GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

8 April 1947

ADMINISTRATIVE MEMORANDUM NO. GS: 4

SUBJECT : Policy re SCAPIN 550.

1. The responsibility for removing and excluding undesirable personnel from public service was placed upon the Japanese Government by the purge directive of 4 January 1946 (SCAPIN 550).

2. For the purpose of discharging that responsibility, the Japanese Government has established quasi-judicial committees to determine the desirability or undesirability of persons holding or seeking positions in the government public service.

3. The Supreme Commander reserves the right to review any case at any time to determine whether the decision of the Japanese Government in the case is correct. In reviewing a case the decision of the Japanese Government will be considered as final, unless:

a. The decision is contrary to the purge directive and the implementing 1947 Imperial ordinances of the Japanese Government;

b. There is material evidence which the Japanese Government did not possess or did not consider; or

c. The decision is clearly unreasonable.

If the Japanese Government could, on due consideration of the case as a whole, reasonably have reached its conclusion, the Government's decision is conclusive. Such decision is not disturbed merely because there is room for reasonable minds to differ as to the facts and inferences. The criterion is not whether SCAP as the reviewing authority would have reached the same decision as the Japanese Government but whether there is a reasonable basis for the decision of the Government.

4. All questions relating to the purge, not originating in another staff section, are referred to the Japanese Government and all appellants from decisions of the Japanese Government are informed that appeals should be made through the appropriate appellate machinery established by the Japanese Government. No advice is given to anyone concerning the purge except by the Chief of the Political Affairs Division of the Government Section, or the Chief Purge Officer.

5. There is no official contact between members of the Section and suspected war criminals and purgees and their homes and offices are considered off-limits to members of this Section.

Courtney Whitney

COURTNEY WHITNEY
Brigadier General, U. S. Army
Chief, Government Section

Draft Of Telegram

4, April, 1947.

To Local Governors

1. Members of Local Branch Of Council for Establishment Of I. R. A.A. (Yokusan Seiji Taisei Kakuritsu Kyogikai Chiho Shibu) shall be treated same as members of the Central Council which is listed in the ordinance.

2. Report a list of members of Local Branch of the council to Cabinet as soon as possible.

3. East Asia Development General Headquarters shall be treated as a Bureau of the National Headquarters. (Chief (Bucho) or influential Deputy Chief (Fuku Bucho) of a Section of the National Headquarters falls under the Memorandum).

4. Central Councillors (Chuo Sanyo Katta) of East Asia Leaque (Toa Renmei) may fall under the Memorandum as a result of his activities though not mandately.

5. Those who were removed from office as a result of the Memorandum issued from SCAP on 4 October, 1945, subject "Removal of Restrictions On Political, Civil and Religions Liberties" will not fall under the Imperial Ordinance, No.1, 1947 unless they fall under the Imperial Ordinance No.1, 1947.

necessarily

48

Cabinet and Home Ministry Ordinance
No. 6 of 1947

A part of the Cabinet and Home Ministry Ordinance No. 1 of 1947 shall be amended as follows:

In paragraph 9 of the Appendix II.

"DEN TSU EIGA SHA" shall be added after "DAI NIPPON YUBEN KODAN SHA" and "RIKEN EIGA K.K." after "OBUN SHA".

In the same paragraph, the following shall be added after "TOYO KEIZAI SHINPO SHA":

GAN SHO DO

HAKU SUI SHA

HEIBON SHA

KAMAKURA BUNKO

KAWAIDE SHOBO

MEGURO SHOTEN

"NIPPON SHUPPAN HAIKYU K.K.

SHIN SEI SHA

SHOGAKU KAN

SHOKO SHOIN

SOGEN SHA

TAKAYAMA SHOIN

TOKYO DO

YOTOKU SHA

YUHI KAKU

In the same paragraph, the following shall be added after "YOMIURI SHINBUN SHA":

AKAHATA SHA

BOCHO SHINBUN

CHIBA SHINPO SHA

SHUBU KEIZAI SHINBUN SHA

CHUKYO SHINBUN SHA

DAI ICHI SHINBUN SHA

DERI SHINBUN SHA

FUKUI SHINBUN SHA

FUKUSHIMA MINPO SHA

FUKUSHIMA MINYU SHINBUN SHA

GIFU Times SHA

HOKKAI NICHI NICHI SHINBUN SHA

HOKKAI Times SHA

HOKURIKU YUKAN SHINBUN SHA

HYUGA NICHI NICHI SHINBUN SHA

ISE SHINBUN SHA

ISHIKAWA SHINBUN SHA

JIJI SHINPO SHA

JYOMO SHINBUN SHA

JIMMIN SHINBUN SHA

KANAGAWA SHINBUN SHA

KOCHI NIPPO SHA

KOGYO SHINBUN SHA

KYOTO NICHINICHI SHINBUN SHA

KYUSHU Times SHA

MIYAKO SHINBUN SHA

NAGASAKI NICHINICHI SHA

NAGOYA Times SHA

NAGASAKI MINYU SHA

NIKKAN Sports SHA

NIPPON FUJIN SHINBUN SHA

NIPPONKAI SHINBUN SHA

OSAKA JIJI SHINPO SHA

OSAKA NICHI NICHI SHINBUN SHA

SAGA SHINBUN SHA

SAITAMA SHINBUN SHA

SANIN NICHINICHI SHINBUN SHA

SANIN CHO-HO SHA

SEKAI NIPPO SHA

SHIGA SHINBUN SHA

SHIKOKU SHINBUN SHA

SHIMANE SHINBUN SHA

SHIMOTSUKE SHINBUN SHA

SHIN EHIME SHINBUN SHA

SHIN HOCHI SHA

SHIN HOKKAI SHINBUN SHA

SHIN IWATE SHINBUN SHA

SHINKO YUKAN SHINBUN SHA

SHIN KYUSHU SHINBUN SHA

SHIN OSAKA SHINBUN SHA

SHIN TOKAI SHINBUN SHA

SHIN YUKAN SHINBUN SHA

Sun SHASHIN SHINBUN SHA

TOKAI MAINICHI SHINBUN SHA

TOKAI YUKAN SHINBUN SHA

TOKUSHIMA MINPO SHA

TOKUSHIMA SHINBUN SHA

TOKYO Times SHA

TOKYO TOMIN SHINBUN SHA

TOYAMA SHINBUN SHA

WAKAYAMA SHINBUN SHA

YAMANASHI JIJI SHINBUN SHA

YAMANASHI NICHI NICHI SHINBUN SHA

YUKAN FUKUNICHI SHINBUN SHA

YUKAN HIROSHIMA SHINBUN SHA

YUKAN KYOTO SHINBUN SHA

YUKAN MIYE SHINBUN SHA

YUKAN NIIGATA SHA

YUKAN OKAYAMA SHA

YUKAN SHINSHU SHA

YUKAN TOHOKU SHINBUN SHA

IWATE SHINPO SHA

IBARAGI SHINBUN SHA

Supplementary Rule

The present Ordinance shall come into force as from the day of its promulgation.

Cabinet and Home Ministry Ordinance
No. 6 of 1947

A part of the Cabinet and Home Ministry Ordinance No. 1 of 1947 shall be amended as follows:

In paragraph 9 of the Appendix II.

"DEN TSU EIGA SHA" shall be added after "DAI NIPPON YUBEN KODAN SHA" and "RIKEN EIGA K.K." after "OBUN SHA".

In the same paragraph, the following shall be added after "TOYO KEIZAI SHINPO SHA":

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HAKU SUI SHA

HEIBON SHA

KAMAKURA BUNKO

KAWAIDE SHOBO

MEGURO SHOTEN

"NIPPON SHUPPAN HAIKYU K.K.

SHIN SEI SHA

SHOCAKU KAN

SHOKO SHOIN

SOGEN SHA

TAKAYAMA SHOIN

TOKYO DO

YOTOKU SHA

YUHI KAKU

In the same paragraph, the following shall be added after "YOMIURI SHINBUN SHA":

AKAHATA SHA

BOCHO SHINBUN

CHIBA SHINPO SHA

SHUBU KEIZAI SHINBUN SHA

CHUKYO SHINBUN SHA

DAI ICHI SHINBUN SHA

DERI SHINBUN SHA

FUKUI SHINDUN SHA

FUKUSHIMA MINPO SHA

FUKUSHIMA MINYU SHINBUN SHA

GIFU Times SHA

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HOKKAI Times SHA

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HYUGA NICHI NICHI SHINBUN SHA

ISE SHINBUN SHA

ISHIKAWA SHINBUN SHA

JIJI SHINPO SHA

JYOMO SHINBUN SHA

JIMMIN SHINBUN SHA

KANAGAWA SHINBUN SHA

KOCHI NIPPO SHA

KOGYO SHINBUN SHA

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NAGASAKI MINYU SHA

NIKKAN Sports SHA

NIPPON FUJIN SHINBUN SHA

NIPPONKAI SHINBUN SHA

OSAKA JIJI SHINPO SHA

OSAKA NICHI NICHI SHINBUN SHA

SAGA SHINBUN SHA

SAITAMA SHINBUN SHA

SANIN NICHINICHI SHINBUN SHA

SANIN CHO-HO SHA

SEKAI NIPPO SHA

SHIGA SHINBUN SHA

SHIKOKU SHINBUN SHA

SHIMANE SHINBUN SHA

SHIMOTSUKE SHINBUN SHA

SHIN EHIME SHINBUN SHA

SHIN HOCHI SHA

SHIN HOKKAI SHINBUN SHA

SHIN IWATE SHINBUN SHA

SHINKO YUKAN SHINBUN SHA

SHIN KYUSHU SHINBUN SHA

SHIN OSAKA SHINBUN SHA

SHIN TOKAI SHINBUN SHA

SHIN YUKAN SHINBUN SHA

Sun SHASHIN SHINBUN SHA

TOKAI MAINICHI SHINBUN SHA

TOKAI YUKAN SHINBUN SHA

TOKUSHIMA MINPO SHA

TOKUSHIMA SHINBUN SHA

TOKYO Times SHA

TOKYO TOMIN SHINBUN SHA

TOYAMA SHINBUN SHA

WAKAYAMA SHINBUN SHA

YAMANASHI JIJI SHINBUN SHA

YAMANASHI NICHI NICHI SHINBUN SHA

YUKAN FUKUNICHI SHINBUN SHA

YUKAN HIROSHIMA SHINBUN SHA

YUKAN KYOTO SHINBUN SHA

YUKAN MIYE SHINBUN SHA

YUKAN NIGATA SHA

YUKAN OKAYAMA SHA

YUKAN SHINSHU SHA

YUKAN TOHOKU SHINBUN SHA

IWATE SHINPO SHA

IBARAGI SHINBUN SHA

Supplementary Rule

The present Ordinance shall come into force as from the day of its promulgation.

