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LITERATURE FROM US



WEEKLY INFORMATION BULLETIN



UNITED STATES ZONE, GERMANY

Greater Hesse, Wuerttemberg-Baden

MILITARY GOVERNMENT



WEEKLY INFORMATION BULLETIN

Copies of Official Instructions listed in the Weekly Information Bulletin may be obtained by writing directly to the original headquarters.

OFFICE OF MILITARY GOVERNMENT FOR GERMANY, U. S.
CONTROL OFFICE APO 742 U. S. ARMY

OFFICIAL INSTRUCTIONS

Safety Bulletin	AG 729 PMG-AGO 5 Sept 1946, USFET
Preparation of Morning Reports	AG 330.33 AGO 11 Sept 1946, USFET
Issuance of Orders	AG 210.482 GAP-AGO 12 Sept 1946, USFET
Military Payment Certificates	Circular No. 130 13 Sept 1946, USFET
Rations and Messing	Circular No. 131 14 Sept 1946, USFET
Reports of Investigation Pertaining to Line of Duty Status	AG 33.5 AGK 17 Sept 1946, USFET
Recall to Active Duty	AG 210.1 AGB 17 Sept 1946, USFET
Redesignation of AES Installations	AG 331.3 SSP-AGO 18 Sept 1946, USFET
Individual Travel in the European Theater	Circular No. 132 18 Sept 1946, USFET
Violation of Theater Directives on Maintenance of Law and Order	AG 322 (CA) 18 Sept 1946, OMGUS
Screening of Personnel for Overseas Movement	AG 210.453 AGO 19 Sept 1946, USFET
Temporary Service Records	Circular No. 134 19 Sept 1946, USFET
Clothing and Equipment Allowances for the European Theater	Circular No. 133 19 Sept 1946, USFET
Policy and Procedure for Officer Assignments	AG 210.3 GAP-GAB 19 Sept 1946, USFET
Authority of the German Authorities in the Field of Manpower Administration	AG 014.1 (00) 26 Sept 1946, OMGUS
Heads of Executive Offices, Directors of Functional Offices and Divisions	AG 230 (PO) 27 Sept 1946, OMGUS

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Photo by Bowlds, PRO, OMGUS

LITERATURE FROM US — The picture on this week's cover shows a teacher and two of her students looking over a collection of popular American magazines which have arrived for distribution in the Berlin Schools. The circulation of US periodicals among German Youth is a part of MG's current re-education program.

OUR CONTRIBUTORS

The Verdict is an abstract of the judgment delivered by the International Military Tribunal during the final two days proceedings at Nuremberg. The portion of the judgment dealing with the guilt of the indicted organizations was handed down on 30 September; the portion dealing with the guilt of the individual defendants on 1 October.

Col. Louis Glaser, who wrote the article **Berlin Elections**, is Chief of the Civil Administration and Political Affairs Branch, OMG, Berlin District. A former newspaperman, public relations expert and president of a national advertising agency, Colonel Glaser came to Europe in 1943 and was placed in charge of the Information and Intelligence Section, G-5, SHAEF. He has been in his present position since MG moved to Berlin on 1 July 1945.

General Dwight Eisenhower, US Army Chief of Staff, addressed the American correspondents and officials of OMGUS during his visit to Berlin on 30 September. His remarks, as transcribed by PRO, OMGUS, are printed in this issue under the heading: **Eisenhower Sees MG Improvement.**

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THE VE

The International Military Tribunal, which had been sitting in the Palace of Justice in Nuremberg since 20 November 1945 in judgment of 22 individual defendants and seven organizations of Nazi Germany, announced on 1 October 1946 its verdicts and sentences, thus concluding the greatest trial in history.

The indictment charged individual defendants with crimes against peace by the planning, preparation, initiation and waging of wars of aggression, which were also wars in violation of international treaties, agreements and assurances; with war crimes; and with crimes against humanity. The defendants were also charged with participating in the formulation or execution of a common plan or conspiracy to commit all these crimes. The Tribunal was further asked to rule on the criminality of the seven named organizations.

24 ORIGINALLY INDICTED

Twenty-four individuals high in the German government, Nazi Party, and military and naval commands were named originally in the indictment. The defendant Robert Ley committed suicide in prison on 25 October 1945. The Tribunal decided on 15 November 1945 that the defendant Gustav Krupp von Bohlen und Halbach could not be tried at that time because of his physical and mental condition. The defendant Martin Bormann had not been taken into custody but the Tribunal tried him *in absentia*.

The findings of the Tribunal required two days to read in court and filled 283 typewritten pages. Pertinent excerpts con-

cerning each indicted individual and accused organization along with the verdict and sentence are presented herewith.

Hermann Wilhelm Goering

The evidence shows that, after Hitler, he was the most prominent man in the Nazi Regime. He was Commander-in-Chief of the Luftwaffe, Plenipotentiary for the Four-Year Plan, and had tremendous influence with Hitler, at least until 1943 when their relationship deteriorated, ending in his arrest in 1945. He testified that Hitler kept him informed of all important military and political problems.

Goering was often, indeed almost always, the moving force, second only to his leader. He was the leading war aggressor, both as political and as military leader; he was the director of the slave labor program and the creator of the oppressive program against the Jews and other races, at home and abroad. All of these crimes he has frankly admitted. On some specific cases there may be conflict of testimony but in terms of the broad outline, his own admissions are more than sufficiently wide to be conclusive of his guilt. His guilt is unique in its enormity. The record discloses no excuses for this man.

Conclusion: The Tribunal finds the defendant Goering guilty on all four counts (conspiracy, crimes against peace, war crimes, crimes against humanity).

Sentence: Death by hanging

Rudolf Hess

He joined the Nazi Party in 1920 and participated in the Munich Putsch on 9 November 1923. He was imprisoned with Hitler in the Landsberg fortress in 1924 and became Hitler's closest personal confidant.

R D I C T

a relationship which lasted until Hess' flight to the British Isles. On 2 April 1933 he was appointed Deputy to the Fuehrer, and on 1 December 1933 was made Reich Minister without Portfolio. He was appointed Member of the Secret Cabinet Council on 4 February 1938 and was a member of the Ministerial Council for the Defense of the Reich on 30 August 1939. In September 1939, Hess was officially announced by Hitler as successor designate to the Fuehrer after Goering. On 10 May 1941 he flew from Germany to Scotland

TOP MAN IN NAZI PARTY

As Deputy to the Fuehrer, Hess was the top man in the Nazi Party with responsibility for handling all Party matters, and authority to make decisions in Hitler's name on all questions of Party leadership. As Reich Minister without Portfolio he had the authority to approve all legislation suggested by the different Reich Ministers before it could be enacted as law Of all the defendants none knew better than Hess how determined Hitler was to realize his ambitions, how fanatical and violent a man he was, and how little likely he was to refrain from resort to force, if this was the only way in which he could achieve his aims

There is evidence showing the participation of the Party Chancellery, under Hess, in the distribution of orders connected with commission of war crimes; that Hess may have had knowledge of, even if he did not participate in the crimes that were being committed in the East, and proposed laws discriminating against Jews and Poles; and

that he signed decrees forcing certain groups of Poles to accept German citizenship. The Tribunal, however, does not find that the evidence sufficiently connects Hess with these crimes to sustain a finding of guilt . . .

Conclusion: The Tribunal finds the defendant Hess guilty on Counts One and Two (conspiracy, crimes against peace) and not guilty on Counts Three and Four (war crimes, crimes against humanity).

Sentence: Life imprisonment.

Joachim von Ribbentrop

He joined the Nazi Party in 1932. By 1933 he had been made Foreign Political Advisor to Hitler, and in the same year the representative of the Nazi Party on Foreign Policy. In 1934 he was appointed Delegate for Disarmament Questions, and in 1935 Minister Plenipotentiary at Large, a capacity in which he negotiated the Anglo-German Naval Agreement in 1935 and the Anti-Comintern Pact in 1936. On 11 August 1936 he was appointed Ambassador to England. On 4 February 1938 he succeeded von Neurath as Reichsminister for Foreign Affairs . .

On 2 January 1938 while still Ambassador to England, he sent a memorandum to Hitler indicating his opinion that a change in the status quo in the East in the German sense could only be carried out by force and suggesting methods to prevent England and France from intervening in a European war fought to bring about such a change . . . On 13 March 1938 Ribbentrop signed the law incorporating Austria into the German Reich. Ribbentrop participated in the aggressive plans against Czechoslovakia . . . played a particularly significant role in the diplomatic activity which led up to the at-

tack on Poland . . . was advised in advance of the attack on Norway and Denmark and of the attack on the Low Countries; and prepared the official Foreign Office memoranda to justify these aggressive actions . . . He also consulted with Rosenberg in the preliminary planning for the political exploitation of Soviet territories . . .

Ribbentrop participated in a meeting of 6 June 1944 at which it was agreed to start a program under which Allied aviators carrying out machine gun attacks on the civilian population should be lynched . . . Ribbentrop is also responsible for War Crimes and Crimes against Humanity because of his activities with respect to occupied countries and Axis satellites . . . He played an important part in Hitler's "final solution" of the Jewish question . . .

Ribbentrop participated in all the Nazi aggressions from the occupation of Austria to the invasion of the Soviet Union. Although he was personally concerned with the diplomatic rather than the military aspect of these actions, his diplomatic efforts were so closely connected with war that he could not have remained unaware of the aggressive nature of Hitler's actions . . .

Conclusion: The Tribunal finds that Ribbentrop is guilty on all four Counts (conspiracy, crime against peace, war crimes, crimes against humanity).

Sentence: Death by hanging.

Wilhelm Keitel

He was Chief of Staff to the then Minister of War von Blomberg from 1935 to 4 February 1938; on that day Hitler took command of the armed forces, making Keitel Chief of the High Command of the Armed Forces (OKW). Keitel did not have command authority over the three Wehrmacht branches which enjoyed direct access to the Supreme Commander. OKW was in effect Hitler's military staff.

Keitel attended the Schuschnigg conference in February 1938 . . . but since he had been appointed OKW chief just one week before he had not known why he had been summoned. Hitler and Keitel then continued to put

pressure on Austria with false rumors, broadcasts and troop maneuvers . . . After Munich Keitel initialed Hitler's directive for the attack on Czechoslovakia . . . Keitel was present on 23 May 1939 when Hitler announced his decision "to attack Poland at the first suitable opportunity." Hitler had said on 23 May 1939 he would ignore the neutrality of Belgium and The Netherlands, and Keitel signed orders for these attacks . . .

Keitel testified that he opposed the invasion of the Soviet Union for military reasons, and also because it would constitute a violation of the non-aggression pact. Nevertheless he initialed "Case Barbarossa" . . . he issued his timetable for the invasion . . . he directed all army units to carry out the economic directives issued by Goering . . . for the exploitation of Russian territory, food and raw materials.

ORDERS ISSUED BY KEITEL

On 4 August 1942 Keitel issued a directive that paratroopers were to be turned over to the SD. On 18 October Hitler issued the Commando Order . . . After Normandy Keitel reaffirmed the order, and later extended it to Allied missions fighting with partisans. He admits he did not believe the order was legal but claims he could not stop Hitler.

When on 8 September 1941 OKW issued its ruthless regulations for Soviet POW's, Canaris wrote to Keitel that under international law the SD should have nothing to do with this. On this memorandum in Keitel's handwriting . . . is the statement: "The objections arise from the military concept of chivalrous warfare. This is the destruction of an ideology. Therefore I approve and back the measures." . . .

On 16 September 1941 Keitel ordered that attacks on soldiers in the East should be met by putting to death 50 to 100 Communists for one German soldier, with the comment that human life was less than nothing in the East. On 1 October he ordered military commanders always to have hostages to execute when soldiers were attacked. . . .

In the face of these documents Keitel does not deny his connection with these acts. Rather, his defense relies on the fact that he is a soldier, and on the doctrine of "superior orders," prohibited by Article 8 as a defense. There is nothing in mitigation. Superior orders, even to a soldier, cannot be considered in mitigation where crimes as shocking and extensive have been committed consciously, ruthlessly and without military excuse or justification.

Conclusion: The Tribunal finds Keitel guilty on all four counts (conspiracy, crimes against peace, war crimes, crimes against humanity).

Sentence: Death by hanging.

Ernst Kaltenbrunner

He joined the Austrian Nazi Party and the SS in 1932. In 1935 he became leader of the SS in Austria. After the Anschluss he was appointed Austrian State Secretary for Security and when this position was abolished in 1941 he was made Higher SS and Police Leader. On 30 January 1943 he was appointed Chief of the Security Police and SD and Head of the Reich Security Head Office (RSHA), a position which had been held by Heydrich until his assassination in June 1942. He held the rank of Obergruppenfuehrer in the SS.

As leader of the SS in Austria Kaltenbrunner was active in the Nazi intrigue against the Schuschnigg Government.... But there is no evidence connecting Kaltenbrunner with plans to wage aggressive war on any other front....

