The following instructions with regard to (submission of questionnaires) has been given to the Japanese Government: (Thru Mr. Sanobe, CLO).

a. Questionnaires should be held by the Japanese Government until called for specifically or until the date indicated on the revised schedule of review to be furnished.

b. The following questionnaires will be submitted automatically; without regard to the schedule:

(1) All cases post-reviewed by the Central Committee in which:

(a) Prime Minister recommends reversal of action taken by Prefectural Governor.

(b) Prime Minister concurs with action taken by Prefectural Governor, but which involve reversal of the recommendation of the Prefectural Committee, the Mayor of cities having a Municipal Committee or the recommendation of the Central Committee.

c. When the Japanese Government submits a group of questionnaires to SCAP for review, a list in triplicate will also be submitted showing (1) the date of submission, (2) the names of persons whose questionnaires are submitted and (3) the position for which screened. It is further desired that this list be prepared with five (5) blank columns, titled "No.", "Processor", "Date", "Returned" and "Remarks" respectively. The blank columns will be utilized by Government Section in processing questionnaires.

#34

February 28, 1947.

SUBJECT: Use of CIC in Enforcing Purge Directive.

1. Pursuant to Annex 5 to Occupation Instructions No. 4 of 20 September 46, Civil Intelligence Section is made responsible for the following: "To maintain investigative agencies to check for noncompliance with directives of the Supreme Commander for the Allied Powers and for other such information of value in ascertaining the effective functioning of the Occupation program."

2. In accordance with the instructions quoted above, it is the duty of CIS to cooperate with Government Section in the supervision of the Purge and to report violations discovered.

3. Further formal arrangement with CIS for assistance in this phase of the Purge supervision is not necessary.

4. Military Government offices in the field are the channel through which specific investigations, when necessary, will be requested.

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This policy was announced by Colonel Marcum for Public Administration Division, Government Section, on 26 February 1947.

* 31 see next page

DRAFT

27 Feb 47

INSTRUCTIONS TO IMPERIAL JAPANESE GOVERNMENT

In instances when information is requested of representatives of the Japanese Government and such information is not forthcoming wit in a reasonable time or explanation is not made of reason for the delay in submission of suc information, demand will be made on the Japanese Government for the names of the officials responsible for compiling and submitting the information. Responsible officials in such instances will be considered to be,

a. Cabinet members or officials of equal rank who head the department from which the information is requested.

b. Bureau or ~~department~~ section head.

c. Member of bureau or department to whom the request is transmitted by the Imperial Japanese Government representative.

d. Administrative personnel charged with actually gathering and submitting the requested material.

Issued by Col Dorn
to CLO (Yamada) 26 Feb 47

Jan

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27 Feb.

Cabinet Notification No.

Issued on 26 Feb.

Period for application to the Prime Minister for certification as not falling under the Memorandum from persons who intend to be candidates for members of the House of Councillors, prefectural governors and five principal mayors, while extended previously as from 5 February 1947 until 25, February 1947, respectively, is hereby modified again and set as until 11 March 1947.

The Prime Minister

10 6

27 Feb.

Cabinet Instruction (by Telegram)

To: Prefectural Governor
From: Chief Secretariat of the Cabinet

Period for application for examination of public office qualifications of candidates for members of the House of Councillors, prefectural governors and give principal mayors has been decided to be extended until 11 March. This is a special action taken under consideration that the general public seem not to have fully understood the fact that persons who have not filed their questionnaires during t is period are unable practically to run for the coming election unless they have obtained already the certificate of eligibility issued by the Prime Minister. Accordingly, as the application period set herewith will be observed strictly in connection with the election date, you are instructed to make, through all media, the general public understand and fully accuainted with the above fact so that "nothing will be left undone concerning the observance of application for certification of eligibility.

You are also hereby instructed that period for application for the certification of candidates for mayors, ward, town and village headmen will be likewise extended to 11 March.

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Cabinet Statement ~~12~~ amended

~~26 February~~ 1947

Period for application for examination of their public office qualifications of candidates for members of the House of ~~Councillors~~ Representatives, ~~prefectural governors and five principal mayors~~ terminated on ~~25 February~~ 11 March. However, the period was apparently insufficient for candidates to make up their minds to run for the election and, furthermore, in view of the apprehension of the fact that persons who have not filed their questionnaires during this period will become, unless they have obtained the certificate of eligibility issued by the Prime Minister already in connection with other public offices, practically unable to file their candidacy might not have been well understood by general public, the Government has decided to extend again the period for filing questionnaires of candidates for members of the House ~~of Councillors~~ Representatives, ~~the prefectural governors and five principal mayors until~~ to 25, March ~~similarly with candidates for House of Representatives.~~ Accordingly those who, while intending to run for the election, failed to file their questionnaires because of shortage of time and those who make up their minds to run for the election hereafter are hereby requested to prepare the questionnaires and duly file them within the set period as soon as possible.