COPY

30 March 1947

Dear Mr. Prime Minister:

I have carefully considered your letter of 23 March 1947 for the temporary exemption of Messrs. Hisao TASHIRO and Tsuruhei MATSUNO from the terms of SCAPIN 550 (the Purge Directive) and Imperial Ordinance No. 1 of 1947 (the Japanese Government's Implementing Ordinance) in order that one may serve as Chairman of the Coal Board and the other assist the Liberal Party in the impending elections. While I appreciate your desire to secure for these two positions the persons best qualified by background and experience and the difficulty of finding such persons under present conditions, I am convinced that the exceptions which you request would cause grave criticism and uneasiness and would be unwise from the Japanese Government's own point of view.

As standing Director of the Mitsui Mining Company, Ltd. from 12 December 1941 to date, Hisao TASHIRO falls under paragraph 6 of the Japanese Government's Interpretation of Category G of Appendix A to SCAPIN 550. In addition, his occupancy before and during the war of positions of high responsibility in mining and munitions companies which were intimately associated with the production program for Japanese war activities both in Japan and in occupied areas, brings into serious question the propriety of this occupying a post of such critical importance in the development of peacetime Japanese economic policy as that of Chairman of the Coal Board. Under such circumstances, an exemption from the provisions of the purge would undoubtedly arouse a storm of public protest which would more than offset any good that he might do. I feel certain that there must be in Japan other men who, although perhaps not so prominent, possess the economic background and administrative ability necessary to discharge the responsibilities of the post and who, at the same time, are not compromised by responsibility for the shaping of policies and the direction of activities upon which Japan has turned its back.

Tsuruhei MATSUNO's former positions as Minister in the Yonai Cabinet in 1940, as a Tojo-recommended candidate in the 1942 election, as Director of the Imperial Rule Assistance Association and the Imperial Rule Assistance Political Society in 1941 and as president of the Great Japan Patriotic Laborers' Association in 1944 and 1945, indicate that he falls under the provisions of the purge. To grant Mr. MATSUNO even a temporary exemption from these requirements would negate the principle that persons who themselves are deemed undesirable for high positions in public or private life shall not be permitted to influence the choice of the leaders who will guide the affairs of Japan under the new Constitution nor the activities and policies of government officials after they have been elected or appointed. Granted that Mr. MATSUNO's skill and experience as a political campaign manager

are highly esteemed by the Liberal Party. I believe that the public resentment that would be stirred by his exemption would tend to discredit the election as a whole because of partisan discrimination by the government itself in the application of its own ordinance. To make these exemptions would seriously weaken the government's ability to enforce its ordinances and would shake the growing confidence of the people in democratic processes and in your own administration.

I understand and appreciate your vexations difficulties in finding capable men to serve the administration, and am sorry indeed that in the present cases I do not believe exceptions possible.

Very sincerely,

COURTNEY WHITNEY
Brigadier General, U.S. Army
Chief, Government Section

The Prime Minister of Japan,
Tokyo

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

AG 004 (25 Mar 47)CCS
(SCAPIN 1580)

APO 500
25 March 1947

MEMORANDUM FOR: IMPERIAL JAPANESE GOVERNMENT

THROUGH: Central Liaison Office, Tokyo

SUBJECT: Liquidation of International Telecommunications Company, Ltd., (Kokusai Denki Tsushin K. K.) and Japan Telegraph and Telephone Construction Company, Ltd., (Nippon Densnin Denwa Kojii K. K.)

1. Reference is made to Memorandum for the Imperial Japanese Government from General Headquarters, Supreme Commander for the Allied Powers, file AG 386.7 (19 Feb 47) ESS/AC, (SCAPIN 3268-A), dated 19 February 1947, subject: Regulations Affecting International Telecommunications Company, Ltd., (Kokusai Denki Tsushin K. K.) and subsidiaries.

2. The Imperial Japanese Government will:

a. Repeal the special law creating the International Telecommunications Company, Ltd., Law No. 83 of 11 April 1939, as amended by Laws No. 10 of 26 March 1940 and No. 58 of 29 March 1940, and all ordinances and regulations pertaining thereto.

b. Assume as rapidly as possible actual operation of the communications properties of the International Telecommunications Company, Ltd. and the Japan Telegraph and Telephone Construction Company, Ltd.

c. Purchase from the Holding Company Liquidation Commission the communications properties referred to in the preceding sub-paragraph upon completion of appraisal and evaluation of those properties by the Holding Company Liquidation Commission. The appraisal and evaluation will be in accordance with the standards and procedures established by the Enterprise Reconstruction and Reorganization Law, 11 October 1946, as promulgated by Imperial Ordinance No. 500, 30 October 1946. Instructions contained in this sub-paragraph will not delay the assumption of operations as provided in the preceding sub-paragraph.

d. Offer employment to such personnel of International Telecommunications Company, Ltd. and Japan Telegraph and Telephone Construction

RECEIVED
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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

AFO 500
25 March 1947

MEMORANDUM:

SUBJECT: Information of General Application Pertaining to Directive Number (SCAPIN 1580), file AG 004 (25 Mar 47)CCS, this Headquarters, dated 25 March 1947 subject: Liquidation of International Telecommunications Company, Ltd., (Kokusai Denki Tsushin K.K.) and Japan Telegraph and Telephone Construction Company, Ltd., (Nippon Denshin Denwa Kojii K.K.)

1. With reference to subject memorandum, the following is published for the information of all concerned.

2. The International Telecommunications Company, Ltd., created in 1939 by special law and active in furthering the Japanese program of economic expansion and aggression, and its subsidiary the Japan Telegraph and Telephone Construction Company, Ltd., are being liquidated. Their communications facilities will be purchased by the Imperial Japanese Government and the communications services now being performed by them will be under direct operation of the Imperial Japanese Government.

3. As the Japan Telephone Equipment Company, Ltd., a subsidiary of the Japan Telegraph and Telephone Construction Company, Ltd., is also performing communications services, the Imperial Japanese Government is instructed to submit to the Supreme Commander for the Allied Powers a plan for the eventual ownership and operation of those facilities.

4. No command channel letter is being sent to the Eighth Army.

FOR THE SUPREME COMMANDER:

John B. Cooley

JOHN B. COOLEY,
Colonel, AGD,
Adjutant General.

DISTRIBUTION:
Same as (SCAPIN 1580)
less Japanese Government

Company, Ltd. as are required to perform the communications services now being rendered by those companies. The personnel accepting the offer will be transferred to positions of similar grade and classification and in such manner as to receive fair and equitable treatment, retaining seniority benefits equivalent to those earned during their tenure of service with their present companies.

e. Submit, within sixty (60) days from the date of this memorandum, to the Supreme Commander for the Allied Powers, in quintuplicate, typed in English on 8" x 11" paper, the following:

(1) A plan for the assumption by the Imperial Japanese Government of the ownership and operation of all communications facilities pertaining to telephone and telegraph now owned, operated, or both, by the Japan Telephone Equipment Company, Ltd.

(2) A statement explaining in detail the methods and proceaures now used by the Ministry of Communications in letting contracts for the construction of buildings in the fields of postal, radio, telephone and telegraph communications.

3. Direct communication is authorized between the interested staff sections of General Headquarters, Supreme Commander for the Allied Powers, and agencies of the Imperial Japanese Government concerned to implement all provisions of this memorandum.

FOR THE SUPREME COMMANDER:

John B. Cooley
JOHN B. COOLEY,
Colonel, AGD,
Adjutant General.

COPY

Ministry for Home Affairs NotificationNo. 84

April 1, 1947

The following Party shall be designated in accordance with the Regulations of Article 2 of the Imperial Ordinance No. 101 of 1946 (concerning the Organization and Prohibition of Political Parties and Associations, etc., based on the Imperial Ordinance No. 542 of 1945 concerning the Orders to be issued in consequence of the Acceptance of the Potsdam Declaration).

Kannagara Renmei

Minister for Home Affairs

UEHARA Etsujiro

COPY

Ministry for Home Affairs Notification No. 73

March 25, 1947

The following parties shall be designated in accordance with the provisions of Article 2 of the Imperial Ordinance No. 101 of 1946 (concerning the Organization and Prohibition of Political Parties, and Association etc., based on the Imperial Ordinance No. 542 of 1946, concerning the Orders to be issued in consequence of the Acceptance of the Potsdam Declaration:

Nippon Koito Doshi Kai

Nippon Sumera To (Nippon Kodo To)

Minister for Home Affairs

UEHARA Etsujiro

COPY

Ministry for Home Affairs Notification No. 72

March 25, 1947

The following body shall be designated in accordance with the provisions of Article 4-1 (b) and Article 2 of the Imperial Ordinance No. 101 of 1946 (concerning the Prohibition of Organization of Political Associations and other bodies, etc. based on the Imperial Ordinance No. 542 of 1945, concerning the Orders to be issued in consequence of the acceptance of the Potsdam Declaration:

Minister for Home Affairs

UEHARA Etsujiro

Kaijin Kai (including its Branch)

COPY

Ministry for Home Affairs Notification No. 124

August 30, 1946

The Home Ministry designates the following organizations as coming under the provision of 1st paragraph (b) of Article 4 and the Article 2 of the Imperial Ordinance No. 101 of 1946 (regarding the prohibition etc. of the formation of political parties, associations and other organizations based on the matters concerning the orders to be issued in consequence of the acceptance of the Potsdam Declaration).

Kaikosha (including branches)

Suikosha (ditto)

Minister for Home Affairs

OMURA Seiichi

COPY

Ministry for Home Affairs Notification No. 89

June 25, 1946

The Home Ministry designates the following organizations as coming under the provision of 1st Paragraph (a) of Article 4 and the Article 2 of the Imperial Ordinance No. 101 of 1946 (regarding the prohibition etc. of the formation of political parties, associations and other organizations based on the matters concerning the orders to be issued in consequence of the acceptance of the Potsdam Declaration).

Kakushin Seinen To
Dai Nippon Yuko Kai

Minister for Home Affairs
OMURA Seiichi

3-22-47

INSTRUCTIONS FOR MILITARY GOVERNMENT LIAISON OFFICER

TO: Commanding General, Eighth Army

Reference Ltr GHQ, SCAP, Subject: "Administration of the Purge", dated 13 February 1947. A number of cases of violation of procedural requirements by screening committees, prefectural governors and municipalities have been reported to this headquarters. In view of this it is desired that military government teams make an immediate unannounced inspection at all levels to insure compliance with SCAP requirements, with particular attention being paid to the following:

1. Proper posting of semi-monthly screening bulletins.
2. Availability of questionnaires immediately after results of screening are announced.
3. Availability at location of all screening committees of copies of purge ordinances.
4. Insure that all prefectural, city, town, village and ward officers have received proper instructions with regard to posting bulletins, and that screening committees have received proper instructions with regard to making questionnaires and ordinances available for public inspection.

In connection with the above it is desired that the responsible persons (Governors, mayor, chairman of screening committes, etc.) be contacted at such inspections and be required to show what is being done with regard to compliance with instructions.