As Chief of the RSHA, Kaltenbrunner had authority to order protective custody to and release from concentration camps.... Kaltenbrunner was aware of conditions in concentration camps.... Kaltenbrunner himself ordered the execution of prisoners in those camps.... During the period in which Kaltenbrunner was Head of the RSHA, it was engaged in a widespread program of War Crimes and Crimes against Humanity. These crimes included the mistreatment and murder of prisoners of

war.... An order signed by Kaltenbrunner instructed the Police not to interfere with attacks on bailed-out Allied fliers.... The RSHA played a leading part in the "final solution" of the Jewish question by the extermination of the Jews....

Conclusion: The Tribunal finds that Kaltenbrunner is not guilty on Count One (conspiracy). He is guilty under Counts Three and Four (war crimes, crimes against humanity).

Sentence: Death by hanging.

Alfred Rosenberg

He joined the Nazi Party in 1919, participated in the Munich Putsch of 9 November 1923, and tried to keep the illegal Nazi Party together while Hitler was in jail. Recognized as the Party's ideologist, he developed and spread Nazi doctrines in the newspapers which he edited and in the numerous books he wrote. His book "Myth of the Twentieth Century" had a circulation of over a million copies. In April 1933 he was made Reichsleiter and head of the Office of Foreign Affairs of the NSDAP (APA). Hitler in January 1934 appointed Rosenberg his Deputy for the Supervision of the Entire Spiritual and Ideological Training of the NSDAP. In January 1940 he was designated to set up the "Hohe Schule," the Center of National Socialism Ideological and Educational Research, and he organized the "Einsatzstab Rosenberg" in connection with this task. He was appointed Reich Minister for the Occupied Eastern Territories on 17 July 1941.

As head of the APA Rosenberg was in charge of an organization whose agents were active in Nazi intrigue in all parts of the world.... He played an important role in the preparation and planning of the attack on Norway.... Rosenberg bears a major responsibility for the formulation and execution of occupation policies in the Occupied Eastern Territories.... Rosenberg is responsible for a system of organized plunder of both public and private property throughout the invaded countries of

(Continued on page 20)

BERLIN ELECTIONS

by Col. Louis Glaser

Berlin becomes a sounding board for the response of the German people to the differing concepts of democracy and government presented by the four jointly occupying powers when the citizens of Berlin go to the polls on Sunday, 20 October, for their first free municipal election in 14 years.

Only in Berlin have the citizens of one city of Germany had actual experience with the different kinds of democracy and the kinds of government for which the various Allied powers stand. It is reasonable to draw the conclusion that when Berliners go to the polls many of them will not necessarily be voting for or against any party, but consciously and seriously for one particular concept of democracy.

IMPORTANCE OF BERLIN VOTE

Germany will ultimately make this same decision, and the Berlin vote, establishing such a decision, will have a great influence upon the ultimate destiny of Germany and therefore upon the political destiny of Europe. Berliners will go to the polls on 20 October to give democratic self-government to their city, but, with the counting of the ballots, it will become known what kind of democracy they have chosen and into what pattern the future may fall.

The citizens of Berlin will not vote for candidates; they will vote for parties. And they will not vote for their chief city officials at all. They will vote for members of the City Assembly, which is called the *Stadt-*

verordnetenversammlung, and for members of the Assemblies of the City Boroughs, which are called the *Verwaltungsbezirke*. There will be 130 members elected to the City Assembly, and Assemblies will be chosen in the 20 boroughs of the city.

The voting will be according to pro-

portional representation. That means the voter casts his ballot for the list of one of the four political parties. He may or may not be told what names are on the list — it is unimportant. If it takes a certain number of votes in one borough to elect a member of the Assembly and one party polls more than that number, the surplus votes are thrown into a general pool and used by the party for the election of other members.

After the City Assembly is elected it will, in turn, elect a Magistrat or governing administrative body, and the Magistrat, in turn, will elect an *Oberbuergermeister*, or Lord Mayor of Berlin, and three *Buergermeister* who are his assistants.

SIGNIFICANCE EXPLAINED

The significance is this: party loyalty and party responsibility are much more important here than they would be in America. In Berlin the voter cannot split his vote. He cannot vote for Schmidt, who is a CDU candidate for one office, and Weiss, who is an LDP candidate, for another; he votes for only one of the parties.

Another curious situation in the Berlin election is that the press of Germany and of the whole world is avidly discussing them. As the election comes closer, newspapers and periodicals all over the world are devoting a great deal of space and speculation as to the results. But the people of Berlin still are relatively apathetic about politics, elections and parties, being more preoccupied with food, shelter and other necessities of life.

The Allied Kommandantura, which is to Berlin what the Allied Control Council is to Germany, produced the provisional constitution for Berlin under which elections could be held and also produced the election regulations. An official statement was issued that all political parties had equal rights and a regulation was passed putting the elections under quadripartite control. The ability of these four nations, with divergent social, cultural, and political concepts, to agree on a constitution for Berlin, on the type and form of the election, on the political party participation, and the form and concept of

the future of Berlin, is a matter of vital importance.

Here is a review of the four political parties in Berlin today and some major principles for which each stands.

The Social Democrats are the inheritors of the old *Sozialdemokratische Partei* but in Berlin their leadership is weak and it is impossible to tell from their declarations whether they still stand for the class struggle or a modification of Marxian socialism that would fit into a modern economic picture. They present socialism in democratic form. Their German leader is Schumacher of Hanover and their potential strength is enormous if they convince the German laboring classes that they really possess the mantle of the old SPD. They definitely comprise a party of the left.

The Social Unity Party (*Sozialistische Einheitspartei Deutschlands*, or the SED) is the old German Communist party, overlaid with a strong Soviet doctrine, and a discipline which is practically military. Many of their leaders were trained in Moscow for their present posts. While Wilhelm Pieck and Otto Grotewohl are the top men, Walter Ulbricht, an astute political leader, is generally considered the brains of the party.

AUTHORITARIAN PARTY CONTROL

The SED stands for authoritarian party control and class consciousness. This traditional, revolutionary motive — the passionate declaration of emancipation of the oppressed is violently real to Europeans. When the Communist says that laborers must be aware of the class difference in order to fight to wipe out all class differences, he is dealing with something vital.

The Liberal Democratic Party (LDP) is the most conservative of the present day political groups, standing for separation of Church and state and the preservation of private enterprise.

The Christian Democratic Union is in many respects the most interesting factor in Berlin and in Germany. It is the only one of the four Berlin parties which seems to

stand for a federalized Germany, or a combination of German states, rather than a strong, indivisible, centralized German government. To some extent it is the heir of the old, powerful Catholic Center Party — but the CDU, instead of Catholicism alone, stands for the principles of Christianity; like the old Centrists, its precepts are humane and moral as well as political.

It is difficult to fix the CDU's political platform because it varies, depending upon the part of Germany in which the party operates. The party attracts all classes of people because it seems semi-conservative, yet socially progressive. In Western Germany the CDU appears to be the spokesman of vested interests, and in Southern Germany it is the spokesman of the Catholic Church, whereas in the Soviet Zone and in

Berlin, the CDU is semi-socialist in its declarations and plays down Church affiliations.

It cannot be said to represent the great and powerful German working class, and its policies are still rather fluid, but it must be reckoned with on several counts. Not the least is its very intelligent leadership which at present is split among Kaiser of Berlin, Adenauer of Cologne and Mueller of Munich.

These then are the four political parties which will be put before the voters on the 20th of October.

Berlin is divided into four sectors of Military Government administration. The two largest sectors are the Soviet with about one and a quarter million population in eight boroughs and the American occupying six boroughs, with a population of about a million. The population of Berlin today is estimated at about three and a half million, which is about 65 percent of the prewar figure.

SOVIET INFLUENCE FELT

The Soviets alone occupied Berlin for two months — from May to July 1945. What went on in those two months has had a serious bearing on everything that has happened since, including the development of the political situation.

In those two months the USSR did a truly magnificent job. They cleaned up the city, they denazified it so completely that the matter of denazification has never been more than a nominal problem in this heart of Nazism. They started newspapers, opened the schools, re-instituted the police and fire services, undertook public health measures, fed the city — and they authorized four political parties. Three of them were the same as the present line-up but the fourth, the Communist party (KPD) has now gone out of existence, at least, in name.

From the beginning the KPD was sponsored, sided and pushed forward by the Soviet occupying authorities. But this very sponsorship of the KPD militated against the life and existence of the party. There was then a logical step to take: Fuse the KPD with

(Continued on page 19)

The representation from each of the boroughs of Berlin to the City assembly (shown in column 1) and the number of members of each borough assembly (shown in column 2) follow:

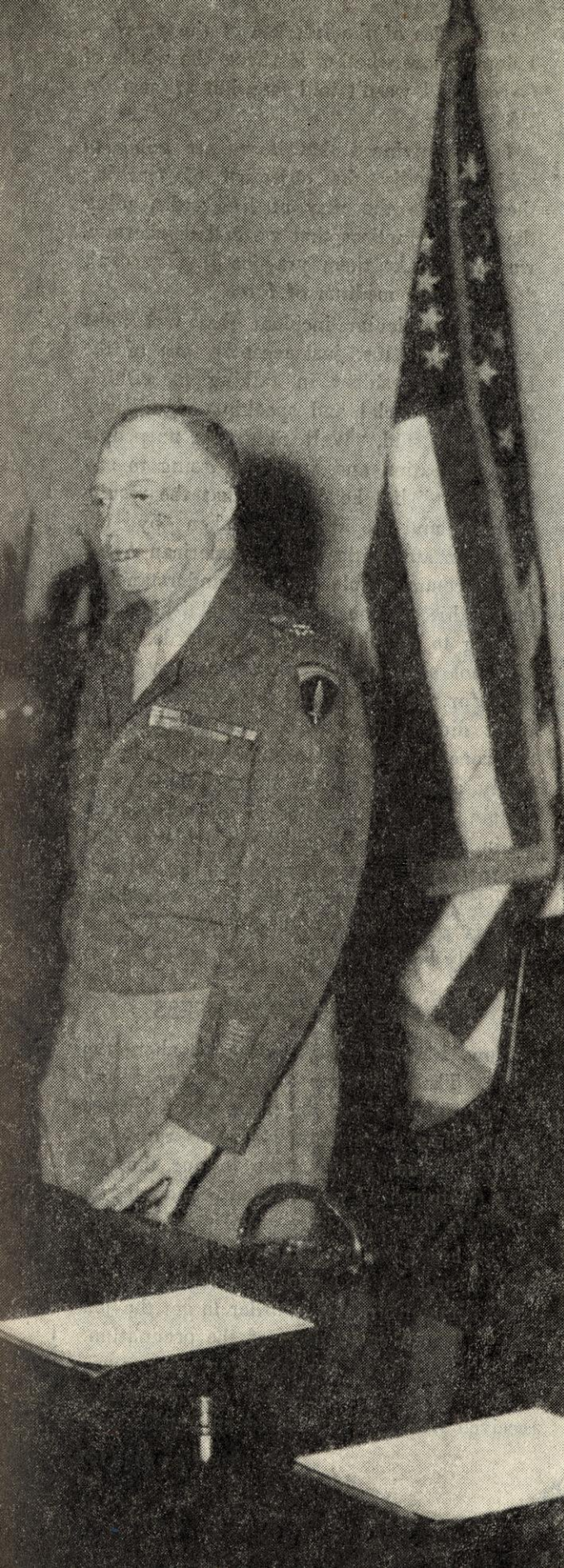
	(1) City Assembly	(2) Borough Assembly
British Sector		
Wilmersdorf	5	40
Charlottenburg	9	45
Spandau	6	40
Tiergarten	5	40
French Sector		
Wedding	10	45
Reinickendorf	8	40
US Sector		
Zehlendorf	3	30
Steglitz	6	40
Tempelhof	11	40
Neukolln	11	45
Schoneberg	7	40
Kreuzberg	8	45
Soviet Sector		
Mitte	5	40
Prenzlauer Berg	10	45
Friedrichshain	8	40
Treptow	4	40
Koepenick	5	40
Lichtenberg	6	40
Weissensee	3	30
Pankow	6	40

Eisenhower Sees MG Improvement

These are days of pessimism in a way, about international relationships and even at the risk, let's say, of being a "Pollyana" about the thing, I think there is too much pessimism and too much writing down of progress that has been made and the opportunity still lying before us. After all, the world has just completed the greatest global war of all history. All economics are disrupted. People are puzzled. They are worried about the future, not only from a nationalistic standpoint, but from a personal standpoint. Public opinion will crystallize slowly after the disruption it has suffered during that war. Yet I hear the story of my own people at the Control Council Meeting amicably struggling hard to get together on the problems they have been given to solve. They are honestly trying to do the job that they were given to do.

