Service.

In the resumption of civilian postal service, you are directed that action be taken in accordance with:

a. Censorship control and supervision, as required by SHAEF "Censorship Regulations for the Civilian Population of Germany under the Jurisdiction of Military Government" and SHAEF "Instructions to Reichspost Officials", dated 2 April 45 (AGO 014.1-1).

b. Other security considerations;

c. Administrative needs of community, that is, governmental, and essential commercial and welfare requirements;

d. Availability of properly vetted and acceptable German civilian postal personnel. Personnel will be vetted in accordance with the provisions of this directive contained in Section II.

e. Availability of facilities in excess of military needs:

(1) Quarters and equipment;

(2) Supplies required, such as forms, stationery, postmarking equipment, and stamps;

(3) Serviceable vehicles available for local collection and delivery service.

3. Mail Control.

a. Because of the dislocation of addresses of residents and business firms in many cities due to war destruction, the local post office authorities will prepare a new index or directory record of present addresses of residents and business firms and announce through the medium of the radio and local newspapers that such new or temporary addresses shall be filed at the local post office. The public will be advised also that residents or business firms who cannot supply a city address, may have their mail handled through the general delivery section of the local post office within reasonable limitations and control.