14

Reports on all cases of non-compliance or cases in which the local unit has presumably not received proper instructions are desired by this headquarters. Informal reports by phone to the Public Administration Division of Government Section acceptable.

garrett

Publicity
File

Never Released
per Opn

Purge

PURGE RULING CLARIFIED BY SCAP OFFICIAL

Recent question of the right of a purged lawyer to represent a public official, indicates ~~a lack of~~ the Japanese people do not fully understand the purge directive, ~~among the Japanese,~~ a SCAP Government Section spokesman said today.

"It is proper," he explained, "for a purged attorney to represent individuals as their personal counsel. However, they are not permitted to represent government agencies or to collect fees from government agencies. The purpose of the purge is to prevent those found to be unfit, from returning to public life. It is not ~~intended as~~ a barrier to the lawful practice of the profession of law on the part of private citizens, " ~~he concluded.~~

It is not intended, the official stated, that the purge directive shall be used to deprive purgees of ~~X~~ their right to gainful occupation in their own professions. Its sole purpose is to rem ove them from public office or public leadership.

-30-

-15-

Cabinet Statement

March 20, 1947.

The period of application for certification of eligibility for candidates of Assembly of To, Do, Fu, Ken, City, Ward, Town or Village (including the equivalent) of their qualification was once closed. However as regards to the coming elections of aforedmentioned assemblies the screening for candidates has been decided to take place only with successful candidates, after the election instead of prior to the election. Under the circumstances an Cabinet Notification has been issued today extending the period to present questionnaires of candidates for the assembly of To, Do, Fu, Ken and City of Kyoto, Osaka, Yokohama, Kobe and Nagoya, thereby enabling more persons run for the election.

The period of presenting questionnaires of candidates for the assembly of City (excluding Kyoto, Osaka, Yokohama, Kobe and Nagoya) Ward, Town or Village is to be published by the prefectural governor concerned. (including the equivalent)

Cabinet Statement

March 20, 1947.

The period of application for certification of eligibility for candidates of Assembly of To, Do, Fu, Ken, City, Ward, Town or Village (including the equivalent) of their qualification was once closed. However as regards to the coming elections of aforedmentioned assemblies the screening for candidates has been decided to take place only with successful candidates, after the election instead of prior to the election. Under the circumstances an Cabinet Notification has been issued today extending the period to present questionnaires of candidates for the assembly of To, Do, Fu, Ken and City of Kyoto, Osaka, Yokohama, Kobe and Nagoya, thereby enabling more persons run for the election.

The period of presenting questionnaires of candidates for the assembly of City (excluding Kyoto, Osaka, Yokohama, Kobe and Nagoya) Ward, Town or Village is to be published by the prefectural governor concerned. (including the equivalent)

15.

Cabinet Notification No. 12

20 March, 1947.

Period for presenting questionnaires from candidates for membership of prefectural assembly and municipal assembly hereby designated as follows:

From 26 March, 1947 To 4 April, 1947.

Cabinet Notification No. 12

20 March, 1947.

Period for presenting questionnaires from candidates for membership of prefectural assembly and municipal assembly hereby designated as follows:

From 26 March, 1947 To 4 April, 1947.

13 B

From Somobe
1315/31 March 47

Cabinet Instruction No.79

dated 20 March 1947.

TO : Prefectural Governor.

FROM : Chief Secretary of the Cabinet.

SUBJECT: Re. Cabinet & Home Ministry Ordinance No.5.

With reference to persons who have not yet furnished with the certificate of eligibility on the day of notification of candidacy or of notification of recommendation of a candidate, the Cabinet and Home Ministry Ordinance No.5 has been promulgated. In this connection you are hereby instructed to deal with the matters along the following line:

1. The prefectural governor, when he issues the certificate in accordance with the provisions of paragraph 2 of the Cabinet and Home Ministry Ordinance No.5 of 1947, will report immediately to the Prime Minister name of the candidate, date of issuance and general reasons therefor (for example, shortage of materials, incomplete entries, connected with public information media etc.). The Prime Minister will report them to SCAP.

2. All such cases will be published in the official bulletin and their questionnaires (after being stamped as pending case) will be made available for public inspection in the office of each Prefectural Screening Committee.

3.

17

3. The prefectural governor will complete the screening of such cases as quick as possible, and at the latest, if possible, before the election day.

4. Upon completion of screening, all questionnaires will be submitted to the Prime Minister, who will forward them to SCAP.

Cab Draft #77
20 March 47

19 Feb

Instruction (draft)

- from the Prime Minister to the Governor -

Cabinet Instruction No: 79 20 March 47

It is hereby decided that the Certificate of Eligibility issued by the Prime Minister is valid for all the public offices which are to be designated as such by the Prime Minister as well as the Prefectural Governors, and the Certificate of Eligibility issued by the Prefectural Governer is valid only for the public offices to be designated as such by the Prefectural Governer.

It follows, therefore, that the candidate who holds a certificate of eligibility valid for the public office for which he files his notification of candidacy shall not be subjected for further screening. ~~In this case, it is required that he presents a duplicated copy of the Certificate together with a same copy of the original Questionaire to the Presiding Officer of the Election, who will, in turn, forward this Questionaire to the Election Administration Committee for public inspection.~~

Attached with Cabinet Decision and Letter of PM to Prefectural Governors

20

Cab Instr. # 77
20 March 47

19 Feb

Instruction (draft)

- from the Prime Minister to the Governor -

Cabinet Instruction No: 79 20 March '47

It is hereby decided that the Certificate of Eligibility issued by the Prime Minister is valid for all the public offices which are to be designated as such by the Prime Minister as well as the Prefectural Governors, and the Certificate of Eligibility issued by the Prefectural Governer is valid only for the public offices to be designated as such by the Prefectural Governer.

It follows, therefore, that the candidate who holds a certificate of eligibility valid for the public office for which he files his notification of candidacy shall not be subjected for further screening . ~~In this case, it is required that he presents a duplicated copy of the Certificate together with a same copy of the original Questionaire to the Presiding Officer of the Election, who will, in turn, forward this Questionnaire to the Election Administration Committee for public inspection.~~

Attached unofficial written translation of Cabinet Instruction No. 79 of March 20, 1947 (Prefectural Governor Election)

11

20

Plan for prevention of duplicating
presentation of questionnaires.

19 February 1947

1. Persons who have received the certificate of eligibility on the basis of new questionnaires.

1). In case hw has received the certificate by the Prime Minister, he will submit only a copy thereof. (provided, in case of elective positions, a duplicated copy of his questionnaire together with

2). In case he has received the certificate by the Prefectural Governor.

a. If he is to be screened by the Local Committee, he will submit a copy thereof.

b. If he is to be screened by the Central Committee, he will submit new questionnaires as provided by Ordinances.

2. Persons who have submitted questionnaires, but not received certificate yet.

1). In case he has submitted his questionnaire to the Central Screening Committee,

a. If he is to be screened by the same Committee, he will report name, position for which to be screened, date of submission instead of presentation of the questionnaire.

b. If he is to be screened by the ~~Central~~ Local Committee, The same with the above will apply herewith.

Note: Regarding cases a. and b. above, if he has

submitted

submitted questionnaires in connection with appointive posts and now is required to file his questionnaire pertaining to elective posts, one or two additional copies will be presented.

2). In case he has submitted his questionnaire to the Local Screening Committee.

a. If he is to be screened by the Central Committee, he will submit new questionnaires as provided by the Ordinances provided that name of organization where he has filed them will also be reported.

b. If he is to be screened by the Local Committee, he will report his name, position for which to be screened and organization and date where and when he has filed his questionnaire.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

Memo to PAD

20 March 1947

MEMORANDUM TO: Major Napier, Deputy Chief, Public Administration Division

FROM : Beate Sirota, Chief, Economic Branch, Public Administration Division

SUBJECT : Commande Letter to the Eighth Army

1. It is suggested that the following instructions be included in the command letter to be sent to the Eighth Army:

a. Military government officers must actively participate in surveillance of the purge by checking on whether or not governors and mayors make available to the public, questionnaires, bulletins concerning the purge, [redacted] and whether or not enough publicity is being given to the purge ordinances. The military government officers must report any violations of these instructions to Government Section immediately. It is to be pointed out to military government officers that we have information that in Sendai publicity on collection of questionnaires for candidates of the House of Representatives was insufficient, and that persons wishing to file candidature did not know that the period for filing had been extended. In Choshi questionnaires of persons screened were not available to the general public. Military government officers must see to it that such matters are immediately reported to Government Section.

b. Military government officers should be instructed to take immediate action in cases where they see a clearly defined violation of orders which have been given to the governors and mayors concerning publicity of the purge.

c. Whenever military government officers receive letters of complaints they should investigate whether or not complaints have a foundation in facts, and send the information to the Government Section.

d. Military government officers should receive together with the command letter a copy of Col. Marcum's speech to the political party representatives for their information as well as for distribution to local political parties.

GS FILES

BEATE SIROTA

500

Cabinet and Home Ministry

Ordinance No. 5 of 1947

19 March 1947

With reference to persons who have filed, in accordance with the provisions of Article VIII, paragraph 2 of the Cabinet and Home Ministry Ordinance No. 1 of 1947, application for certification of their not falling under the Memorandum to the Prime Minister or the prefectural governor who have not yet been furnished with a certificate of eligibility on the day of filing candidacy or of filing recommendation of a candidate, a copy of the certificate of eligibility as prescribed in Article VIII, paragraph 2 of the Imperial Ordinance No. 1 of 1947 may be substituted with a certificate to be issued by the Prime Minister or the prefectural governor, provided that the provisions above shall be applicable only with the ~~first~~ election of the Imperial Diet and Chiefs of local public organizations to be held after the promulgation of this ordinance.

The Prime Minister or the prefectural governor shall, in case persons who have applied for certification in accordance with the provisions of Article VIII, paragraph 2 of the Ordinance are not yet designated as falling under the Memorandum or furnished with the certificate of eligibility, issue the certificate as in the form attached hereto.

In the above case any person who filed candidacy or filed recommendation of a candidate shall, in case the candidate concerned be designated as falling under the Memorandum, notify the presiding officer of election to the same effect, and, in case the candidate be furnished with the certificate of eligibility, submit to the same officer a copy thereof immediately.

22 Supplementary Rule

The present Ordinance shall come into force as from the day of its promulgation.

Attached Form

Certificate of Application for
Certification of Eligibility

Name_____ _____

Address_____

Candidate for_____

Date_____

This is to certify that the person mentioned above has applied for certification of his not falling under the Memorandum in accordance with the provisions of Article VIII, paragraph 1 of the Cabinet and Home Ministry Ordinance No. 1 of 1947.

The Prime Minister

or

The Prefectural Governor

Note: Person who filed candidacy or filed recommendation of a candidate shall, in case the candidate concerned be designated as falling under the Memorandum, notify the presiding officer of election to the same effect, and, in case the candidate be furnished with the certificate of eligibility, submit to the same officer a copy thereof immediately.