ENCOURAGING SIGN FOR FUTURE

Well, to my mind, when we remember what the world has been through how each nation is concerned with its own security, affected by fears that certain things might happen again, I think that in itself is a very encouraging sign and I believe without getting over into the diplomat's job and speaking solely as a soldier, we can look forward to future prospects with somewhat more optimism than is directly reflected in our more pessimistic statements, at least at home. As you know, one of the jobs given to the Control Council a long time ago was to effect the economic unity of Germany. That has not been accomplished but at least one step has been made. The American and British Zones have reached agreements by which economic unity will be effected and from our standpoint it seems to me we should be, and I am speaking



Gen. Eisenhower addressing correspondents during his recent visit to Berlin. Photo by PRO, OMGUS

now of the US portion of the group, should be particularly gratified in that in order to effect this the exportable surpluses from the British Zone are many times what they are from the American Zone. In other words, our British partners, seeing the over-all advantage, have certainly sacrificed an immediate benefit that they have for the good of the whole and I believe another encouraging sign toward the possibilities of international cooperation for the good of the whole instead of just for the benefit of a part and personally the great hope is, of course that the beneficial results of that economic unity in that sector will prove that others will want to join in order to enjoy the resulting advantages, so I think this example is another encouraging sign along the general line about which I just spoke to you.

NOTES PROGRESS IN US ZONE

Coming back to Germany, after having been gone just about a year, in other words having left just a few months after the end of the shooting war, I have been struck, all the way through the American Zone that I have seen and here in Berlin, with the progress that has been made in cleaning up the mess and getting started again. I hear the story of industries of various types getting started sufficiently well and some exports can be realized in order to pay for the imports that they need. There is an atmosphere and evidence of activity, productive activities in the fields, and cities that I think is very, very encouraging.

The great policy that we started some months back of putting responsibility in the hands of the local German communities I think is paying dividends — certain reports show that it has. The policy of giving the greatest amount of freedom to the German press, I think, is paying dividends. I realize there are difficulties in the way of making it free all at once and the fact that certain restrictions have been imposed has resulted in some criticism, but I am told that very shortly there are to be published liberaliza-

tion policies of the freedom of the press — I don't know whether it affects the whole of Germany, I wasn't told that, but at least the US section.

I am convinced that if we are going to achieve finally the objective of teaching these people the way of life and leading them into practices that we call democratic, we must make them practice it. We can't do it by any medium of force.

As a particular incident that was most gratifying to me, just recently, one of the Ministers President in talking to a high American official and speaking of military occupation said, "Well, naturally, no people like occupation and I am not going to say we like it," but he did say that the results achieved and the attitudes taken by the American authorities and the American Army are so commendable and so understanding that in his opinion they are establishing and helping to establish a few standards. That was not said at the expense of any other Zone for the reason that this Minister President didn't know what was going on in the zones but I will assume he spoke so freely about American Forces that to a certain degree it applies to all occupation. As in the past we again have evidence that international cooperation is not a satisfactory issue in the world but it is something that is growing and should produce continuously better results.

RELATIONSHIP WITH PRESS

Now, I want to talk just a bit about the press. Through three years of war I had no complaints about the press and I believe at one time there were 943 press representatives including the radio in our theater. Our relationships were fine and conducted on the basis that they were equal staff officers of the headquarters. They had a responsibility and we had one and tried to be on some common ground in order to get the job done. In the early days of the occupation, immediately after the shooting was over, I must say that when my cohorts and I received what we considered an unnecessary

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YOUTH ACTIVITIES

PROGRAM

An American soldier gives batting instruction to a German youth at a recent Army-sponsored outing.
Signal Corps Photo

A rmy personnel in the ET are helping the new German Youth Activities Program by participating in a wide variety of entertainment and recreational activities sponsored by the US Army. An incentive for soldiers to join in these activities is outlined in a forthcoming USFET directive authorizing commanding officers to excuse personnel from training duty up to four hours a week for their efforts in helping the Youth Program.

An example of the work being done is the picnic outing recently sponsored by the Army for 270 underprivileged German children of Schwanheim, suburb of Frankfurt, in which the children were treated to a wide assortment of food, various types of recreation, and music by an eight-piece German band. In addition, eight to ten jeeps are made available each Sunday for the purpose of giving the children short rides, and on one Sunday a merry-go-round was rented through a voluntary contribution from all depot officers.

Another program, sponsored by MG Public Welfare Department of Greater Hesse, was a four weeks vacation for 450 Berlin children in the famous tourist center of Ruedesheim-on-Rhine. During these four weeks the children were given five meals daily to counterbalance their undernourished condition, the food being supplied by CRALOG, Council of Relief Agencies Licensed to Operate in Germany.

FUTURE LEADERS OF GERMANY

The Theater Commander has expressed his interest in this German Youth Activities Program and his desire to see that everything is done to further the efforts being made. In a recent statement he said, "What we hope to achieve is that a great number of German youth will absorb our democratic ideals and that they in turn will become the future leaders of the German nation. I am very interested in this program and I intend to follow it very closely indeed."



Voting Procedure for Land Elections Outlined by Omgus

The voting procedure to be followed in the popular ratification of Land constitutions and Landtag elections has been announced by OMGUS.

German nationality (Staatsangehoerigkeit) is required of each voter. Those persons who are now German nationals or were German nationals prior to 8 May 1945 and have not assumed new citizenship, and members of German minorities in Czechoslovakia, Austria and Hungary who have been officially repatriated to Germany will be considered eligible as German nationals for election purposes.

Not more than one year of residence in the land of voting is required. Germans from other zones who meet this one year requirement as well as the other voting requirements shall be registered as voters unless the refugee commissioner, prior to the closing of the voters' register, has rendered decision that they shall be returned to their original zones.

The official minimum voting age will be 21 years. Men and women are to have equal voting rights.

Denazification requirements for voters remain the same as in previous elections. As in the 30 June elections, Germans who have been tried by a Denazification Tribunal and acquitted and those Germans found guilty of being followers but who have made restitution through payment of fines shall be registered as voters.

All candidates for the Landtag must be qualified voters and must meet the standards of the Law for Liberation from National Socialism and Militarism. This means that: prior to a final decision by a denazification tribunal, no person may be considered eligible for the Landtag if he is in any of the Class I or Class II categories of the list at-

tached to the law or if he is a member of the NSDAP or one of its formations (excluding the HJ and BDM) unless he has received approval by Military Government in accordance with the Law; and after a final decision by a tribunal, no person is eligible unless he has been exonerated or has been classified as a follower and has paid his fine.

The constitutions are to be submitted by the Constitutional Assemblies of the Laender before 30 September to OMGUS for approval. Military Government authorities will review the proposed constitutions and return them to the Constitutional Assemblies for final passage which is to be effected before 19 October. The Land Constitutional Assemblies will then set a date, not later than 8 December, for a popular referendum on the proposed constitutions at which time election of members of the Landtag will also be held.

If any of the three constitutions fails to receive a majority vote in the referendum, it will be considered defeated, and the representatives elected to the Landtag will serve as a new constitutional assembly which will draw up another constitution for re-submission to Military Government and the German people. Under such circumstances the elected assembly will not serve as an interim Landtag, but may serve as an advisory agency to the Land government.

The text of the constitutions will be published for the information of voters at least one month before the date to be set for the elections.

Youth Book Exhibit

More than 20,000 German civilians, two-thirds of them less than 20 years old, visited the International Youth Book Exhibition in Stuttgart during the past month.

The exhibition, which came from Munich, will open soon in Frankfurt, and includes 4,000 children's books and drawings from

14 countries. Books written in English and French were read to visiting children by trilingual librarians in the kindergarten section and the older children were allowed to read whatever books attracted their attention.

In answer to questionnaires, presented to groups of young people between 13 and 18 years old, the first choice in books was in the technical field and the second favorite proved to be biographies.

British Zone Briefs

A total of 155,656 Germans have been removed from office up to the end of August in the denazification program in the British Zone. In the same period of occupation, 944,547 persons had made application for employment, 86,106 applications were refused and 1,634 applicants had been prosecuted for false answers.

Production of pig iron and steel in the British Zone during August was the highest of any month since the occupation. The output of pig iron rose to 181,104 tons, of ingot steel to 249,846 tons, and of rolled steel to 203,227 tons.

The Kaiser Bridge, one of four Weser River bridges destroyed by the Germans in Bremen in the final stages of the war, will soon be raised from the river bed. This bridge, weighing more than 2,500 tons, is the second heaviest span ever to be raised from water.

Nearly 5,000 tons of tinned herring, one of the largest single consignments of fish ever received, arrived in Hamburg recently from Montreal, for distribution in the British Zone.

Cardinal Josef Frings, Archbishop of Cologne, recently visited England where he was the guest of Cardinal Griffin, Archbishop of Westminster. Cardinal Frings inspected prisoner of war camps in England and met German army chaplains.

Considerable quantities of iron and steel are to be delivered to the Soviet Zone in exchange for an equivalent value of various

products to the British Zone, including grain and domestic fuel for Berlin, under a British-Soviet reciprocal trade agreement.

Appointments to MG Court

An acting clerk and four deputy clerks have been appointed to the recently established Military Government Court for Civil Actions. Herbert B. Gerhart is the presiding judge of the court.

Civil action for damages arising out of the operation of motor vehicles not owned by the US Government can be instituted now by or against a United Nations national by filing a complaint in the office of the clerk of the court or with any of the deputy clerks. The seat of the court is in Stuttgart but the court will sit at any time or place within the US Areas of Germany as the need arises.

The new appointees are: Acting clerk: John Davis, Stuttgart; deputy clerks: William R. Galloway, Wiesbaden; Joseph Cash, Munich; 2nd Lt. James R. Bartholomew, Bremen; Lt. Col. Leo A. Swoboda, Berlin.

Discharged PW's

Any prisoner of war who does not have a discharge certificate when applying to German authorities for ration cards is to be turned over to the nearest prisoner of war enclosure for investigation, processing and proper discharge. This OMGUS order resulted from claims by many POWs that they were not issued discharge certificates or have lost them.

Division Transferred

The Surplus Property Accounting Division of Office of Fiscal Director USFET was transferred with its assigned civilian and military personnel to the Office of the Foreign Liquidation Commission on 1 September. Military personnel affected by this transfer are now attached to Western Base Section for administration.

US ZONE MG ACTIVITIES

In view of the large youth attendance in the 738 motion picture theaters open in the Zone, efforts are being made to select US-produced features and documentaries of re-orientational value to which German youth may be admitted. All US-produced features have been designated *Jugendfrei* (free to juveniles).

Export sales during the third week of September included 68,000 dollars worth of pencils to Belgium, 56,000 dollars worth of Diesel compressors and 20,000 dollars worth of carbon brushes to Denmark, 12,000 dollars worth of high-tension registers and 6,600 dollars worth of ticket punches to Norway and 1,600 dollars worth of turbine impellers to England.

Authorization has been issued for transfer to the chief finance officer in Bremen of responsibility for the custody and administration of all property in the Bremen Enclave now under control of MG. This action is similar to the transfer of property control responsibilities already completed in the three Laender of the US Zone.

INTERNEE RELEASE PROGRAM

The Security Review Boards are bringing to a close their civilian internee release program as the final steps are being taken to turn encampments over to the German authorities. More than 40,000 interned Germans have actually been released.

The German miners' union in the US and British Zones have agreed to work one Sunday each month in order that an equivalent heat value of coal mined on that day will be available for space heating by German civilians in the large cities far from fuel wood supplies.

In the first three weeks of September, food imported from the United States for Germans in the US-occupied areas totaled approximately 26,000 long tons, of which 75 percent were breadgrains and flour. Another 25,000 tons of breadgrains and flour were en route from the United States.

The Labor Academy at Frankfurt has been approved by the Ministry of Education in Greater Hesse. The purpose of the academy is to provide elementary and higher labor schooling for prospective labor leaders and labor educators. The curriculum includes social politics, constitutional law and social studies.

CAPTURED ENEMY MATERIAL

German officials of the newly-created German corporation Gesellschaft zur Erfassung von Ruestungsgut G.m.b.H. will appraise captured enemy materials scheduled for release to the German economy. These valuations will be entered on receipts in Reichsmarks at the time the materials are released.

There are 206 Kreis youth committees active in the Zone. All Kreise in Greater Hesse and Wuerttemberg-Baden and 126 of the 142 Kreise in Bavaria have committees. Among services performed by the Land youth committees is provision of insurance for licensed youth groups, covering regular activities of such groups.

Inventorying of the Daimler-Benz underground aircraft engine plant at Neckarelz, Wuerttemberg-Baden, has been completed. This marks the end of the evaluating program involving 24 plants allocated as advance reparations to the Soviet Union and the Western Nations.