IMPERIAL ORDINANCE NO. of 1947

15 March 1947

With reference to persons who have submitted, in accordance with a rule laid down by the Prime Minister, the questionnaire as prescribed in Article VII, paragraph 1 of the Imperial Ordinance No. 1 of 1947 to the Prime Minister or the Prefectural governor who, on the day of notification or promulgation of election period, have not yet been designated as falling under the Memorandum or furnished with the certificate of eligibility, a copy of certificate of eligibility as prescribed in Article VIII, paragraph 3 of the above Imperial Ordinance may be substituted with a certificate to be issued in accordance with a rule to be laid down by the Prime Minister, by the Prime Minister or the prefectural governor, provided that the provisions above shall be applicable only with the first election of Imperial Diet members and chiefs of local public organizations to be held after the promulgation of this Imperial Ordinance. In the above case, the person who has been furnished with the certificate of eligibility prior to the election day shall submit to the presiding officer of election a copy thereof immediately.

Supplementary Rule

The present Imperial Ordinance shall come into force as from the day of its promulgation.

ATTACHED FORM

Name _____

Candidate for _____

date

This to certify that examination of eligibility of the person mentioned above is pending as prescribed in the provisions of paragraph 1 of the Imperial Ordinance No. of 1947.

The Prime Minister

or

The Prefectural Governor.

File
SCAPIN 548

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section
Political Affairs Division

17 March 1947

MEMORANDUM FOR THE RECORD

SUBJECT: INTERPRETATION OF SCAPIN 548

The final results of a series of meetings with officials of the Research Bureau, Home Ministry, was a draft submitted on 13 March. This limits the registration for application to groups of unions engaging in national political activity. The Home Ministry directive to prefectural governors regarding enforcement of Imperial Ordinance #101 divides political activity of groups of unions into (1) putting up candidates of their own and (2) supporting candidates of other political organizations. In the latter case no registration will be required unless the campaign is at least region-wide. In either case it is only the actually responsible body or committee at the top which has to register; not the individual local unions.

Safeguards are introduced against arbitrary government action by: (a) Designating time for registration (immediately after organized action has been formally decided). (b) Giving official warning and a 48 hour grace period where the organization has failed to register. (c) Distinguishing between the individual action of union leaders and corporate action of their organizations. (d) Insuring that registration shall be only for the period of political activity concerned and need not be kept up-to-date thereafter.

P. K. Roest.

P. K. ROEST
Chief, Political Affairs
Division

Noted: CLK

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Cabinet Instruction No. (Draft)

15 March 1947

With the enforcement of provisions of the Purge Memorandum concerning the "Removal and Exclusion of Undesirable Personnel from Public Office" the process of screening of those who occupy screenable positions is duly being carried out now and in this connection it is readily expected that petition or other actions of persons in question of the corporations, companies, banks,etc. to which they belong, may be made towards the officials connected with the purge, as the results of screening will naturally bring about a grave consequence upon the interested parties.

There is a rumor and telltale too, to our regret, that some of the Central and Local Screening Committees -- especially the latter - as well as officials engaged in the screening works, are alleged to have been unfair taken private considerations, disclosed the screening process or gone to extremes of being bribed.

Needless to say the petitions should be accorded kind and sympathetic hearing but the officials concerned should be disregarding private considerations, abstain from conducts that would give rise to misgivings in the mind of the public.

While with regard to the strict enforcement of official discipline ample attention is being paid by respective officials or their superiors who supervise them, it is further requested not to relax the attention in view of the important nature of this matter.

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Should the rumor afore-mentioned be found out well-grounded it would not only give rise to discussion at the Japan control Committee but also constitute a grave problem touching the honor and authority of the Government, and therefore, it is hereby notified by order that youare requested to take appropriate steps for instructing the officials to be mindful of their discharge of duties.

~~----It is further requested that~~

Cabinet Instruction No. (Draft)

15 March 1947.

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While with regard to the strict enforcement of official discipline ample attention is considered being paid by respective officials or their superiors who supervise them; it is further requested not to relax the attention in view of the important nature of this matter.

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Cabinet Instruction No. (Draft)

15 March 1947.

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There is a rumour and telltale too, to our regret, that some of the Central and Local Screening Committees-especially the latter -, as well as officials engaged in the screening works, are alleged to have been unfair, taken private considerations, disclosed the screening process or gone to extremes of being bribed.

Needless to say the petitions should be accorded kind and sympathetic hearing but the officials concerned should, disregarding private considerations, abstain from conducts that would give rise to misgivings in the mind of the public.

While with regard to the strict enforcement of official discipline ample attention is considered being paid by respective officials or their superiors who supervise them, it is further requested not to relax the attention in view of the important nature of this matter.

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Should the rumour afore-mentioned be found out well-grounded it would not only give rise to discussion at the Japan Control Committee but also constitute a grave problem touching the honour and authority of the Government, and, therefore, it is hereby notified by order that you are requested to take appropriate steps for instructing the officials to be mindful of their discharge of duties.

Cabinet Instruction No.63

13 March

1. Notification of the suspension of the political activities of any person under the provisions of Article XV of the Imperial Ordinance No. 1 of 1947 must be dispatched by telegram to the prime Minister immediately so that a report can be made to SCAP within twelve hours of the effective hour of suspension. In case it is inpossible a reprt of explanation must be submited. The report will include name of person suspended, mame, of candidate for whom he campaigned, mame of the party to which he belongs, name of responsible erecutive and date and hour of suspension.

2. Questionnaires to be submitted under paragraph 2 of the said Article may be filled out only in the Japanese.

3. Action on such cases of suspension must be given the highest precedence regardless of the status of the overall screening schedule. Such action must be completed without fail within seventy-two hours of suspension.

4. When the final decision is given. an original copy of the questionnaire together with a full report of all actions taken in the case must be dispatched to the Prime Minister within twenty-four hours after the decision.

Cabinet Instructions (Draft)

1. Notification of the suspension of the political activities of any person under the provisions of Article XV of the Imperial Ordinance No. 1 of 1947 must be dispatched by telegram to the Prime Minister immediately, so that appropriate action can be taken within twelve hours of the effective hour of suspension. The report will include name of person suspended, name of candidate, for whom he campaigns, name of the party to which he belongs, name of responsible executive and date and hour of suspension.

2. Questionnaires to be submitted under paragraph 2 of the said Article may be filled out only in the Japanese.

3. Action on such cases of suspension must be given the highest precedence regardless of the status of the overall screening schedule. Such action must be completed without fail within seventy two hours of suspension.

4. When the final decision is given, an original copy of the questionnaire together with a full report of all actions taken in the case must be dispatched to the Prime Minister within twenty four hours after the decision.

Cabinet Instruction No.63

13 March

1. Notification of the suspension of the political activities of any person under the provisions of Article XV of the Imperial Ordinance No. 1 of 1947 must be dispatched by telegram to the prime Minister immediately so that a report can be made to SCAP within twelve hours of the effective hour of suspension. In case it is inpossible a reprt of explanation must be submited. The report will include name of person suspended, mame, of candidate for whom he campaigned, name of the party to which he belongs, name of responsible executive and date and hour of suspension.

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IMPERIAL ORDINANCE NO 77 1947

(Amendments to Imperial Ordinance No. 1) 12 Mar 47

The real thing

ARTICLE IV. The designationof a person who holds or is a candidate applicant for public office as a person who falls under the Memorandum shall be effected, according to classification of public offices laid down by the Prime Minister, by the Prime Minister or by the prefectural governor in accordance with the result of examination by the Public Office Qualifications Examination Committee. Besides persons mentioned above, the Prime Minister or the prefectural governor, based upon reasonable evidence that a person is subject to the provisions of the Memorandum, may, on the basis of the findings of the Public Office Qualifications Examination Committee, designate him as falling under the Memorandum in accordance with a rule laid down by the Prime Minister.

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ARTICLE XV. Any person who falls under the Memorandum shall be prohibited from filing a notification of recommendation for any candidate for any elective position in the public service (including the signing of notification of candidacy or notification of recommendation of any candidate) or to engage in any election campaign or other form of political activity.

The Prime Minister or the prefectural governor shall, in case a person regarding whom he possesses reasonable evidence that the person is subject to the provisions of the Memorandum is engaging in any form of political activity, issue an injunction prohib-

iting such activity and require, in accordance with a rule laid down by the Prime Minister, the person to submit the questionnaire prescribed in Article V11, paragraph 1 above, which shall be forwarded immediately to the appropriate Public Office Qualifications Examination Committee for screening.

In this case, the Prime Minister or the prefectural governor, shall, on the basis of the findings of the committee, designate the person as falling under the Memorandum or certify the person as not falling under the Memorandum.

Any person whose political activities have been suspended under the provisions of paragraph 2 above shall be prohibited from engaging in any form of political activity until he is certified, in accordance with the provisions of the preceding paragraph, as not falling under the Memorandum.

In the former Article XV, paragraph 1, item 6, "the preceding Article" shall read "Article XIV", the following item numbered 7 shall be added, and the former Article XV shall be redesignated Article XVI:

"7. Any person who has violated the provisions of paragraph 1 or 4 of the preceding Article."

Supplementary Rule.

The present Imperial Ordinance shall come into force as of the day of its promulgation.

IMPERIAL ORDINANCE NO. 77, 1947

(Amendments to Imperial Ordinance No. 1)

ARTICLE IV. The designation of a person who holds or is a candidate or applicant for public office as a person who falls under the Memorandum shall be effected, according to classification of public offices laid down by the Prime Minister, by the Prime Minister or by the prefectural governor in accordance with the result of examination by the Public Office Qualifications Examination Committee. Besides persons mentioned above, the Prime Minister or the prefectural governor, based upon reasonable evidence that a person is subject to the provisions of the Memorandum, may, on the basis of the findings of the Public Office Qualifications Examination Committee, designate him as falling under the Memorandum in accordance with a rule laid down by the Prime Minister.

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ARTICLE XV. Any person who falls under the Memorandum shall be prohibited from filing a notification of recommendation for any candidate for any elective position in the public service (including the signing of notification of candidacy or notification of recommendation of any candidate) or to engage in any election campaign or other form of political acrivity.

The Prime Minister or the prefectural governor shall, in case a person regarding whom he possesses reasonable evidence that the person is subject to the provisions of the Memorandum is engaging in any form of political activity, issue an injunction prohibiting such activity and require, in accordance with a rule laid down by the Prime Minister, the person to submit the questionnaire prescribed in Article VII, paragraph 1 above, which shall be forwarded immediately to the appropriate Public Office Qualifications Examination Committee for screening.

In this case, the Prime Minister or the prefectural governor shall, on the basis of the findings of the Committee, designate the person as falling under the Memorandum or certify the person as not falling under the Memorandum.

Any person whose political activities have been suspended under the provisions of paragraph 2 above shall be prohibited from engaging in any form of political activity until he is certified, in accordance with the provisions of the preceding paragraph, as not falling under the Memorandum.

In the former Article XV, paragraph 1, item 6, "the preceding Article" shall read "Article XIV", the following item numbered 7 shall be added, and the former Article XV shall be redesignated Article XVI:

"7. Any person who has violated the provisions of paragraph 1 or 4 of the preceding Article."

Supplementary Rule.