TRUCK PRODUCTION

The Daimler-Benz plant at Mannheim is producing three-ton trucks at a rate of 250 to 300 a month. The present assemblies lack wheels, tires and headlamp bulbs. In an effort to improve this situation, 300 wheels are being procured from Province Brandenburg in the Soviet Zone.

A total of 5,900 German prisoners of war are being released to work on salvage of chemicals from ammunition. A new site must be found for this program as the Aschau recovery plant has been allocated to the Inter-Allied Reparations Agency.



Zone Licensed Newspapers Emphasizing Youth Activities

The 40 US-licensed newspapers, with a total circulation of nearly 4,000,000 average more than two items in each issue on youth activities. All newspapers publishing feuilleton supplements devote at least an entire page to reports of youth activities and reorientation material. **Die Neue Zeitung**, US-published Zone newspaper with a circulation of approximately 1,500,000, has a special advisor on youth problems in order to increase the amount of material for youth.

* * *

America's foreign policy dominated the top news in the licensed newspapers in the US Zone for the third successive week, according to the press analysis of the Office of the Director of Information Control, OMGUS, for the week 15—22 September. Centering on the New York speech of Secretary of Commerce Wallace, the stories were handled cautiously at first but developments focused more attention on the American position. Editorial comment was sparse but news handling indicated favoritism of editors for Secretary of State Byrnes.

The **Weser Kurier** (Bremen) said: "In recent months, voices have arisen which warned against overestimating the foreign political unanimity of the United States. The isolationists are not yet dead, they said, and it now becomes clear through the speech of Commerce Secretary Wallace in New York that these opponents of the official American policy not only exist but are resolved to take the offensive... If America should really withdraw to its own continent, the inevitable result would be a new bloc-building in Europe... To us Germans it will seem as though the unity program of the nation as presented so emphatically by (Sec-

retary) Byrnes symbolizes the indivisibility of peace."

In discussing the One World idea advocated by Secretary Byrnes as against Mr. Wallace's "Two Worlds," the **Hessische Nachrichten** (Kassel) said "American isolationism, which was buried by America's entry into the war in 1941... appears resurrected... A recognition of a division of the world and the allocation of spheres of influence for both great powers might provide a release in the tension in the present situation. But was not Munich a textbook example that such a release of tension means only postponement? The policy of the Foreign Minister (Byrnes), which might have seemed to have been disavowed temporarily, has emerged from the crisis strengthened."

The **Badische Neueste Nachrichten** (Karlsruhe) commented: "The anxious doubts as to whether the Wallace speech represents a change in USA policy toward Germany and Europe and disavows (Secretary) Byrnes, have been allayed by the statements of (President) Truman, which represent not only a triumph for (Mr.) Byrnes, but a triumph of reason. With (Mr.) Truman's demand that (Mr.) Wallace resign and the subsequent withdrawal of the American Commerce Minister the last doubt has been removed."

* * *

In an attack on rumors concerning food, the **Suedost Kurier** (Bad Reichenhall) said: "For quite a while rumors have been circulating in Bavaria which contended that butter and other foodstuffs had been sent to America through black market means. It is supposed that these rumors constitute propaganda of former Nazis. The press office of the Bavarian Minister of Agriculture informs the **Suedost Kurier** that these rumors have no basis whatsoever."



Press Praises Selection of Harriman for Commerce Post

US newspapers generally agreed that the experience of W. Averill Harriman in business as well as foreign affairs makes his choice as Secretary of Commerce a shrewd and wise one. His statement that he fully supports President Truman and Secretary Byrnes in conducting the US foreign policy along lines laid down by the late President Roosevelt is acclaimed as indicating unity within government on foreign affairs.

Among the few dissenting voices raised is that of the **Chicago Tribune** which is of the opinion that "all that the change means is that Russia has lost an advocate in the Cabinet and Britain has gained one. The American people are no better off."

The **New York Herald Tribune** said in part: "The appointment amounts to an emphatic reassertion of the Byrnes policy; it brings into the Cabinet a man who knows something at first hand about our biggest foreign problem. It will go at least a good way in the domestic Democratic Party politics to cushion the shock of the Wallace defection. Mr. Harriman is in his own right an official of ability. Through his long service at the center of industrial mobilization, war and diplomacy, he has steadily grown in discernment as well as in experience."

Washington Post: "Continuity with New Deal and Mr. Roosevelt, a standing in the business community, a knowledge and ability in our foreign relations, particularly with Russia and Britain all these conspire to make the appointment a wise one . . . by all accounts — and his own statement in London comes as confirmation — he would 'fight for peace' by bettering the world's livelihood and propagating ideas of freedom. Only by so doing can we live up to the responsibilities that destiny has put on our doorstep of

moral as well as material leadership."

Philadelphia Record: "President Truman has made a good appointment. He has brought unity on foreign policy to the Cabinet, and named a New Dealer to a vital domestic post."

New York Sun: "Here is a man who has been working closely with Secretary Byrnes in Paris; who on the basis of his experience as Ambassador to Moscow as well as to London, sees eye to eye with the Secretary on America's foreign policy; and who has spoken out firmly against appeasement of Moscow and Stalin . . . as he said some months ago in discussing our policy towards Russia, he believes the United States must remain strong, physically and spiritually, 'taking a clear position based on principles of the United Nations Charter and the principles in which American people have profound faith.' That is how Secretary Byrnes and most of his fellow Americans feel."

Task Facing Congress

Commenting on the need for preparedness the **New York Herald Tribune** declared in a recent editorial: "The end of hostilities a year ago saw a repetition of a familiar American practice — the hasty and disorganized tearing down of a great military machine. The pressure to get men who had served faithfully and well until victory back to civilian life was both natural and politically irresistible. Far less justifiable was the refusal of Congress to face up to the need for replacing them, on a sound and durable basis.

"Meanwhile, however, the world situation has deteriorated to a point where nearly all Americans recognize the need a maintaining the armed services at a high level, not simply as a sort of thread to hold a paper army together — as is this country's usual peacetime habit — but as a force in being in time of tension."

EISENHOWER *(Continued from page 12)*

lashing by the press, we felt that at times such as these the matter of perspective was lost; that the error which had occurred and which we remain ready to admit, and as a matter of fact couldn't have denied if we wanted to, was over-emphasized and was made too important at the expense of the background of real achievement that was going on all around us.

I don't know anything about the press in the other countries, in Russia, Great Britain, or France, but our press at home, in the US, shows on the part of the press representatives in the field the determination to report accurately. The whole press in the US has swung around to take a more common sense, definite and objective view of the job we have to do here. Possibly that is the result, as far as I can see it, from the work of you people in the field. Recently there was a survey conducted by one of our national polls and 88 percent of the people of the US stated that they thoroughly believed that occupation in Germany and Japan would have to continue until the purposes for which we went to war were fully achieved. I am quite certain that if you had put that same question in the same prose at the time of the historical demobilization when everybody wanted to go home, let's say about a year ago today, the answer

would have been about 20 percent.

My own conviction is you people here in this area are doing your job. I should like to include you therefore in my expression of gratification with the way the job of occupation is being done. You people as always have as much responsibility to keep your public in your various countries properly, fully and accurately informed as the Army to carry out the policies that are laid out by higher authority.

Only one other thought in closing before your questions is merely this: I should like to say again we should not despair. Every intelligent person in the world knows we can't stand another global war. Not just one country or one section. Civilization cannot stand another war. It is too much to ask the world populations to pour their toil, their sweat, their resources into nothing but destruction which means only misery, defeat and sorrow. I personally think we are making progress in the other direction. I am certain that every soldier I know who has been through it is looking forward to the day when intelligent education and growth of understanding are going to put people of my profession permanently out of a job. I mean all soldiers and by soldiers I mean all fighting soldiers.

BERLIN ELECTIONS *(Continued from page 10)*

the other great party of the masses, the Social Democrats, and make one great workers party. As much as ten months ago it was openly talked about; in December of 1945 it became a policy, and in January and February plans were made to complete the merger. The decision to accomplish the fusion, while perfunctorily talked over with various groups of party functionaries, actually was made by Grotewohl, the head of the SPD, and Pieck, the head of the KPD.

Opposition was voiced from among the rank and file of the SPD, and one concept of Western democracy — that a decision

is based on the majority opinion of the individuals concerned and not dictated by the leaders — was given a test. On the last Sunday in March, the members of the SPD in the American, British and French Sectors went to the polls to make their own decision. By an 80 percent vote of those participating in the referenda, they declared the independence of the SPD and completely repudiated their leaders who had tried to consummate the deal.

These leaders then declared the fusion an accomplished fact, because they had decreed it. But the SED is still the Communist party.

Europe

With his appointment as Reich Minister for Occupied Eastern Territories, Rosenberg became the supreme authority for those areas. He helped to formulate the policies of Germanization, exploitation, forced labor, extermination of Jews and opponents of Nazi rule, and he set up the administration which carried them out Rosenberg had knowledge of the brutal treatment and terror to which the Eastern people were subjected. He directed that the Hague Rules of Land Warfare were not applicable in the Occupied Eastern Territories Upon occasion Rosenberg objected to the excesses and atrocities committed by his subordinates but these excesses continued and he stayed in office until the end.

Conclusion: The Tribunal finds that Rosenberg is guilty on all four counts (conspiracy, crimes against peace, wars crimes, crimes against humanity).

Sentence: Death by hanging.

Hans Frank

Frank joined the Nazi Party in 1927. He was made a Reichsleiter of the Nazi Party in charge of Legal Affairs in 1933, and in the same year President of the Academy of German Law. Frank was also given the honorary rank of Obergruppenfuehrer in the SA. In 1942 Frank became involved in a temporary dispute with Himmler as to the type of legal system which should be in effect in Germany. During the same year he was dismissed as Reichsleiter of the Nazi Party and as President of the Academy of German Law.

Frank was appointed Chief Civil Administration Officer for occupied Polish territory and on 12 October 1939 was made Governor General of the occupied Polish territory. On 3 October 1939 he described the policy which he intended to put into effect by stating: "Poland shall be treated like a colony; the Poles will become the slaves of the Greater German World Empire." The evidence established that this occupation policy was based

on the complete destruction of Poland as a national entity, and a ruthless exploitation of its human and economic resources for the German war effort. All opposition was crushed with the utmost harshness. A reign of terror was instituted

Frank introduced the deportation of slave laborers to Germany in the very early stages of his administration The persecution of the Jews was immediately begun in the General Government It is true that Frank was a willing and knowing participant in the use of terrorism in Poland; in the economic exploitation of Poland in a way which led to the death by starvation of a large number of people; in the deportation to Germany as slave laborers of over a million Poles; and in a program involving the murder of at least three million Jews.

Conclusion: The Tribunal finds that Frank is not guilty on Count One (conspiracy) but is guilty on Counts Three and Four (war crimes, crimes against humanity).

Sentence: Death by hanging.

Wilhelm Frick

Recognized as the chief Nazi administrative specialist and bureaucrat, he was appointed Reichsminister of the Interior in Hitler's first cabinet. He retained this important position until August 1943 when he was appointed Reich Protector of Bohemia and Moravia As the several countries incorporated into the Reich were overrun, he was placed at the head of the Central Offices for this incorporation. Though Frick did not officially join the Nazi Party until 1925, he had previously allied himself with Hitler and the National Socialist cause during the Munich Putsch

An avid Nazi, Frick was largely responsible for bringing the German Nation under the complete control of the NSDAP. After Hitler became Reich Chancellor, the new Minister of the Interior immediately began to incorporate local governments under the sovereignty of the Reich. The numerous laws he drafted, signed and ad-

ministered abolished all opposition parties and prepared the way for the Gestapo and their concentration camps to extinguish all individual opposition. He was largely responsible for the legislation which suppressed the Trade Union, the Church, the Jews. He performed this task with ruthless efficiency

Frick devised an administrative organization in accordance with wartime standards. According to his own statements, this was actually put into operation after Germany decided to adopt a policy of war

Always rabidly anti-Semitic, Frick drafted, signed and administered many laws designed to eliminate Jews from German life and economy. His work formed the basis of the Nuremberg Decrees and he was active in enforcing them While he was Reich Protector of Bohemia and Moravia he issued a decree providing for special penal laws against Jews and Poles in the General Government Frick bears general responsibility for the acts of oppression in that territory after 20 August 1943, such as terrorism of the population, slave labor, and the deportation of Jews to the concentration camps for extermination He had knowledge that insane, sick and aged people, "useless eaters," were being systematically put to death

Conclusion: The Tribunal finds that Frick is not guilty on Count One (conspiracy). He is guilty of Counts Two, Three and Four (crimes against peace, war crimes, crimes against humanity).

Sentence: Death by hanging.

Julius Streicher

One of the earliest members of the Nazi Party, joining in 1921, he took part in the Munich Putsch. From 1925 to 1940 he was Gauleiter of Franconia. Elected to the Reichstag in 1933, he was an honorary general in the SA. His persecution of the Jews was notorious. He was publisher of "Der Sturmer," an anti-Semitic weekly newspaper, from 1923 to 1945 and was its editor until 1933

For his twenty-five years of speaking,

writing and preaching hatred of the Jews, Streicher was widely known as "Jew-Baiter Number One." In his speeches and articles he infected the German mind with the virus of anti-Semitism and incited the German people to active persecution Streicher had charge of the Jewish boycott of 1 April 1933. He advocated the Nuremberg Decrees of 1935 As early as 1938 he began to call for the annihilation of the Jewish race

With knowledge of the extermination of the Jews in the Occupied Eastern Territory, this defendant continued to write and publish his propaganda of death Streicher's incitement to murder and extermination at the time when Jews in the East were being killed under the most horrible conditions clearly constitutes persecution on political and racial grounds in connection with wars crimes and constitutes a crime against humanity.

Conclusion: The Tribunal finds that Streicher is not guilty on Count One (conspiracy), but that he is guilty on Count Four (crimes against humanity).

Sentence: Death by hanging.

Walter Funk

Funk, who had previously been a financial journalist, joined the Nazi Party in 1931, and shortly thereafter became one of Hitler's personal economic advisors. On 30 January 1933 he was made Press Chief in the Reich Government, and on 11 March 1933 became Under Secretary in the Ministry of Propaganda He took office as Minister of Economics and Plenipotentiary General for War Economy in early 1938 and as President of the Reichsbank in January 1939 He was made a member of the Ministerial Council for the Defense of the Reich in August 1939 and a member of the Central Planning Board in September 1943.

Funk was active in the economic field after the Nazi plans to wage aggressive war had been clearly defined On 25 August 1939 he wrote a letter to Hitler expressing gratitude that he was able to participate

in such world-shaking events; that his plans for the "financing of the war," for the control of wage and price conditions and for the strengthening of the Reichsbank had been completed; and that he had inconspicuously transferred into gold all foreign exchange resources available to Germany...

Funk participated in the economic planning which preceded the attack on the USSR.... Funk himself participated in planning for the printing of ruble notes in Germany prior to the attack to serve as occupation currency in the USSR....

Funk had participated in the early Nazi program of economic discrimination against the Jews.... Funk participated in the economic exploitation of occupied territories.... In the fall of 1943 Funk was a member of the Central Planning Board which determined the total number of laborers needed for German industry, and required Sauckel to produce them, usually by deportation from occupied territories.... Funk was also indirectly involved in the utilization of concentration camp labor....

In spite of the fact that he occupied important official positions, Funk was never a dominant figure in the various programs in which he participated. This is a mitigating fact of which the Tribunal takes notice.

Conclusion: The Tribunal finds that Funk is not guilty on Count One (conspiracy) but is guilty under Counts Two, Three and Four (crimes against peace, war crimes, crimes against humanity).

Sentence: Life imprisonment.

Hjalmar Schacht

Schacht served as commissioner of Currency and President of the Reichsbank from 1923 to 1930; was reappointed President of the bank on 17 March 1933; Minister of Economics in August 1934; and Plenipotentiary General for War Economy in May 1935. He resigned from these two positions in November 1937 and was appointed Minister without Portfolio. He was reappointed as President of the Reichsbank for a one-year term on 16 March 1937 and for a four-year term on 9 March 1938, but was

dismissed on 20 January 1939. He was dismissed as Minister without Portfolio on 22 January 1943....

He played an important role in the vigorous rearmament program.... using the facilities of the Reichsbank to the fullest extent.... He made detailed plans for industrial mobilization and the coordination of the army with industry in the event of war. He was particularly concerned with shortages of raw materials and started a scheme of stockpiling and a system of exchange control designed to prevent Germany's weak foreign exchange position from hindering the acquisition abroad of raw materials needed for rearmament....

Schacht, by April 1936, began to lose his influence as the central figure in the German rearmament effort.... On 7 January 1939 Schacht submitted to Hitler a report signed by the Directors of the Reichsbank which urged a drastic curtailment of armament expenditures and a balanced budget as the only method of preventing inflation. On 19 January Hitler dismissed Schacht as President of the Reichsbank.... On 23 July 1944 Schacht was arrested by the Gestapo and confined in a concentration camp until the end of the war....

Conclusion: The Tribunal finds that Schacht is not guilty on this Indictment, and directs that he shall be discharged by the Marshal when the Tribunal presently adjourns.

Karl Doenitz

In 1935 he took command of the first U-Boat flotilla commissioned since 1918, became in 1936 commander of the submarine arm, was made Vice-Admiral in 1940, Admiral in 1942, and on 30 January 1943 Commander-in-Chief of the German Navy. On 1 May 1945 he became the Head of State, succeeding Hitler.

Although Doenitz built and trained the German U-Boat arm, the evidence does not show he was privy to the conspiracy to wage aggressive wars or that he prepared and initiated such wars. He was a line officer performing strictly tactical duties.... Doenitz did, however, wage aggressive war

within the meaning of that word as used by the Charter. Submarine warfare, which began immediately upon the outbreak of war, was fully coordinated with the other branches of the Wehrmacht. It is clear that his U-Boats, few in number at the time, were fully prepared to wage war....

The High Seas fleet made a few minor, if spectacular, raids during the early years of the war but the real damage to the enemy was done almost exclusively by his submarines as the millions of tons of Allied and neutral shipping sunk will testify. Doenitz was solely in charge of this warfare.... From January 1943, Doenitz was consulted almost continuously by Hitler.... As late as April 1945 when he admits he knew the struggle was hopeless, Doenitz as its Commander-in-Chief urged the Navy to continue its fight....

The Tribunal is not prepared to hold Doenitz guilty for his conduct of submarine warfare against British armed merchant ships. However, the proclamation of operational zones and sinking of neutral merchant vessels which enter those zones presents a different question.... The order of Doenitz to sink neutral ships without warning when found within these zones was, in the opinion of the Tribunal, therefore a violation of the Protocol (of 1936)... The evidence further shows that the rescue provisions were not carried out and that the defendant ordered that they should not be carried out....

Conclusion: The tribunal finds Doenitz is not guilty on Count One (conspiracy), guilty on Counts Two and Three (crimes against peace, war crimes).

Sentence: Ten years imprisonment.

Erich Raeder

In 1928 he became Chief of Naval Command and in 1935 Commander-in-Chief; in 1939 Hitler made him Gross-Admiral. He was a member of the Reich Defense Council... On 30 January 1943 he became Admiral Inspector of the Navy, a nominal title.

In the 15 years he commanded it, Raeder built and directed the German Navy; he accepted full responsibility until retirement

in 1943. He admits the Navy violated the Versailles Treaty, insisting it was "a matter of honor for every man" to do so, and alleged that the violations were for the most part minor, and Germany built less than her allowable strength.

Raeder received the directive of 24 June 1937 from von Blomberg requiring special operations for war against Austria.... The conception of the invasion of Norway first arose in the mind of Raeder and not that of Hitler.... Raeder defends his actions on the ground it was a move to forestall the British... Raeder received the directives... for the attack in the West. In a meeting of 18 March 1941 with Hitler he urged the occupation of all Greece.... Raeder endeavored to dissuade Hitler from embarking upon the invasion of the USSR. In September 1940 he urged on Hitler an aggressive Mediterranean policy as an alternative to an attack on Russia.... It is clear from this evidence that Raeder participated in the planning and waging of aggressive war....

The most serious charge against Raeder is that he carried out unrestricted submarine warfare, including sinking of unarmed merchant ships, of neutrals, non-rescue and machine-gunning of survivors, contrary to the London Protocol of 1936. The Tribunal makes the same finding on Raeder on this charge as it did as to Doenitz... up until 30 January 1943 when Raeder retired.... The Commando Order of 18 October 1942... was transmitted by the Naval War Staff to the lower naval commanders.... Two commandos were put to death by the navy.... at Bordeaux.... Raeder admits he passed the order down through the chain of command, and he did not object to Hitler.

Conclusion: The Tribunal finds that Raeder is guilty on Counts One, Two and Three (conspiracy, war against peace, war crimes).

Sentence: Life imprisonment.

Baldur von Schirach

He joined the Nazi Party and the SA in 1925. In 1929 he became the Leader of the National Socialist Students Union. In 1931

he was made Reich Youth Leader of the Nazi Party with control over all Nazi youth organizations including the Hitler Jugend. . . . In 1940 von Schirach resigned as head of the Hitler Jugend and Leader of Youth in the German Reich, but retained his position as Reichsleiter with control over Youth Education. In 1940 he was appointed Gauleiter of Vienna, Reich Governor of Vienna and Reich Defense Commissioner for that territory.

After the Nazis had come to power, von Schirach, utilizing both physical violence and official pressure, either drove out of existence or took over all youth groups which competed with the Hitler Jugend. . . . Von Schirach used the Hitler Jugend to educate German youth "in the spirit of National Socialism" and subjected them to an intensive program of Nazi propaganda. He established the Hitler Jugend as a source of replacements for the Nazi Party formations. . . . Von Schirach also used the Hitler Jugend for premilitary training. . . . Despite the warlike nature of the activities of the Hitler Jugend, however, it does not appear that von Schirach was involved in the development of Hitler's plan for territorial expansion by means of aggressive war, or that he participated in the planning or preparation of any of the wars of aggression. . . .

FOSTERED DEPORTATION

When von Schirach became Gauleiter of Vienna the deportation of the Jews had already been begun, and only 60,000 out of Vienna's original 190,000 Jews remained. . . . The Tribunal finds that von Schirach, while he did not originate the policy of deporting Jews from Vienna, participated in this deportation after he became Gauleiter of Vienna. . . . In the summer of 1942 von Schirach telegraphed Bormann urging that a bombing attack on an English cultural town be carried out in retaliation for the assassination of Heydrich which, he claimed, had been planned by the British.

Conclusion: The Tribunal finds that von Schirach is not guilty on Count One

(conspiracy). He is guilty under Count Four (crimes against humanity).

Sentence: Twenty years imprisonment.

Fritz Sauckel

Sauckel joined the Nazi Party in 1923 and became Gauleiter of Thuringia in 1927. . . . He became a member of the Reichstag in 1933. He held the formal rank of Obergruppenfuehrer in both the SA and the SS.

On 21 March 1942 Hitler appointed Sauckel Plenipotentiary General for the Utilization of Labor, with authority to put under uniform control "the utilization of all available manpower, including that of workers recruited abroad and of prisoners of war." . . . Under the authority which he obtained. . . . Sauckel set up a program for the mobilization of labor resources available to the Reich. One of the important parts of this mobilization was the systematic exploitation, by force, of the labor resources of the occupied territories. . . . That real voluntary recruiting was the exception rather than the rule is shown by Sauckel's statement on 1 March 1944, that "out of five million foreign workers who arrived in Germany not even 200,000 came voluntarily." . . .

There is no doubt, however, that Sauckel had over-all responsibility for the slave labor program. At the time of the events in question he did not fail to assert control over the field which he now claims were the sole responsibility of others. . . . He was aware of ruthless methods being taken to obtain laborers, and vigorously supported them. . . . He was informed of the bad conditions which existed. . . .

Conclusion: The Tribunal finds that Sauckel is not guilty on Counts One and Two (conspiracy, crimes against peace). He is guilty under Counts Three and Four (wars crimes, crimes against humanity).

Sentence: Death by hanging.

Alfred Jodl

From 1935 to 1938 he was chief of the National Defense Section in the High Command. In August 1939 he became Chief of the Operations Staff of the High Command

of the Armed Forces. Although his immediate superior was defendant Keitel, he reported directly to Hitler on operational matters. In the strict military sense, Jodl was the actual planner of the war and responsible in large measure for the strategy and conduct of operations

Entries in Jodl's diary show Hitler instructed both him and Keitel to keep up military pressure against Austria; In planning the attack on Czechoslovakia, Jodl was very active Jodl discussed the Norway invasion with Hitler, Keitel and Raeder on 12 December 1939; his diary is replete with later entries on his activities in preparing this attack He was active in the planning against Greece and Yugoslavia Jodl testified that Hitler feared an attack by Russia and so attacked first. This preparation began a year before the invasion.

MEMORANDUM SIGNED BY JODL

On 18 October 1942 Hitler issued the Commando Order and a day later a supplementary explanation to commanding officers only. The covering memorandum was signed by Jodl There is little evidence that Jodl was actively connected with the slave labor program, and he must have concentrated on his strategic planning functions By teletype of 28 October 1944 Jodl ordered the evacuation of all persons in Northern Norway and burning of their houses so they could not help the Russians On 7 October 1941 Jodl signed an order that Hitler would not accept an offer of surrender of Leningrad or Moscow, but on the contrary he insisted that they be completely destroyed No surrender was ever offered

There is nothing in mitigation. Participation in such crimes as these has never been required of any soldier and he cannot now shield himself behind a mythical requirement of soldierly obedience at all costs as his excuse for commission of these crimes.