The present Imperial Ordinance shall come into force as of the day of its promulgation.

Draft

IMPERIAL ORDINANCE NO. 11 -1947

Promulgated 12 Nov 47

(Amendment to Imperial Ordinance No. 1

ARTICLE XV. Any person w o has been designated as falling under the Memorandum shall be prohibited from filing a notification of recommendation for any candidate for any elective position in the public servide (including the signing of notification of recommendation or notification of recommendation for any candidate) or to engage in any election campaign or other form of political activity.

The Prime Minister or prefectural governor may, based upon reasonable evidence that a person is subject to the provisions of the Memorandum, require such person to submit the questionnaire prescribed in Article VII, paragraph , which shall immediately be forwarded to the appropriate public office qualifications examination committee for screening, and may, in case such individual is conducting an election campaign or engaging in any other form of political activity, issue an injunction prohibiting such activity in accordance with a rule laid down by the Prime Minister.

The Prime Minister or the prefectural governor shall, on the basis of the result of examination by the committee, designate the person as falling under the Memorandum or certify the person as not falling under the Memorandum.

The provisions of Article VII, paragraph shall be applied correspondingly to the above case.

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Any person whose political activities have been suspended under the provisions of paragraph 2, above shall be prohibited from conducting an election campaign or engaging in any other political activity until he is certified, in accordance with the provisions of the preceding paragraph 1 above, as not falling under the Memorandum.

In the former Article XV, paragraph , item , of Imperial Ordinan ce No. 1, 1947, "the preceding Article" shall read "Article XIV", the following item numbered 7 shall be added, and the former Article XV shall be redesignated Article XVI. Item 7 referred to above to be added as paragraph 7 of Article XVI. Item 7 referred to above to be added as paragraph 7 of Article XVI (old Article XV) should read as follows:

"7. Any person who has violated the provisions of paragraph or of the preceding Article."

Supplementary Rule.

This Imperial Ordinance will come into force as of the day of its promulgation.

Article II of Imperial Ordinance No. 2 of 1947 shall be amended to read: "under the provisions of Article IV and Article XV, paragraph of the Ordinance.

IMPERIAL ORDINANCE NO. 77^7 1947

(Amendments to Imperial Ordinance No. 1)

ARTICLE IV. The designation of a person who holds or is a candidate or applicant for public office as a person who falls under the Memorandum shall be effected, according to classification of public offices laid down by the Prime Minister, by the Prime Minister or by the prefectural governor in accordance with the result of examination by the Public Office Qualifications Examination Committee. Besides persons mentioned above, the Prime Minister or the prefectural governor, based upon reasonsble evidence that a person is subject to the provisions of the Memorandum, may, on the basis of the findings of the Public Office Qualifications Examination Committee, designate him as falling under the Memorandum in accordance with a rule laid down by the Prime Minister.

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The Prime Minister or the prefectural governor shall, in case a person regarding whom he possesses reasonable evidence that the person is subject to the provisions of the Memorandum is engaging in any form of political activity, issue an injunction prohibiting such activity and require, in accordance with a rule laid down by the Prime Minister, the person to submit the questionnaire prescribed in Article VII, paragraph 1 above, which shall be forwarded immediately to the appropriate Public Office Qualifications Examination Committee for screening.

In this case, the Prime Minister or the prefectural governor shall, on the basis of the findings of the Committee, designate the person as falling under the Memorandum or certify the person as not falling under the Memorandum.

Any person whose political activities have been suspended under the provisions of paragraph 2 above shall be prohibited from engaging in any form of political activity until he is certified, in accordance with the provisions of the preceding paragraph, as not falling under the Memorandum.

In the former Article XV, paragraph 2, item 6, "the preceding Article" shall read "Article XIV", the following item numbered 7 shall be added, and the former Article XV shall be redesignated Article XVI:

"7. Any person who has violated the provisions of paragraph 1 or 4 of the preceding Article."

Supplementary Rule.

The present Imperial Ordinance shall come into force as of the day of its promulgation.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section
Political Affairs Division

12 March 1947

Application of SCAPIN 548

Revised draft submitted by Mr. Ogura today was still found wholly unsatisfactory. Amendments were provided which

a. Set the time for registration as "immediately after organized action has been formally decided"

b. Prevents disputes by allowing for a warning and a 48 hour grace period if a group liable to registration fails to register.

c. Warns against confusing the action of leaders as individuals from organized group action.

d. Clearly limits this registration of unions to the period of their political activity only.

P. K. Roest
Chief, Political Affairs Division

496

Cabinet Statement.
(Draft)

12 March 1947.

The Government promulgated and put into force an amendment to a part of the Imperial Ordinance regarding the purge today. Under the revised provisions, at first, the Prime Minister or the prefectural governor is empowered, based upon the reasonable evidence that a person is subject to the provisions of the Memorandum, to collect questionnaire from such person even if such person has nothing to do with the public office and on the basis of findings of the Screening Committee, to designate the person as falling or to certify as not falling under the Memorandum. Accordingly, the former provisions that examination of public office qualifications will be applied only to those who hold, or intend to enter into or to run for election of public offices are elaborated and strengthened.

Secondly, election campaign or any other political activity of purgees are strictly forbidden under the revised provisions. Furthermore, the amendment provides for that any person who is apparently subject to the Memorandum, if he is found to engage in election campaign or other political activity, will be suspended from further activity and he required to submit questionnaire on the basis of which he will be examined as to his eligibility to continue such activity. Violation of prohibition or restraining

provisions

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provisions will be punished in accordance with penalty provisions as is the case with violation of other injunctions.

The Government has decided to take these measures in order to bring about fair election and it is strongly hoped that their intents and purposes will be fully understood by the general public as well as officials to take charge of election matters and candidates so that the forthcoming election will prove to be a success.

Cabinet Statement.
(Draft)

12 March 1947.

The Government promulgated and put into force an amendment to a part of the Imperial Ordinance regarding the purge today. Under the revised provisions, at first, the Prime Minister or the prefectural governor is empowered, based upon the reasonable evidence that a person is subject to the provisions of the Memorandum, to collect questionnaire from such person even if such person has nothing to do with the public office and on the basis of findings of the Screening Committee, to designate the person as falling or to certify as not falling under the Memorandum. Accordingly, the former provisions that examination of public office qualifications will be applied only to those who hold, or intend to enter into or to run for election of public offices are elaborated and strengthened.

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provisions will be punished in accordance with penalty provisions as is the case with violation of other injunctions.

The Government has decided to take these measures in order to bring about fair election and it is strongly hoped that their intents and purposes will be fully understood by the general public as well as officials to take charge of election matters and candidates so that the forthcoming election will prove to be a success.

Cabinet and Ministry for Home Affairs

Ordinance No.4

March 11, 1947

(The Text: - Official Gazette, English Edition, No. 282)

Cabinet and Home Ministry

Ordinance No. 5 of 1947.

19 March 1947.

With reference to persons who have filed in accordance with the provisions of Article VIII, paragraph 2 of the Cabinet and Home Ministry Ordinance No. 1 of 1947, application for certification of their not falling under the Memorandum to the Prime Minister or the prefectural governor who have not yet been furnished with a certificate of eligibility on the day of filing candidacy or of filing recomendation of a candidate, a copy of the certificate of eligibility as prescribed in Article VIII, paragraph 2 of the Imperial Ordinance No.1 of 1947 may be substituted with a certificate to be issued by the Prime Minister or the prefectural governor, provided that the provisions above shall be applicable only with the first election of the Imperial Diet and chiefs of local public organizations to be held after the promulgation of this Ordinance.

The Prime Minister or the prefectural governor shall, in case persons who have applied for certification in accordance with the provisions of Article VIII, paragraph 2 of the Ordinance are not yet designated as falling under the Memorandum or furnished with the certificate of eligibility, issue the certificate as in the form attached hereto.

In the above case any person who filed candidacy or filed recommendation of a candidate shall, in case the candidate concerned be designated as falling under the Memorandum, notify the presiding officer

officer of election to the same effect, and, in case the candidate be furnished with the certificate of eligibility, submit to the same officer a copy thereof immediately.

Supplementary Rule

The present Ordinance shall come into force as from the day of its promulgation.

Attached Form

Certificate of Application for
Certification of Eligibility

Name _____

Address _____

Candidate for _____

date _____

This is to certify that the person mentioned above has applied for certification of his not falling under the Memorandum in accordance with the provisions of Article VIII, paragraph 2 of the Cabinet and Home Ministry Ordinance No. 1 of 1947.

The Prime Minister

or

The Prefectural Governor.

Note: Person who filed candidacy or filed recommendation of a candidate shall, in case the candidate concerned be designated as falling under the Memorandum, notify the presiding officer of election to the same effect; and, in case the candidate be furnished with the certificate of eligibility, submit to the same officer a copy thereof immediately.

Cabinet and Ministry for Home Affairs

Ordinance No.4 .

March 11, 1947

(The Text: - Official Gazette, English Edition,
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Cabinet and Home Ministry

Ordinance No. 5 of 1947.

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The Prime Minister or the prefectural governor shall, in case persons who have applied for certification in accordance with the provisions of Article VIII, paragraph 2 of the Ordinance are not yet designated as falling under the Memorandum or furnished with the certificate of eligibility, issue the certificate as in the form attached hereto.

In the above case any person who filed candidacy or filed recommendation of a candidate shall, in case the candidate concerned be designated as falling under the Memorandum, notify the presiding

officer

officer of election to the same effect, and, in case the candidate be furnished with the certificate of eligibility, submit to the same officer a copy thereof immediately.

Supplementary Rule

The present Ordinance shall come into force as from the day of its promulgation.

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Attached Form

Certificate of Application for
Certification of Eligibility

Name _____

Address _____

Candidate for _____

date _____

This is to certify that the person mentioned above has applied for certification of his not falling under the Memorandum in accordance with the provisions of Article VIII, paragraph 2 of the Cabinet and Home Ministry Ordinance No. 1 of 1947.

The Prime Minister

or

The Prefectural Governor.

Note: Person who filed candidacy or filed recommendation of a candidate shall, in case the candidate concerned be designated as falling under the Memorandum, notify the presiding officer of election to the same effect, and, in case the candidate be furnished with the certificate of eligibility, submit to the same officer a copy thereof immediately.

Cabinet and Home Affairs Ministry

Ordinance No.3 of 1947.

A part of the Cabinet and Home Affairs Ministry Ordinance No.1 of 1947 shall be amended as follows:

Article 7, para.2: after "in the preceding paragraph", the following shall be added.

"However, regarding public offices to be designated by Prime Minister in accordance with the Appendix III, the certificate of eligibility issued by the Prefectural Governor shall be invalid".

Article 8, para.4 shall be modified as follows:

"the Prime Minister or the Prefectural Governor, when he accepts the questionnaire prescribed in paragraph 2 above, may ask for additionally necessary copies of the questionnaire from candidates whom he deems necessary".