Conclusion: The Tribunal finds that Jodl is guilty of all four counts (conspiracy, crimes against peace, war crimes, crimes

against humanity).

Sentence: Death by hanging.

Franz von Papen

He was appointed Chancellor of the Reich on 1 June 1932 and was succeeded by von Schleicher on 2 December 1932. He was made Vice Chancellor in the Hitler Cabinet on 30 January 1933 and on 13 November 1933 Plenipotentiary for the Saar. On 26 July 1934 he was appointed Minister to Vienna and was recalled on 4 February 1938. On 29 April 1939 he was appointed Ambassador to Turkey. He returned to Germany when Turkey broke off diplomatic relations with Germany in August 1944.

Von Papen was active in 1932 and 1933 in helping Hitler to form the Coalition Cabinet and aided in his appointment as Chancellor As Vice Chancellor in that Cabinet he participated in the Nazi consolidation of control in 1933 On 30 June 1934, in the wave of violence which accompanied the so-called Rohem Purge, von Papen was taken into custody by the SS Von Papen was released on 3 July 1934 Von Papen accepted the position of Minister to Austria A letter from Hitler instructed him to direct relations between the two countries "into normal and friendly channels" and assured him of Hitler's "complete and unlimited confidence." No evidence has been offered showing that von Papen was in favor of the decision to occupy Austria by force, and he has testified that he urged Hitler not to take this step He accepted the position of Ambassador to Turkey but no evidence has been offered concerning his activities in that position implicating him in crimes.

The evidence leaves no doubt that von Papen's primary purpose as Minister to Austria was to undermine the Schuschnigg regime and strengthen the Austrian Nazis for the purpose of bringing about Anschluss. In carrying through this plan he engaged in both intrigue and bullying. But the Charter does not make criminal such offenses against political morality, however, bad these may be

Conclusion: The Tribunal finds that von Papen is not guilty under this Indictment, and directs that he shall be discharged by the Marshal, when the Tribunal presently adjourns.

Albert Speer

Speer joined the Nazi Party in 1932. In 1934 he was made Hitler's architect and became a close personal confidant. . . . On 15 February 1942 . . . Speer was appointed Chief of the Organization Todt and Reich Minister for Armaments and Munitions (after 2 September 1943, for Armaments and War Production). The positions were supplemented by his appointments in March and April 1942 as General Plenipotentiary for Armaments and as a member of the Central Planning Board, both within the Four Year Plan. Speer was a member of the Reichstag from 1941 until the end of the war.

The Tribunal is of opinion that Speer's activities do not amount to initiating, planning or preparing wars of aggression, or of conspiring to that end. . . . The evidence introduced against Speer under Counts Three and Four relates entirely to his participation in the slave labor program. Speer himself had no direct administrative responsibility for this program. . . . Speer had extensive authority over production. His original authority was over construction and production of arms for the OKW. This was progressively expanded to include naval armaments, civilian production and finally. . . . air armament. . . .

The practice was developed under which Speer transmitted to Sauckel an estimate of the total number of workers needed, Sauckel obtained the labor and allocated it to the various industries in accordance with instructions supplied by Speer. Speer knew when he made his demands on Sauckel that they would be supplied from foreign laborers serving under compulsion. . . .

Speer . . . established the so-called "blocked industries" in the occupied territories which were used to produce goods to be shipped to Germany. Employees of these industries were immune from deportation to

Germany as slave laborers and any worker who had been ordered to go to Germany could avoid deportation if he went to work for a blocked industry. This system, although somewhat less inhumane than deportation to Germany, was still illegal. . . .

Speer was also directly involved in the utilization of forced labor as Chief of the Organization Todt. The Organization Todt functioned principally in the occupied areas on such projects as the Atlantic Wall and the construction of military highways, and Speer has admitted that he relied on compulsory service to keep it adequately staffed. . . . Speer was also involved in the use of prisoners of war in armament industries but contends he only utilized Soviet prisoners of war in industries covered by the Geneva Convention. . . .

In mitigation it must be recognized that Speer's establishment of blocked industries did keep many laborers in their homes and that in the closing stages of the war he was one of the few men who had the courage to tell Hitler that the war was lost and to take steps to prevent the senseless destruction of production facilities, both in occupied territories and in Germany. He carried out his opposition to Hitler's scorched earth program in some of the western countries and in Germany by deliberately sabotaging it at considerable personal risk.

Conclusion: The Tribunal finds that Speer is not guilty on Counts One and Two (conspiracy, crimes against peace), but is guilty under Counts Three and Four (wars crimes, crimes against humanity).

Sentence: Twenty years imprisonment.

Constantin von Neurath

He is a professional diplomat. . . . On 2 June 1932 he was appointed Minister of Foreign Affairs in the von Papen cabinet, a position which he held under the cabinets of von Schleicher and Hitler. Von Neurath resigned. . . . on 4 February 1938 and was made Reich Minister without Portfolio; president of the Secret Cabinet Council and a member of the Reich Defense Council. On 18 March 1939 he was appointed Reich Pro-

lector for Bohemia and Moravia, and served in this capacity until 27 September 1941. He held the formal rank of Obergruppenfuhrer in the SS.

As Minister of Foreign Affairs, von Neurath advised Hitler in connection with the withdrawal from the Disarmament Conference and the League of Nations on 14 October 1933; the institution of rearmament; the passage on 16 March 1935 of the law for universal military service; and the passage on 21 May 1935 of the secret Reich Defense Law. He was a key figure in the negotiation of the Naval Accord entered into between Germany and England on 18 June 1935. He played an important part in Hitler's decision to reoccupy the Rhineland on 7 March 1936....

HAGUE CONVENTION APPLICABLE

Von Neurath was appointed Reich Protector for Bohemia and Moravia.... The occupation of Bohemia and Moravia must.... be considered a military occupation covered by the rules of warfare. Although Czechoslovakia was not a party to the Hague Convention of 1907, the rules of land warfare expressed in this Convention are declaratory of existing international law and hence are applicable....

Von Neurath instituted an administration in Bohemia and Moravia similar to that in effect in Germany.... In August 1939 von Neurath issued a proclamation warning against any acts of sabotage.... When the war broke out.... 8,000 prominent Czechs were arrested.... and put into protective custody. Many of this group died in concentration camps as a result of mistreatment. In October and November 1939 Czechoslovak students held a series of demonstrations. As a result, on Hitler's orders, all universities were closed, 1,200 students imprisoned and the nine leaders of the demonstration shot by Security Police and SD....

In mitigation it must be remembered that he did intervene with the Security Police and SD for the release of many of the Czechoslovakians who were arrested on

1 September 1939, and for the release of students arrested later in the fall. On 23 September 1941 he was summoned before Hitler and told that he was not being harsh enough and that Heydrich was being sent to the Protectorate to combat the Czechoslovakian resistance groups. Von Neurath attempted to dissuade Hitler from sending Heydrich and when he was not successful offered to resign. When his resignation was not accepted he went on leave on 27 September 1941 and refused to act as Protector after that date. His resignation was formally accepted in August 1943.

Conclusion: The Tribunal finds that von Neurath is guilty under all four counts (conspiracy, crimes against peace, war crimes, crimes against humanity).

Sentence: Fifteen years imprisonment.

Hans Fritzsche

He was best known as a radio commentator.... In 1932.... he was made the head of the Wireless News Service, a Reich Government agency. When on 1 May 1933 this agency was incorporated by the National Socialists into their Reich Ministry of Popular Enlightenment and Propaganda, Fritzsche became a member of the Nazi Party and went to that Ministry. In December 1938 he became head of the Home Press Division of the Ministry; in October 1942 he was promoted to the rank of Ministerial Director.... He was, in November 1942, made head of the Radio Division of the Propaganda Ministry and Plenipotentiary for the Political Organization of the Greater German Radio.

As head of the Home Press Division, Fritzsche supervised the German press of 2,300 daily newspapers.... He was, however, subordinate to Dietrich, the Reich Press Chief, who was in turn a subordinate to Goebbels. It was Dietrich who received the directives to the press of Goebbels and other Reich Ministers, and prepared them as instructions, which he then handed to Fritzsche for the press.... Fritzsche had no control of the formulation of these propaganda policies. He was merely a conduit to

the press of the instructions handed him by Dietrich. . . . His position and official duties were not sufficiently important . . . to infer that he took part in originating or formulating propaganda campaigns

Conclusion: The Tribunal finds that Fritzsche is not guilty under this Indictment, and directs that he shall be discharged by the Marshal when the Tribunal presently adjourns.

Artur Seyss-Inquart

Seyss-Inquart, an Austrian attorney, was appointed State Councillor in Austria in May 1937 as a result of German pressure. He had been associated with the Austrian Nazi Party since 1931, but had often had difficulties with that party and did not actually join the Nazi Party until 13 March 1938. . . . Seyss-Inquart participated in the last stages of the Nazi intrigue which preceded the German occupation of Austria, and was made Chancellor of Austria as a result of German threat of invasion Seyss-Inquart's title was changed to Reich Governor of Austria on 15 March 1938, and on the same day he was given the title of a General in the SS. He was made a Reich Minister without Portfolio on 1 May 1939. . .

As Reich Governor of Austria, Seyss-Inquart instituted a program of confiscating Jewish property Political opponents of the Nazis were sent to concentration camps by the Gestapo; mistreated and often killed. In September 1939 Seyss-Inquart was appointed Chief of Civil Administration of South Poland. On 12 October 1939 Seyss-Inquart was made Deputy Governor General of the General Government of Poland under Frank. On 18 May 1940 Seyss-Inquart was appointed Reich Commissioner for occupied Netherlands. In these positions he assumed responsibility for governing territory which had been assumed by aggressive wars and the administration of which was of vital importance in the aggressive war being waged by Germany.

As Deputy Governor General of the General Government of Poland, Seyss-Inquart was a support for the harsh oc-

cupation policies which were put in effect. . . . As Reich Commissioner for Occupied Netherlands, Seyss-Inquart was ruthless in applying terrorism to suppress all opposition to the German occupation, a program which he described as "annihilating" his opponents. . . . Seyss-Inquart carried out the economic administration of the Netherlands without regard for rules of the Hague Convention which he described as obsolete During the occupation over 500,000 people were sent from the Netherlands to the Reich as laborers and only a very small proportion were actually volunteers. One of Seyss-Inquart's first steps . . . was to put into effect a series of laws imposing economic discriminations against the Jews finally . . . the mass deportation of almost 120,000 of Holland's 140,000 Jews to Auswitz and the "final solution."

Conclusion: The Tribunal finds that Seyss-Inquart is guilty under Counts Two, Three and Four (crimes against peace, war crimes, crimes against humanity). Seyss-Inquart is not guilty on Count One (conspiracy).

Sentence: Death by hanging.

Martin Bormann

He joined the National Socialist Party in 1925, was a member of the Staff of the Supreme Command of the SA from 1928 to 1930, was in charge of the Aid Fund of the Party and was Reichsleiter from 1933 to 1945. From 1933 to 1941 he was Chief of Staff in the Office of the Fuehrer's Deputy and, after the flight of Hess to England, became Head of the Party Chancellery on 12 May 1941. On 12 April 1943 he became Secretary to the Fuehrer. He was political and organizational head of the Volkssturm and a General in the SS.

Bormann, in the beginning a minor Nazi, steadily rose to a position of power and, particularly in the closing days, of great influence over Hitler. He was active in the Party's rise to power and even more so in the consolidation of that power. He devoted much of his time to the persecution of the churches and of the Jews within Germany. The evidence does not show that Bormann

knew of Hitler's plans to prepare, initiate or wage aggressive wars. . . .

On 1 December 1942 all Gaue became Reich Defense districts and the Party Gauleiters responsible to Bormann were appointed Reich Defense Commissioners. . . . Through this mechanism Bormann controlled the ruthless exploitations of the subjected populace. His order of 12 August 1942 placed all party agencies at the disposal of Himmler's program for forced resettlement and denationalization of persons in the occupied countries. . . . Bormann was extremely active in the persecution of the Jews not only in Germany but also in the absorbed or conquered countries. . . . Bormann was prominent in the slave labor program. . . . Bormann also issued a series of orders to the Party leaders dealing with the treatment of prisoners of war. . . . Bormann is responsible for the lynching of Allied airmen. . . .

His counsel. . . . has argued that Bormann is dead and that the Tribunal should not avail itself of Article 12 of the Charter which gives it the right to take proceedings *in absentia*. But the evidence of death is not conclusive, and the Tribunal. . . . determined to try him *in absentia*. If Bormann is not dead and is later apprehended, the Control Council for Germany may, under Article 29 of the Charter, consider any facts in mitigation, and alter or reduce his sentence, if deemed proper.

Conclusion: The Tribunal finds that Bormann is not guilty on Count One (conspiracy), but is guilty on Counts Three and Four (war crimes, crimes against humanity).