Article 9, paragraph 3: "prescribed in the preceding two paragraph" shall read "prescribed in the first or the second paragraph above." The following shall be added as the third paragraph: "The certificate of eligibility issued by the Prefectural Governor in accordance with the provisions of the preceding two paragraphs shall be invalid regarding public offices to be designated by the Prime Minister according to the Appendix III and candidates therefor.

Appendix II

Para.3 "in case of the Public Office Qualifications Examination Committee, including those of the Prefectural and municipal level" shall be added before "in case of the Land Committee".

Para.4 "Headman of ward in Tokyo Metropolis" shall read "Headman and assembly member of ward in Tokyo Metropolis."

Para 6 shall be deleted

Para. 9 (12) "Gyogyo Kai (including all of local level) shall read 'Gyogyo Kai."

Para. 7-13 shall be respectively moved up by one.

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Appendix III

Para.3 after "covering several prefectures" shall be added "and all committee members of the Public Office Qualifications Examination Committee." After "prefectural level or below" shall be added "(excluding committee members of the Public Office Qualifications Examination Committee of the prefectural level or below.)"

Para. 6 shall be deleted.

Para. 7 "None" shall read "all of the public office of Shokuryo Eidan of the prefectural level."

Paras. 7-13 shall be respectively moved up by one.

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Form No.2 shall be modified as follows:

Form No.2 (From of Certificate of Eligibility)

A. Certificate to be issued by the Prime Minister.

No.

Certificate of Eligibility

Name

Address

Date of Birth

Date

I hereby certify that, as the result of examination on the basis of the questionnaire submitted in accordance with the provisions of Article VII, paragraph 1 of the Imperial Orinance No.1 of 1947, the person mentioned above has been established as not falling under the provisions of the Memorandum of the Supreme Commander for the Allied Powers dated 4 January, 1946 on the removal and exclusion of undesirable personnel from public office.

The Prime Minister

Note: The present certificate will be invalid in case entries false or lacking full and complete disclosures have been made or in case the person has been established as falling under the Memorandum owing to facts not mentioned in the questionnaire.

B. Certificate to be issued by the Prefectural Governor.

No.

Certificate of Eligibility

Name

Address

Date of Birth

Date

I hereby certify that, as the result of examination on the basis of the questionnaire submitted in accordance with the provisions of Article VII, paragraph 1 of the Imperial Ordinance No.1 of 1947, the person mentioned above has been established as not falling under the provisions of the Memorandum of the Supreme Commander for the Allied Powers dated 4 January, 1946 on the removal and exclusion of undesirable personnel from public office.

The Prefectural Governor.

Note: 1) The present certificate will be invalid in case entries false or lacking full and complete disclosures have been made or in case the person has been established as falling under the Memorandum owing to facts not mentioned in the questionnaire.

2) This certificate shall be invalid with offices to be designated by the Prime Minister in accordance with the Appendix III of the Cabinet and Home Affairs Ministry Ordinance No.1 of 1947 and candidates therefor.

Cabinet and Home Affairs Ministry

Ordinance No.3 of 1947.

A part of the Cabinet and Home Affairs Ministry Ordinance No.1 of 1947 shall be amended as follows:

Article 7, para.2: after "in the preceding paragraph", the following shall be added.

"However, regarding public offices to be designated by Prime Minister in accordance with the Appendix III, the certificate of eligibility issued by the Prefectural Governor shall be invalid".

Article 8, para.4 shall be modified as follows:

"the Prime Minister or the Prefectural Governor, when he accepts the questionnaire prescribed in paragraph 2 above, may ask for additionally necessary copies of the questionnaire from candidates whom he deems necessary".

Article 9, paragraph 3: "prescribed in the preceding two paragraph" shall read "prescribed in the first or the second paragraph above." The following shall be added as the third paragraph: "The certificate of eligibility issued by the Prefectural Governor in accordance with the provisions of the preceding two paragraphs shall be invalid regarding public offices to be designated by the Prime Minister according to the Appendix III and candidates therefor.

Appendix II

Para.3 "in case of the Public Office Qualifications Examination Committee, including those of the Prefectural and municipal level" shall be added before "in case of the Land Committee".

Para.4 "Headman of ward in Tokyo Metropolis" shall read "Headman and assembly member of ward in Tokyo Metropolis."

Para. 6 shall be deleted

Para. 9 (12) "Gyogyo Kai (including all of local level) shall read 'Gyogyo Kai."

Para. 7-13 shall be respectively moved up by one.

- - - - - - - - - - - - - - - - - -

Appendix III

Para.3 after "covering several prefectures" shall be added "and all committee members of the Public Office Qualifications Examination Committee." After "prefectural level or below" shall be added "(excluding committee members of the Public Office Qualifications Examination Committee of the prefectural level or below.)"

Para. 6 shall be deleted.

Para. 7 "None" shall read "all of the public office of Shokuryo Eidan of the prefectural level."

Paras. 7-13 shall be respectively moved up by one.

- - - - - - - - - - - -

Form No.2 shall be modified as follows:

Form No.2 (From of Certificate of Eligibility)

A. Certificate to be issued by the Prime Minister.

No.

Certificate of Eligibility

Name

Address

Date of Birth

Date

I hereby certify that, as the result of examination on the basis of the questionnaire submitted in accordance with the provisions of Article VII, paragraph 1 of the Imperial Orinance No.1 of 1947, the person mentioned above has been established as not falling under the provisions of the Memorandum of the Supreme Commander for the Allied Powers dated 4 January, 1946 on the removal and exclusion of undesirable personnel from public office.

The Prime Minister

Note: The present certificate will be invalid in case entries false or lacking full and complete disclosures have been made or in case the person has been established as falling under the Memorandum owing to facts not mentioned in the questionnaire.

B. Certificate to be issued by the Prefectural Governor.

No.

Certificate of Eligibility

Name

Address

Date of Birth

Date

I hereby certify that, as the result of examination on the basis of the questionnaire submitted in accordance with the provisions of Article VII, paragraph 1 of the Imperial Ordinance No.1 of 1947, the person mentioned above has been established as not falling under the provisions of the Memorandum of the Supreme Commander for the Allied Powers dated 4 January, 1946 on the removal and exclusion of undesirable personnel from public office.

The Prefectural Governor.

Note: 1) The present certificate will be invalid in case entries false or lacking full and complete disclosures have been made or in case the person has been established as falling under the Memorandum owing to facts not mentioned in the questionnaire.

2) This certificate shall be invalid with offices to be designated by the Prime Minister in accordance with the Appendix III of the Cabinet and Home Affairs Ministry Ordinance No.1 of 1947 and candidates therefor.

MEMORANDUM

OK/CPM/28 Feb

TO: COL. MARCUM

February 28, 1947.

FROM: Maj. Napier

1. Herewith Cabinet and Home Affairs Ministry Ordinance, proposed.

2. This Ordinance which was brought in by Mr. Sanobe several days ago contains certain proposed changed to Cabinet and Home Affairs Ministry Ordinance No. 1 of 1947. Most of the changes are relatively routine corrections and/or matters which have been discussed with you by the Japanese Government prior to date of submission of proposed Ordinance.

3. The reason for deletion of Kureshinbun-shia is that this paper never attained a circulation of anything like twenty thousand.

Not approved —

Sanobe instructed to submit statement indicating circulation figure for the period involved and certificate

9

6

Cabinet and Home Affairs Ministry Ordinance

No. 3 of 1947.

A part of the Cabinet and Home Affairs Ministry Ordinance No.1 of 1947 shall be amended as follows:

Article 7, para. 2: after "in the preceding paragraph", the following shall be added.

"However, regarding public offices to be designated by Prime Minister in accordance with the Appendix III, the certificate of eligibility issued by the Prefectural Governor shall be invalid."

Article 8, para. 4 shall be modified as follows:

"the Prime Minister or the Prefectural Governor, when he accepts the questionnaire prescribed in paragraph 2 above, may ask for additionally necessary copies of the questionnaire from candidates whom he deems necessary.

Article 9, paragraph 3: "prescribed in the preceding two paragraph" shall read "prescribed in the first or the second paragraph above." The following shall be added as the third paragraph: "The certificate of eligibility issued by the Prefectural Governor in accordance with the provisions of the preceding two paragraphs shall be invalid regarding public offices to be designated by the Prime Minister according to the Appendix III and candidates therefor.

Appendix II

Para. 3 in case of the Public Office Qualifications Examination Committee, including those of the Prefectural and

Municipal

9

municipal level" shall be added before "in case of the Land Committee."

Para. 4 "Headman of ward in Tokyo Metropolis" shall read "Headman and assembly member of ward in Tokyo Metropolis."

Para. 6 shall be deleted.

~~Para. 7 After (27), b. "corporation" shall be added "excluding those of the prefectural level."~~

delete
Neg Rizzo + Sivola

Para. 9 (12) "Gyogyo Kai (including all of local level) shall read "Gyogyo Kai."

delete
Submit material + certificate that paper did not circulate for 5/8

~~Para. 10 (17) "Kuro Chimbun-shia" shall be deleted.~~

Para. 7-13 shall be respectively moved up by one.

Appendix III

Para. 3 After "covering several prefectures" shall be added "and all committee members of the Public Office Qualifications Examination Committee." After "prefectural level or below" shall be added "(excluding committee members of the Public Office Qualifications Examination Committee of the prefectural level or below.)"

Para. 6 shall be deleted.

Para. 7 "None" shall read " all of the public offices of Shokuryo Eidan of the prefectural level."

Paras. 7-13 shall be respectively moved up by one.

Form No.2 shall be modified as follows:

Form No2 (Form of Certificate of Eligibility)

A. Certificate to be issued by the Prime Minister.

No.

Certificate of Eligibility

Name

Name

Adress

Date of Birth

Date

I hereby certify that, as the result of examination on the basis of the questionnaire submitted in accordance with the provisions of Article VII, paragraph 1 of the Imperial Ordinance No. 1 of 1947, the person mentioned above has been established as not falling under the provisions of the Memorandum of the Supreme Commander for the Allied Powers dated 4 January, 1946 on the removal and exclusion of undesirable personnel from public office.

The Prime Minister

Note: The present certificate will be invalid in case entries false or lacking full and complete disclosures have been made or in case the person has been established as falling under the Memorandum owing to facts not mentioned in the questionnaire.

B. Certificate to be issued by the Prefectural Governor.

No.

Certificate of Eligibility

Name

Adress

Date of Birth

Date

I hereby certify that, as the result of examination on the basis of the questionnaire submitted in accordance with the provisions of Article VII, paragraph 1 of the Imperial Ordinance No. 1 of 1947, the person mentioned above has been established as

not falling under the provisions of the Memorandum of the Supreme Commander for the Allied Powers dated 4 January, 1946 on the removal and exclusion of undesirable personnel from public office.

The Prefectural Governor.

Note: 1) The present certificate will be invalid in case disclosures have been made or in case the person has been established as falling under the Memorandum owing to facts not mentioned in the questionnaire.

2) This certificate shall be invalid with offices to be designated by the Prime Minister in accordance with the Appendix III of the Cabinet and Home Affairs Ministry Ordinance No. 1 of 1947 and candidates therefor.