Sentence: Death by hanging.

Leadership Corps of the Nazi Party

Conclusion: The Leadership corps was used for purposes which were criminal under the Charter and involved the Germanization of incorporated territory, the persecution of the Jews, the administration of the slave labor program, and the mistreatment of prisoners of war. . . . The Gauleiters, the Kreisleiters, and the Ortsgruppenleiters participated, to one degree or another, in these criminal programs. The Reichsleitung as the

staff organization of the Party is also responsible for these criminal programs as well as the heads of the various staff organizations of the Gauleiters and Kreisleiters. The decision of the Tribunal on these staff organizations include only the Amtsleiter who were heads of offices on the staffs of the Reichsleitung, Gauleitung and Kreisleitung. With respect to other staff Officers and party organizations attached to the Leadership Corps other than the Amtsleiters referred to above the Tribunal will follow the suggestion of the Prosecution in excluding them from the declaration.

The Tribunal declares to be criminal within the meaning of the Charter the group composed of those members of the Leadership Corps holding the positions enumerated in the preceding paragraph who became or remained members of the organization with knowledge that it was being used for the commission of acts declared criminal by Article 6 of the Charter, or who were personally implicated as members of the organization in the commission of such crimes. The basis of this finding is the participation of the organization in war crimes and crimes against humanity connected with the war; the group declared criminal cannot include, therefore, persons who had ceased to hold the positions enumerated in the preceding paragraph prior to 1 September 1939.

Gestapo and SD

Conclusion: The Gestapo (*Die Geheime Staatspolizei*) and SD (*Der Sicherheitsdienst des Reichsfuehrers SS*) were used for purposes which were criminal under the Charter involving the persecution and extermination in the administration of the Jews, brutalities and killings in concentration camps, excesses in the administration of occupied territories, the administration of the slave labor program and the mistreatment and murder of prisoners of war. . . . In dealing with the Gestapo the Tribunal includes all executive and administrative officials of Amt IV of the RSHA or concerned with Gestapo administration in other departments of the RSHA and all local Gestapo officials serving both

inside and outside of Germany, including the members of the Frontier Police, but not including the members of the Border and Customs Protection or the Secret Field Police, except such members as have been specified above. At the suggestion of the Prosecution the Tribunal does not include persons employed by the Gestapo for purely clerical, stenographic, janitorial or similar unofficial routine tasks. In dealing with the SD the Tribunal includes Amts III, VI and VII of the RSHA and all other members of the SD, including all local representatives and agents, honorary or otherwise, whether they were technically members of the SS or not.

The Tribunal declares to be criminal within the meaning of the Charter the group composed of those members of the Gestapo and SD holding the positions enumerated in the preceding paragraph who became or remained members of the organization with knowledge that it was being used for the commission of acts declared criminal by Article 6 of the Charter, or who were personally implicated as members of the organization in the commission of such crimes. The basis for this finding is the participation of the organization in war crimes and crimes against humanity connected with the war; this group declared criminal cannot include, therefore, persons who had ceased to hold the positions enumerated in the preceding paragraph prior to 1 September 1939.

(Later addition.) The Tribunal's attention has been drawn to the fact that the Prosecution expressly excluded honorary informers who were not members of the SS, and members of the Abwehr who were transferred to the SD. In view of that exclusion by the Prosecution, the Tribunal also excludes those persons from the SD which was declared criminal.

SS

The SS *Die Schutzstaffeln der Nationalsozialistischen Deutschen Arbeiterpartei* was utilized for purposes which were criminal under the Charter involving the persecution

and extermination of the Jews, brutalities and killings in concentration camps, excesses in the administration of occupied territories, the administration of the slave labor program and the mistreatment and murder of prisoners of war In dealing with the SS the Tribunal includes all persons who had been officially accepted as members of the SS including the members of the Allgemeine SS, members of the Waffen SS, members of the SS Totenkopf Verbaende and the members of any of the different police forces who were members of the SS. The Tribunal does not include the so-called SS riding units

The Tribunal declares to be criminal within the meaning of the Charter the group composed of those persons who had been officially accepted as members of the SS as enumerated in the preceding paragraph who became or remained members of the organization with knowledge that it was being used for the commission of acts declared implicated as members of the organization in the commission of such crimes, excluding, however, those who were drafted into membership by the State in such a way as to give them no choice in the matter, and who had committed no such crimes. The basis of this finding is the participation of the organization in war crimes and crimes against humanity connected with the war; this group declared criminal cannot include, therefore, persons who had ceased to belong to the organization enumerated in the preceding paragraph prior to 1 September 1939.

SA

Conclusion: Up until the purge beginning on 30 June 1934, the SA *Die Sturmabteilung der Nationalsozialistischen Deutschen Arbeiterpartei* was composed in large part of ruffians and bullies who participated in the Nazi outrages of that period. It has not been shown, however, that these atrocities were part of a specific plan to wage aggressive war, and the Tribunal therefore cannot hold that these activities were criminal under the Charter. After the purge, the SA was reduced to the status of a group of unimportant Nazi hangers-on. Although in specific

instances some units of the SA were used for the commission of War Crimes and Crimes against Humanity, it cannot be said that its members generally participated in or even knew of the criminal acts. For these reasons the Tribunal does not declare the SA to be a criminal organization within the meaning of Article 9 of the Charter.

Reich Cabinet

The Tribunal is of opinion that no declaration of criminality should be made with respect to the Reich Cabinet for two reasons: (1) because it is not shown that after 1937 it ever really acted as a group or organization;

(2) because the group of persons here charged is so small that members could be conveniently tried in proper cases without resort to a declaration that the Cabinet of which they were members was criminal.

General Staff and High Command

The Tribunal believes that no declaration of criminality should be made with respect to the General Staff and High Command. The number of persons charged, while larger than that of the Reich Cabinet, is still so small that individual trials of these officers would accomplish the purpose here sought better than a declaration such as requested. But a more compelling reason is that in the opinion of the Tribunal the General Staff and High Command is neither an "organization" nor a "group" within the meaning of those terms as used in Article 9 of the Charter

Although the Tribunal is of the opinion that the term "group" in Article 9 must mean something more than this collection of military officers, it has heard much evidence as to the participation of these officers in planning and waging aggressive war, and in committing war crimes and crimes against humanity This evidence is, as to many of them, clear and convincing Where the facts warrant it, these men should be brought to trial so that those among them who are guilty of these crimes should not escape punishment.

* * *

The Soviet delegation of the Tribunal dissented on the following points: the acquittal of Hjalmar Schacht, Franz von Papen and Hans Fritzsche, declaring they should have been convicted; the sentence of Rudolf Hess to life imprisonment, declaring he should have been sentenced to death; and maintained that the Reich Cabinet and General Staff and High Command should have been declared criminal organizations.

Tribunal's Decisions at a Glance

Key —

- 1 — Conspiracy
- 2 — Crimes against peace
- 3 — War crimes
- 4 — Crimes against humanity
- × — Guilty
- 0 — Not guilty
- No charge

Defendant	1	2	3	4	Sentence
Goering	×	×	×	×	Death
Hess	×	×	0	0	Life
Ribbentrop	×	×	×	×	Death
Keitel	×	×	×	×	Death
Kaltenbrunner	0	—	×	×	Death
Rosenberg	×	×	×	×	Death
Frank	0	—	×	×	Death
Frick	0	×	×	×	Death
Streicher	0	—	—	×	Death
Funk	0	×	×	×	Life
Schacht	0	0	—	—	Acquitted
Doenitz	0	×	×	—	10 years
Raeder	×	×	×	—	Life
Von Schirach	0	—	—	×	20 years
Sauckel	0	0	×	×	Death
Jodl	×	×	×	×	Death
Von Papen	0	0	—	—	Acquitted
Speer	0	0	×	×	20 years
Von Neurath	×	×	×	×	15 years
Fritzsche	0	—	0	0	Acquitted
Seyss-Inquart	0	×	×	×	Death
Bormann	0	—	×	×	Death

STATION LIST

MILITARY GOVERNMENT ELEMENTS

**UNIT OR OFFICE OF
MILITARY GOVERNMENT**

LOCATION

**DIRECTOR OR
COMMANDING OFFICER**

THE MILITARY GOVERNOR: General Joseph T McNarney

OFFICE OF MILITARY GOVERNMENT FOR GERMANY, US

Office of Mil Gov for
Germany, US

Berlin

Lt Gen Lucius D Clay,
Deputy Military Governor
Maj Gen C L Adcock,
Asst Deputy Mil Governor

LAND WÜRTTEMBERG-BADEN

Office of Mil Gov for
Württemberg-Baden

Stuttgart

Col W W Dawson

1st Mil Gov Bn (Sep)

(APO 154)

Hq 1st Mil Gov Bn (Sep)
Hq & Sv Co

Stuttgart
Stuttgart

Lt Col M O Edwards
1st Lt J B Clifford

Stuttgart Area

*SK Stuttgart
*LK Böblingen
*LK Esslingen
*LK Ludwigsburg
*LK Waiblingen
*LK Backnang
*LK Leonberg
*LK Nürtingen
*LK Vaihingen

Stuttgart
Böblingen
Esslingen
Ludwigsburg
Waiblingen
Backnang
Leonberg
Nürtingen
Vaihingen

Lt Col I L Harlow
Capt M P Ernst
Capt N Semaschko, Jr
Maj R A Morgen
Capt J B Cress
Capt R Forrest
Capt W J Vallazza
Maj J F Capell
Capt A Smith

Heidelberg Area

*SK/LK Heidelberg
*SK/LK Heidelberg
*LK Buchen
*LK Mosbach
*LK Tauberbischofsheim
*LK Sinsheim

Heidelberg
Mannheim
Buchen
Mosbach
Tauberbischofsheim
Sinsheim

Lt Col C L Jackson
Lt Col C H Rue
Capt C van Zelfden
Capt I D Claxton
Capt N W Barber
Capt K R Plessner

Karlsruhe Area

*SK/LK Karlsruhe
*SK/LK Pforzheim
*LK Bruchsal

Karlsruhe
Pforzheim
Bruchsal

Lt Col W T Burt
Maj R H Stimson
Capt R C Stenson

Heilbronn Area

*SK/LK Heilbronn
*LK Crailsheim
*LK Schw. Hall
*LK Kuenzelsau
*LK Mergentheim
*LK Oehringen

Heilbronn
Crailsheim
Schw. Hall
Kuenzelsau
Bad Mergentheim
Oehringen

Lt Col C H West
1st Lt R E Alley
Capt C S Keena
Capt C E McGaffey
Capt B V Bloom
Capt G H Caple

* Liaison and Security

Goeppingen Area

*LK Goeppingen
*SK/LK Ulm
*LK Aalen
*LK Schw. Gmuend
*LK Heidenheim

Goeppingen
Ulm
Aalen
Schw. Gmuend
Heidenheim

Lt Col A G Spitz
Maj M L Hoover
Maj S B Simpson
Maj R Lascoe
Capt R N Tharp

LAND GREATER HESSE

Office of Mil Gov
for Greater Hesse

Wiesbaden

Dr J R Newman

2nd Mil Gov Bn (Sep)

(APO 633)

Hq 2d MG Bn (Sep)
Hq Co 2d MG Bn (Sep)
Sv Co 2d MG Bn (Sep)
US Ln Det (Ruhr)
US Ln Det (Saar)

Wiesbaden
Wiesbaden
Oberursel

Lt Col S S Graham
1st Lt Irving Ittner
Capt B A Sturdevan
Capt R Gutzwiller

*SK Frankfurt
*SK Wiesbaden
*LK Wetzlar
*LK Dill
*LK Gelnhausen
*LK Biedenkopf
*SK/LK Hanau
*LK Oberlahn
*LK Limburg
*LK Majntaunus
*LK Rheingau
*LK Obertaunus
*LK Usingen
*LK Untertaunus
*LK Schluechtern

Frankfurt
Wiesbaden
Wetzlar
Dillenburg
Gelnhausen
Biedenkopf
Hanau
Weilburg
Limburg
Hofheim
Rüdesheim
Bad Homburg
Usingen
Bad Schwalbach
Schluechtern

Maj G C Sola
Maj M E Chotas
Capt M S Clark
Capt E G Stolper
Capt J G Bennis
Capt T E Faircloth
Capt R E Brandt
Capt A G Volz
Capt P H Olsen
Maj J C Nelson
Capt W F Hintz
Capt L F Jones
Capt R F Gibney
Capt T W Harris
Capt E M Jacobson

*SK/LK Kassel
*LK Melsungen
*LK Fritzlar-Homburg
*LK Ziegenhain
*SK/LK Marburg
*SK/LK Fulda
*LK Hünfeld
*LK Waldeck
*LK Frankenberg
*LK Eschwege
*LK Witzenhausen
*LK Hersfeld
*LK Rotenburg
*LK Hofgeismar
*LK Wolfhagen