COPY

PETITIONS SUBMITTED

Category	Number (a)	Number of Purgees (b)	Percentage of (a) to (b)
A	0	71	0
B	5,839	118,406	4.9
1 (Army)	2,409		
2 (Navy)	1,602		
3 (M.P.)	1,825		
C	497	3,267	14.8
D	11,664	35,412	33.0
1 (I.R.A.A.)	5,604		
2 (I.R.A.Y.A.)	5,925		
3 (Others)	135		
E	200	507	39.4
F	9	61	14.7
G	12,981	45,936	28.2
1 (Economic circles)	948	1,538	61.3
2 (Press, writers)	292	1,075	27.0
3 (Recommended candidates)	138	352	38.9
4 (Ex-Servicemen's Association)	10,764	39,950	27.0
5 (Butokukai)	632	1,223	52.0
6 (Special Higher Police & Thought Police)	97	349	26.6
7 (Others)	110	1,449	7.5
TOTAL	31,190	203,660	15.3

COPY

Number of Regular Army and Navy
Officers designated according to Ranks

(as of March 7, 1949)

		A	B	Total
(1)	Career Army Officers			
a.	Generals	0	34	34
b.	Lt. Generals	0	665	665
c.	Major Generals	0	1,456	1,456
d.	Colonels	0	4,273	4,273
e.	Lt. Colonels	34	4,360	4,394
f.	Majors	7,662	4,313	11,975
g.	Captains	13,327	984	14,311
h.	1st Lt.	8,113	51	8,164
i.	2nd Lt.	5,549	34	5,583
	Total	34,685	16,170	50,855
(2)	Career Navy Officers			
a.	Fleet Admirals	0	21	21
b.	Admirals	0	10	10
c.	Vice Admirals	0	337	337
d.	Rear Admirals	0	691	691
e.	Captains	0	2,378	2,378
f.	Commanders	20	1,468	1,488
g.	Lt. Commanders	1,105	1,726	2,631
h.	Lieutenants	3,598	9,443	13,041
i.	Ensigns	1,980	2,481	4,461
	Total	6,703	18,555	25,258
	Grand Total	41,388	34,725	76,113

Remarks:

A: Number of persons whose age was 30 or less at the beginning of the Pacific War.

B: Number of persons whose age was more than 30 at the beginning of the Pacific War.

Okada Norikazu

Welfare, Transportation and Home Affairs

Ministry Ordinance No. of 1947

7 March 47
Approved by:
Darnell
Marcum

(Draft)

Article 1-2. Besides those prescribed in paragraph 1 of the preceding Article any person who, in accordance with the provisions of the Imperial Ordinance No. 1 of 1947, has been designated as falling under the SCAP Memorandum dated 4 January 1946, and as a consequence thereof removed or barred from any position in the public service shall, in case he holds at present position of staff official or secretariat personnel in a trade union, be removed therefrom and be prohibited to assume such position hereafter.

Article V. Any person who, in violation of the provisions of Article 1 above, remains in or assumes position of staff official or secretariat personnel in organizations connected with the labor or who, in violation of the provisions of Article 1-2 above, remains in or assumes such position in the labor union shall be liable to penal servitude of not exceeding one year or a fine of not exceeding 3,000 yen.

Supplementary Rule

The present Ordinance shall come into force as from the day of its promulgation.

17

HEADQUARTERS EIGHTH ARMY
United States Army
Office of the Commanding General
APO 343

OPERATIONAL DIRECTIVE)
)
NUMBER 25)

7 March 1947

ADMINISTRATION OF THE PURGE OF JAPANESE OFFICIALS

1. References:

a. SCAPIN 550, 4 January 1946, subject: Removal and Exclusion of Undesirable Personnel from Public Office.

b. Imperial Ordinances Nos. 1, 2 and 3 of 1947, and Cabinet and Home Ministry Ordinance No. 1 of 1947.

c. Notification to Screening Committees.

d. Tentative List of Screening Committees.

(Copies of references b, c and d were furnished to military government and tactical force representatives at the conference held by the Government Section, SCAP, 6-10 January 1947.)

2. The Ordinances mentioned in paragraph 1b were issued by the Imperial Japanese Government to further implement SCAPIN 550 and extend its application to local government positions and other influential political and economic posts. They define in detail the categories of persons to be screened and criteria by which certain personnel shall be purged. They also establish the administrative machinery for the conduct of the screening program by the Japanese Government.

3. SCAP will supervise and review the administration of the purge by the Japanese Government with the assistance of military government units in the field.

4. The basic principles to be observed in executing surveillance over the administration of the purge program by the Japanese Government were discussed during the conference held by the Government Section at SCAP with military government and tactical force representatives 6-10 January 1947. The principal points discussed are summarized as follows:

a. Purpose:

(1) The purpose of the purge program can best be expressed

by reference to the major objectives of the Occupation as outlined in the Potsdam Declaration and specified in subsequent basic policy directives which may be summarized briefly as (1) the physical, economic and political disarmament of Japan with respect to its capacity to develop and operate a war machine capable of threatening the life and liberty of its neighbors; (2) the revival and strengthening of democratic tendencies among the Japanese people; (3) the establishment of a peacefully inclined and responsible government in accordance with the freely expressed will of the Japanese people.

(2) The purge as an instrument for effectuating Occupation objectives is clearly indicated in the language of the Potsdam Declaration to the effect that "there must be eliminated for all time the authority and influence of those who have deceived and misled the people of Japan into embarking on world conquest;" and is specifically required by the terms of subsequent basic policy directives to the Supreme Commander for the Allied Powers to the effect that under no circumstances will persons be allowed to hold public office, or any other positions of responsibility or influence in public or important private enterprise who have been active exponents of militant nationalism and aggression; who have been influential members of any Japanese ultra-nationalistic, terroristic or secret patriotic societies, their agencies or affiliates; who have been influential in the activities of other specified organizations; or who manifest hostility to the objectives of the military occupation.

(3) The purge policies and procedures, therefore, are techniques designed to eliminate or prevent the continuity of influence or exercise of power by persons who are designated as undesirable personnel under the provisions of SCAPIN 550 and the implementing ordinances of the Japanese Government.

b. Interpretation:

(1) The Japanese Government will be solely and completely responsible for the administration of the Purge Program under the provisions of SCAPIN 550, 4 January 1946, as implemented by the ordinances referred to in paragraph 1b above.

(2) All Japanese submitting petitions or making inquiries or requests for opinions will be referred to the Imperial Japanese Government.

(3) Military government officers will not interpret the basic directive or the ordinances referred to above, nor will they take direct corrective action unless specifically instructed to do so.

(4) General and detailed information concerning the interpretation of important provisions of the basic directive and the implementing Japanese ordinances will be transmitted to military government officers from time to time through command channel communications, special reports, and Political Affairs Bulletins to be distributed through the Civil Information and Education Section, SCAP. Furthermore, information of interest to military government personnel will be released through the media of radio programs concerning which you will receive prior notice.

c. Method of Implementation:

(1) In order to administer the Purge Program, the Japanese Government has established a Public Qualifications Committee System composed of a central committee, forty-six prefectural committees and one hundred twenty-eight municipal committees. The central committee is responsible to the Prime Minister and the prefectural and municipal committees are responsible to the respective governors.

(2) The scope of screening, that is, the categories of persons who are subject to screening, is outlined in Appendix 2 of Cabinet and Home Ministry Ordinance No. 1 of 1947. The committees having jurisdiction for such screening, and the executives having authority to take final action in these cases, are enumerated in Appendix 3 of the above Ordinance.

(3) The criteria under which persons will be screened for the public service are enumerated in Appendix 1 of the above Ordinance and the appended interpretation of Category G.

(4) The following points are of particular importance:

(a) The Prime Minister and the prefectural governors are required to publish the results of all action taken by them as the results of screening by the committees under their jurisdiction and are required to make the questionnaires of all such persons screened immediately available for public inspection.

(b) The Prime Minister may post-review cases screened by the prefectural municipal committee only after the final and complete action has been taken by the prefectural governor and the results and questionnaires have been made available for public inspection.

(c) The screening program will be conducted by the Japanese Government in accordance with the following schedule:

Date	SCREENING SCHEDULE	Approximate No.
1 February	Members of Screening Committees	2,500
15 February	Holders of Principal Public Office at the Prefectural Level	5,000
20 February	Holders of Principal Public Office at the Municipal Level and Election Administration Committee Members	5,200
25 February	Candidates for Governor and Mayor of five principal cities and members of the House of Councillors	3,500
28 February	Candidates for Prefectural Assemblymen	21,000
	Candidates for Mayor and Headmen of Town and Village, Superintendents of the poll station and Superintendents of the vote	12,500
20 March to 15 April	Holders of Principal Public Office in organizations under par 10, 11, 12, Appendix II of Cabinet and Home Ministry Ordinance No. 1, 1947	6,000

Date	SCREENING SCHEDULE	Approximate No.
25 March to 15 April	Candidates for Assemblymen of City Town and Village	15,000
16 April to 30 April	Holders of Principal Public Office in organizations under par 7, 8, 9 and 13, Appendix II of Cabinet & Home Ministry Ordinance No. 1, 1947	10,000
		80,700

(d) Questionnaires will not be translated from Japanese into English until they are submitted to the Supreme Commander.

(e) All echelons of the Japanese Government concerned with the administration of the purge will be held strictly responsible for the maintenance of accurate and adequate records in such form that they may be immediately submitted to the Supreme Commander upon request.

5. Responsibilities of Military Government Units:

a. Except as specifically directed, military government officers will institute no positive corrective action relative to the administration of the purge. It is, however, extremely important that they report allegations received or knowledge acquired concerning the following matters:

(1) Failure of responsible officials to remove persons designated as falling under the Ordinances within the time limit required.

(2) Failure of responsible officials to designate as purgees, persons who fall under the Ordinances.

(3) Violation by purgees of the injunction forbidding the continuity of their influence or power through any person in the public service or any organization listed in Appendix 2 of Cabinet and Home Ministry Ordinance No. 1 of 1947.

(4) Violation by any persons in the public service of the injunction prohibiting their seeking or accepting advice or guidance from purgees.

(5) Violation by purgees of the injunction prohibiting their occupying a position in a newspaper, magazine or other publishing company, broadcasting corporations, companies producing motion pictures or theatrical presentations, or companies controlling any other media of mass communication.

(6) Violation by purgees of the injunction prohibiting their entry into the premises of the place of business of the government entity or company or other organization from which they have been removed or specifically barred.

(7) Failure by members of the screening committees to properly discharge their responsibilities.

(8) Failure by responsible officials to exhibit questionnaires of persons screened for public inspection in accordance with procedures outlined in annexed Table 10 of the "Notification to Screening Committees."

(9) Failure by responsible officials to exhibit for public inspection copies of Imperial Ordinances 1, 2 and 3 and Cabinet and Home Ministry Ordinance No. 1 of 1947 and the detailed interpretation of Category G, appended thereto.

(10) Failure by responsible officials to post the bulletins indicating the screening action taken by the prefectural governor or the Prime Minister during the preceding two weeks, as provided for in the procedures outlined in annexed Table No. 10 of the "Notification to Screening Committees." In this connection, the following points should be specifically noted and deviations reported upon:

(a) Place of posting
(b) Date and duration of posting
(c) Preservation and availability of old questionnaires
(d) Delivery of bulletins to newspapers

(11) Failure by prefectural governors to prosecute persons who have made false entries in, or omitted information from their questionnaires on relevant and material matters.

b. Military government officers will not interpret the purge directives or ordinances except as formally and specifically instructed to do so by this headquarters. All requests for opinions, interpretations or instructions from Japanese sources will be directed to the Japanese Government.

c. The activities of military government personnel should not in any way interfere with or inhibit the procedures or actions of the committees or officials associated therewith; for example, military government personnel shall not investigate alleged discrepancies in the information contained in questionnaires, nor shall they sit in committee meetings or hearings conducted by central, prefectural or municipal screening committees, or investigate, unless specifically instructed to do so, the administrative functioning of such committees. This latter instruction is not to be construed as prohibiting military government officers from visiting the offices of the screening committees, consulting with the chairmen thereof and observing compliance with the publicity procedures.

d. In addition to material contained in the regular "Monthly Report of Non-Military Activities," concerning the progress of the purge, it is directed that military government teams report immediately to SCAP by the most direct means available all alleged or suspected evasions or violations of purge ordinances and procedures. Information copies of such reports will be forwarded to this headquarters.

e. The documents listed in paragraph 1 as references, copies of which, with the exception of SCAPIN 550, were distributed to the military government officers during the conference mentioned in paragraph 1 above, are to be considered a part of these instructions.

f. Military government officers will disregard two additional documents which they received at the conference mentioned above, namely, Imperial Ordinance No. 4 of 1947 concerning headmen of chonaikai, burakukai and federations thereof, inasmuch as the Japanese government has taken action to abolish these organizations and positions; and the "Guide for Military Government Officers" inasmuch as the information contained therein has been revised and incorporated in these instructions.

6. In order to stimulate public reaction along constructive lines, a publicity program is being developed by the Government Section and the

Civil Information and Education Section of SCAP. Military government officers will receive specific instructions concerning this program. It is imperative that no action be taken in this matter until those instructions are received. It should be noted, however, that the Political Affairs Bulletin is prepared by SCAP for direct consumption by the Japanese reader, and may be used as a basis for discussions and translated in whole or in part without restriction.

BY COMMAND OF LIEUTENANT GENERAL EICHELBERGER:

CLOVIS E. BYERS
Major General, GSC
Chief of Staff

OFFICIAL:

Schanze

SCHANZE
G-1

DISTRIBUTION: "B", "C" and "Z" plus

SCAP	3
Mil Govt Sec, Hq 8th Army	25
Each Mil Govt Team	3

IMPERIAL ORDINANCE NO. 66 OF 1947

Regulations on Organization of Public Office
Qualifications Appeals Board

1 March 1947

Article I. The Public Office Qualifications Appeal Board shall, under the supervision of the Prime Minister, conduct examinations necessary for rescission of designation as falling under the Memorandum in pursuance of the Imperial Ordinance No. 65 of 1947.

Article II. The Board shall be composed of not more than seven members.
In case it is found necessary for examining special matters, temporary members may be appointed, provided that they shall not vote in a final decision of the Board.

Article III. The Chairman shall be coopted from among members.
Members and temporary members shall be appointed by the Cabinet.

Article IV. A quorum of five members including the chairman is required for holding a session of the Board.
Final decisions of the Board shall be made by a majority of the members present provided they constitute a quorum including the chairman.
The Chairman shall vote on all issues and in the event of a tie, the chairman shall cast a second and deciding vote.

Article V. In case of necessity for examination, the Board may request from the Prime Minister or from the Prefectural Governor an explanation concerning reasons for designating t he appelant as falling under the Memorandum or may cause the appelant or other persons concerned to present necessary materials or to give explanations of facts.

Article VI. The chairman, members or temporary mmbers shall not disclose any information concerning matters connected with the official duties of the Board, except for information released by the Prime Minister.

Article VII. In order to deal with miscellaneous matters, the Public Office Qualifications Appeal Board shall have a Secretariat. The Secretariat shall be composed of the following personnel:

Chief Secretary
Secretariat Member
Prime Minister's Office Secretaries
Second Grade (Full Time) - 6 - Two of whom may be filled by First Grade Officials
Third Grade (Full Time) - 5

The Chief Secretary shall be appointed or commissioned by the Prime Minister from among the first grade officials prescribed in the preceding paragraph, or person of knowledge and experience.
The Chief Secretary shall supervise administration of Secretariat's works under the direction of the Chairman of the Appeal Board.
Secretariat membss shall befilled with thePrime Minister's Office Secretaries mentioned in paragraph 2 above.
Besides those mentioned in the preceding paragraph, Secretariat members

may be appointed or commissioned from among government officials of each Ministry concerned or person of knowledge and experience (1)

Article VIII. The procedure of examination and other necessary matters relating to the affairs of the Board shall be determined by the Chairman.

Supplementary Rule

The present Imperial Ordinance shall come into force as from the day of its promulgation.

(1) Article VII added by Cabinet Order No. 163, 23 August 1947

IMPERIAL ORDINANCE NO. 65 of 1947

Appeals Procedure

1 March 1947

Article I. Any person who has been designated as falling under the Memorandum in accordance with the provisions of Imperial Ordinance No. 109 of 1946 or of Imperial Ordinance No. 1 of 1947, may, in the event he feels that an error has been made in his case and that he can submit proof thereof, file an appeal for a rescission of designation to the Prime Minister.(1)

The Prime Minister, upon acceptance of the appeal prescribed in the preceding paragraph, may, on the basis of the findings and recommendations of the Public Office Qualifications Appeal Board, rescind the designation.

Article II. Any person who intends to appeal in pursuance of the provisions of paragraph 1 of the preceding Article shall submit a letter of appeal to the Prime Minister, stating clearly reasons for justification of his case and together with relevant documents for evidence.

In case the appellant has been designated as falling under the Memorandum by the Prefectural Governor, the letter of appeal prescribed in the preceding paragraph shall be submitted through the Prefectural Governor. In this case, upon acceptance of documents pertaining to the appeal, the Prefectural Governor concerned shall forward them immediately, together with statement of his opinion and the questionnaire of the appellant, to the Prime Minister.

The Prime Minister, upon acceptance of documents pertaining to the appeal, shall forward them immediately together with a statement of his opinion concerning the case prescribed in the preceding paragraph, the statement of the Prefectural Governor) and the questionnaire of the appellant, to the Public Office Qualifications Appeal Board.

(1) Deletion of requirement that person be "removed or barred from appointment or election to a position in the public service" as a consequence of his designation before he shall file an appeal — by Cabinet Order #136, 15 July 1947.

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Article III. The appeal prescribed in Article I, paragraph 1 above shall be filed within three months from the day of designation as falling under the Memorandum.

Validity of designation as falling under the Memorandum shall not be affected by filing of the appeal prescribed in Article I, paragraph 1 above.

Article IV. The rescission of designation as falling under the Memorandum shall be effected by notification of the Prime Minister to the appellant.

In case the designation be rescinded, the designation shall lose its validity from the day of its rescission. In this case, the provisions of Article V, paragraph 1 of the Imperial Ordinance No. 1 of 1947 (including corresponding provisions of Imperial Ordinance No. 109 of 1946 replaced by the former Imperial Ordinance) shall be deemed as not having been applied.

Article V. The Prime Minister, when he effects the rescission or takes other necessary actions on the basis of consequence of examination by the Public Office Qualifications Appeal Board, shall publish them immediately.

Article VI. Any person who has submitted the statement of reasons or documents prescribed in Article II above containing false entry or entry lacking full and complete disclosure shall be liable to the penal servitude of not more than three years or to a fine of not more than ¥ 15,000. Any person who has been requested to present materials or an explanation of facts who fails to do so or who submits materials containing false information or lacking full and complete disclosure of facts on relevant or material matters shall be likewise liable to the same punishment.

Supplementary Rule

The Present Imperial Ordinance shall come into force on the day of its promulgation.

The period prescribed in the Article II, paragraph 1 above shall with persons who have been designated as falling under the Memorandum prior to the issuance of this Imperial Ordinance, be three months from the date of its promulgation.

IMPERIAL ORDINANCE NO. 66 of 1947

Regulations on Organization of Public Office Qualifications Appeal Board

1 March 1947

Article I. The Public Office Qualifications Appeal Board shall, under the supervision of the Prime Minister, conduct examinations necessary for rescission of designation as falling under the Memorandum in pursuance of the provisions of the Imperial Ordinance No. 65 of 1947.

Article II. The Board shall be composed of not more than seven members.

In case it is found necessary for examining special matters, temporary members may be appointed, provided that they shall not vote in a final decision of the Board.

Article III. The Chairman shall be appointed from among members.

Members and temporary members shall be appointed by the Cabinet.

Article IV. A quorum of five members including the chairman is required for holding a session of the Board.

Final decisions of the Board shall be made by a majority of the members present provided they constitute a quorum including the chairman.

The Chairman shall vote on all issues and in the event of a tie, the chairman shall cast a second and deciding vote.

Article V. In case of necessity for examination, the Board may request from the Prime Minister or from the Prefectural Governor an explanation concerning reasons for designating the appellant as falling under the Memorandum or may cause the appellant or other persons concerned to present necessary materials or to give explanations of facts.

Article VI. The Chairman, members or temporary members shall not disclose any information concerning matters connected with the official duties of the Board, except for information released by the Prime Minister.

Article VII. In order to deal with miscellaneous matters, the Public Office Qualifications Appeal Board shall have a Secretariat. The Secretariat shall be composed of the following personnel. -3-

Chief Secretary

Secretariat Member

Prime Minister's Office Secretaries

Second Grade (Full Time) - 6 - Two of whom may be filled with First Grade Official

Third Grade (Full Time) - 5

Chief Secretary shall be appointed or commissioned by the Prime Minister from among the first grade officials prescribed in the preceding paragraph, or person of knowledge and experience.

Chief Secretary shall supervise administration of Secretariat's works under the direction of the Chairman of the Appeal Board.

Secretariat members shall be filled with the Prime Minister's Office Secretaries mentioned in paragraph 2 above.

Besides those mentioned in the preceding paragraph, Secretariat members may be appointed or commissioned from among government officials of each Ministry concerned or person of knowledge and experience.(1)

Article VIII. The procedure of examination and other necessary matters relating to the affairs of the Board shall be determined by the Chairman.

Supplementary Rule

The present Imperial Ordinance shall come into force as from the day of its promulgation.

(1) (Article VII added by Cabinet Order No. 163, 23 August 1947)

ACTIVITIES OF PURGEES

Persons who after screening are removed under the provisions of the Purge from principal offices in various organizations will not be permitted to accept lesser offices or memberships in such organizations.