Kassel
Melsungen
Fritzlar
Ziegenhain
Marburg
Fulda
Hünfeld
Korbach
Frankenberg
Eschwege
Witzenhausen
Hersfeld
Rotenburg
Hofgeismar
Wolfhagen

Capt G E Schmoker
Maj W C Gipple
Capt G D Fexy
Capt R B Elwell
Lt Col C H Reed
Lt Col H R Cress
Capt E T Tedick
Capt D W Shea
Maj L S Williams
Maj G P Moore
Maj E E Covell
Maj M Baymor
Capt G W Davis
Capt L R Allen
Capt H A Karas

*SK/LK Darmstadt
*LK Gross-Gerau
*SK/LK Offenbach
*LK Bergstrasse
*LK Erbach
*LK Büdingen

Darmstadt
Gross-Gerau
Offenbach
Heppenheim
Erbach
Büdingen

Maj W R Sheehan
Capt N C Neider
Lt Col J C Rose
Maj R A Gish
Capt R O Didlo
Maj D M Easterday

* Liaison and Security

LAND GREATER HESSE (Cont'd)

*LK Dieburg	Dieburg	Capt J S Chapin
*LK Friedberg	Friedberg	Capt C S Parshall
*SK/LK Giessen	Giessen	Maj C F Russe
*LK Lauterbach	Lauterbach	Capt C R Argo
*LK Alsfeld	Alsfeld	Capt H B Miller

LAND BAVARIA

Office of Mil Gov for Bavaria	Munich	Brig Gen W J Muller
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**3rd Mil Gov Regt
(APO 170)**

Hq 3rd Mil Govt Regt	Munich	Col C C Morgan
Hq Commandant	Munich	Capt. Willard Seale
Hq & Sv Company	Munich	Maj F Dunn

Regierungsbezirk Unterfranken

Co A	Wurzburg	Lt Col M E Henderson
*SK/LK Wurzburg	Wurzburg	Maj M B Voorhees
*SK/LK Aschaffenburg	Aschaffenburg	Maj R W Smith
*SK/LK Schweinfurt	Schweinfurt	Maj G M Marsh
*LK Kissingen	Bad Kissingen	Maj R W Jernigin
*LK Kitzingen	Kitzingen	Maj E H Emry
*LK Alzenau	Alzenau	Capt A T Neumann
*LK Bruckenuau	Bruckenuau	Capt A G Prondzinski
*LK Ebern	Ebern	Capt G E Brock
*LK Gemunden	Gemunden	Maj J S Sullivan
*LK Gerolzhofen	Gerolzhofen	Capt W W James
*LK Hammelburg	Hammelburg	Capt K L Ellis
*LK Hassfurt	Hassfurt	Capt R E Hellmig
*LK Hofheim	Hofheim	Capt F L Beelby
*LK Karlstadt	Karlstadt	Maj J E Breland
*LK Konigshofen	Konigshofen	Capt C Boden
*LK Lohr	Lohr	Capt L K Owens
*LK Markt Heidelfeld	Markt Heidelfeld	Capt T F Griffin
*LK Mellrichstadt	Mellrichstadt	Capt E E Kelly
*LK Miltenberg	Miltenberg	Capt J L Hinkel
*LK Neustadt (Saale)	Neustadt a. d. Salle	Maj H P Clark
*LK Obernburg	Obernburg	Capt M B Jaeger
*LK Ochsenfurt	Ochsenfurt	Capt I A Lowell

Regierungsbezirk Oberfranken-Mittelfranken

Co B	Ansbach	Col E M Haight
SK/LK Nurnberg	Nurnberg	Lt Col A T Callicot
*SK/LK Bamberg	Bamberg	Lt Col J R Case
*SK/LK Bayreuth	Bayreuth	Lt Col S M Guild
*SK/LK Erlangen	Erlangen	Lt Col F Robie
*SK/LK Neustadt & Coburg	Neustadt	Maj S Klein
*LK Kronach	Kronach	Maj H T Lund
*SK/LK Hof	Hof	Maj H L Woodall
*SK/LK Ansbach	Ansbach	Lt Col W R Whitaker
*SK/LK Furth	Furth	Maj A C Abbott
*LK Lichtenfels & SK Staffelstein	Lichtenfels	Maj F W Crimp
*LK Ebermannstadt	Ebermannstadt	Maj R T Boyer
*LK Hochstadt a. d. Aisch	Hochstadt	Capt C E Palmer
*SK/LK Kulmbach	Kulmbach	Maj H C Kauffman
*LK Pegnitz	Pegnitz	Capt M G Stamatis
*LK Munchberg	Munchberg	Maj R C Anderson

* Liaison and Security

Regierungsbezirk Oberfranken-Mittelfranken (Cont'd)

*LK Rehau	Rehau	Capt L De Ford
*LK Wunsiedel	Wunsiedel	Maj T Cleary
*LK Forchheim	Forchheim	Maj H Zurn
*LK Dinkelsbuhl	Dinkelsbuhl	Capt J S Wyatt Jr
*LK Eichstatt	Eichstatt	Capt R J Towle
*LK Feuchtwangen	Feuchtwangen	Capt B A Morgan
*LK Gunzenhausen	Gunzenhausen	Maj R J Nielson
*LK Hersbruck	Hersbruck	Capt D S Stroup
*LK Hilpolstein	Hilpolstein	Capt R E Peters
*LK Weissenburg	Weissenburg	Lt Col J C Barnet
*LK Rothenburg	Rothenburg	Maj F K Hinchey
*LK Schwabach	Schwabach	Maj R E Stringer
*LK Scheinfeld	Scheinfeld	Capt G B Jones
*LK Uffenheim	Windsheim	Capt L C Wheeler
*LK Lauf	Lauf	Capt J J Carr
*LK Neustadt (Aisch)	Neustadt a. d. Aisch	Maj C J Cody
*LK Naila	Naila	Capt G N Hultzen
*LK Stadtsteinach	Stadtsteinach	1st Lt L W Dilzard

Regierungsbezirk Niederbayern und Oberpfalz

Co D	Regensburg	Lt Col O D Hastings
*SK/LK Regensburg	Regensburg	Maj C G Doyle
*SK/LK Weiden-Neustadt a. d. Wald	Weiden	Maj G J Ganer
*SK/LK Passau	Passau	Maj H L Snapp
*SK/LK Amberg	Amberg	Maj R E Boyd
*SK/LK Landshut	Landshut	Maj H J Mrachek
*SK/LK Straubing	Straubing	Lt Col C L McMackin
*LK Cham	Cham	1st Lt E A McNamara
*LK Burglengelfeld	Burglengelfeld	1st Lt R W Crowley
*LK Parsberg	Parsberg	Maj E O Carlson
*LK Tirschenreuth	Tirschenreuth	Capt L R Mariels
*LK Neunberg vorm Wald	Neunberg	Capt D S Field
*LK Eschenbach	Eschenbach	Capt R O Woodward
*LK Deggendorf	Deggendorf	Maj H A Hardt
*LK Eggenfelden	Eggenfelden	Capt M Glossop
*LK Grafenau	Grafenau	Capt R M McWorther
*LK Kelheim	Kelheim	Capt G L Milner
*LK Landau a. d. Isar	Landau	Capt T O Rose
*LK Pfarrkirchen	Pfarrkirchen	1st Lt N Ugland
*LK Regen	Zweisel	Lt Col G H Foster
*LK Vilshofen	Vilshofen	Lt Col R T Nichols
*LK Vilsbiburg	Vilsbiburg	Maj F B Marshall
*LK Wolfstein	Freyung	Capt M J Jarvis
*LK Kemnath	Kemnath	Maj D L O'Roark
*LK Nabburg	Nabburg	Maj T G Shakelford
*LK Oberviechtach	Oberviechtach	Maj J Mulholland
*LK Riedenberg	Riedenberg	Maj V M Corbin
*LK Vohenstrauß	Vohenstrauß	Capt F Traynham
*LK Roding	Roding	Maj L P Rhodes
*LK Waldmuenchen	Waldmuenchen	Maj R W Hitchcock
*LK Beilngries	Beilngries	Maj E Fichter
*LK Neumarkt i. d. Opf.	Neumarkt	Capt A G Albert
*LK Sulzbach-Rosenburg	Sulzbach-Rosenburg	Maj R T Coykendall
*LK Bogen	Bogen	Maj J F Staudinger
*LK Dingolfing	Dingolfing	Maj J C Robertson, Jr
*LK Griesbach	Griesbach	1st Lt G L Thomas
*LK Kotzting	Kotzting	Maj J J Maher, Jr
*LK Mainburg	Mainburg	Lt Col J R Hector
*LK Mallersdorf	Mallersdorf	2nd Lt P A Nesbitt
*LK Rottenburg	Rottenburg	Maj R E Levy
*LK Viechtach	Viechtach	Maj J F Rey
*LK Wegscheid	Obernzell	1st Lt K J Miller, Jr

* Liaison and Security

Regierungsbezirk Oberbayern

Co E
 *SK/LK Munich
 *SK/LK Freising
 *LK Miesbach
 *LK Traunstein
 *LK Altoetting
 *SK/LK Rosenheim
 *LK Garmisch-Partenkirchen
 *SK/LK Ingolstadt
 *LK Erding
 *LK Laufen
 *LK Muhlendorf
 *LK Wasserburg
 *LK Toelz
 *LK Aibling
 *LK Fuerstenfeldbruck
 *LK Landsberg
 *LK Pfaffenhofen
 *LK Starnberg
 *LK Weilheim
 *LK Wolfratshausen
 *LK Berchtesgaden
 *LK Ebersberg
 *LK Aichach
 *LK Schrobenhausen
 *LK Dachau
 *LK Schongau

Munich
 Munich
 Freising
 Miesbach
 Traunstein
 Altoetting
 Rosenheim
 Partenkirchen
 Ingolstadt
 Erding
 Laufen
 Muhlendorf
 Wasserburg
 Bad Toelz
 Bad Aibling
 Fuerstenfeldbruck
 Landsberg
 Pfaffenhofen
 Starnberg
 Weilheim
 Wolfratshausen
 Berchtesgaden
 Ebersberg
 Aichach
 Schrobenhausen
 Dachau
 Schongau

Lt Col R J Philpott
 Lt Col E Keller
 Lt Col H E Blakeley
 Maj M Dizdar
 Capt V L Thom
 Capt C A Larimer
 Capt R H Nece
 Maj M W Nitz
 Lt Col J H Kelly
 Maj C A Brown
 Capt N W Borring
 Capt W M Forsy
 Capt D Root
 Maj A O Froede
 Maj E J H Newmeyer
 1st Lt C C Boatright
 Maj C A Rein
 Maj H E Reed
 Maj C E Carlsen
 Capt M J Groves
 Maj P L Steers Jr
 Maj M Mawrence
 Capt E J Pennetto
 Maj M A Potter
 Capt H J Bierman
 Maj A G Snow
 Capt C S Garber

Regierungsbezirk Schwaben

Co G
 *SK/LK Augsburg
 *LK Dillingen
 *LK Neu Ulm
 *LK Sonthofen
 *SK/LK Kempten
 *LK Donauwoerth
 *LK Gunzberg
 *LK Markt Oberdorf
 *LK Memmingen
 *LK Mindelheim
 *LK Neuberg
 *LK Nordlingen
 *LK Fussen
 *LK Krumbach
 *LK Illertissen
 *LK Kaufbeuren
 *LK Wertingen
 *LK Friedberg
 *LK Schwabmunchen

Augsburg
 Augsburg
 Dillingen
 Neu Ulm
 Sonthofen
 Kempten
 Donauwoerth
 Gunzberg
 Markt Oberdorf
 Memmingen
 Mindelheim
 Neuberg
 Nordlingen
 Fussen
 Krumbach
 Illertissen
 Kaufbeuren
 Wertingen
 Friedberg
 Schwabmunchen

Lt Col C M Avery
 Lt Col R A Norton
 Maj R J Paul
 Lt Col C E Gooding
 Maj J E Rhea
 Maj R A Wagner
 Capt M G Kruglinski
 Maj M G Norum
 1st Lt H V Worthington
 1st Lt M W Toepfer
 Capt L A Proper
 Maj H M Sebastian
 Maj B Peshmalyan
 Capt J N Urtes
 Capt F W Guzak
 Capt J O Renalds
 Maj A E Elliot
 Capt J M Woodwart
 Capt D J Moran
 Capt J W Kenne

US SECTOR BERLIN DISTRICT

(APO 755)

Office of Mil Gov for
 US Sector Berlin District

Berlin

Col F L Howley

BREMEN ENCLAVE

(APO 751)

Office of Mil Gov for
 Bremen Enclave (US)
 Wesermuende Detachment

Bremen
 Wesermuende

Lt Col Gordon Browning
 Lt Col L S Diggs

* Liaison and Security