In this respect, period for filing questionnaires of candidates for mayors (excluding five principal mayors), ward, town and village headmen will likewise be extended to 11 March by respective prefectural governors notification, as Cabinet instruction of such effect has been issued to them.

Article VIII of the Imperial Ordinance No. 1 of 1947 provides that notification of candidacy or notification of recommendation of candidacy shall be filed together with the certificate of eligibility. Therefore any person who intends to run for the election, unless he has obtained the certificate already, is required to apply for examination of his

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public office qualifications. Further extension of the application period being impossible because of imminent election date, it is requested that full publicity be given the deadline of 25 March.

The previous plan under which the application period terminated considerably prior to the election date was drawn up in order that screening of questionnaires could be completed without fail before announcement of the election date. Consequently, in connection with present extension of the application period, any person who intends to apply for the examination hereafter is strongly requested to file his questionnaire immediately without waiting for the deadline date of 25 March.

SONOBE 25 Feb

Imperial Ordinance No. 66 of 1947

Regulations on Organization of Public Office Qualifications Appeal Board.

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 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 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. The Board shall have secretaries.

Secretaries shall be appointed or commissioned, from among government officials and persons of knowledge and experience, by the cabinet.

Secretaries shall take charge of miscellaneous matters under the direction of their superiors.

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.

23 February, 1947

Imperial Ordinance No. 65 of 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, and as a consequence thereof removed or barred from appointment or election to a position in the public service 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.

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 appelant 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.

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 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 III, 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.

SONOBE 25 Feb

Imperial Ordinance No. 66 of 1947

Regulations on Organization of Public Office Qualifications Appeal Board.

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

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

In case it is found ncessary 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 ahall 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 quorom 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 fro 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. The Board shall have secretaries.

Secretaries shall be appointed or commissioned, from among government officials and persons of knowledte and experience, by the cabinet.

Secretaries shall take charge of miscellaneous matters undet the direction of their superiors.

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.

SONOBE 25 Feb

Imperial Ordinance No. 66 of 1947

Regulations on Organization of Public Office Qualifications Appeal Board.

March 1 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. of 1947.

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

In case it is found ncessary for examining special natters, 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 ahall 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 quorom 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 fro 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. The Board shall have secretaries.

Secretaries shall be appointed or commissioned, from among government officials and persons of knowledte and experience, by the cabinet.

Secretaries shall take charge of miscellaneous matters undet the direction of their superiors.

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.

FROM: ? 709/7 April 47

Imperial Ordinance No. of 1947 (Draft)

The following Article will be added to the Imperial Ordinance No.66 of 1947:

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

Cabinet official

First grade 2 (full time)

Second grade 4 (full time)

Third grade 5 (full time)

Chief Secretary shall be appointed by the Prime Minister from among the first grade Cabinet officials.

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

Secretariat members shall be filled with the cabinet officials mentioned in paragraph 2 above.

Besides those mentioned in the preceding paragraph, Secretariat members may be appointed or commissioned by the Prime Minister from among government officials of each Ministry concerned or

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men of knowledge and experience.

Secretariat members shall dispose of Secretariat's works under direction of their superiors.

With persons who are not government officials who have been commissioned as Secretariat members, the provisions of the "Regulations on Discipline of Government Officials" shall be applied correspondingly.

Supplementary Rule

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

Outline of the Plan

1. The Public Office Qualifications Appeal Board (called tentatively) will be established in the Cabinet.
2. Persons who have been designated as falling under the Memorandum and removed or excluded from public service as a result thereof may appeal to the Board for rescission of such designation within the set period.
3. The appeal will be decided finally by the Prime Minister on the basis of result of examination by the Board.

Plan regarding enlargement of organizations to deal with purge matters in the Cabinet Office

12 February 1947

In connection with extension and enforcement of the Purge Ordinances, duties and responsibilities regarding purge matters of the Prime Minister having increased remarkably, organization in the cabinet Office to deal with administrative works related to the purge and to assist the Prime Minister will be established along the following line:

1. A Minister of State to be nominated by the Prime Minister will preside over fulfilment of duties connected with formulation of policies and enforcement of Purge Ordinances.
2. The competence of the Minister mentioned above is as follows:
   a. To draw up general policies and plans regarding enforcement of the purge and to effect the uniformity of interpretation of the provisions of Ordinances concerned, particularly of the screening criteria.
   b. To deal with matters relating to decision to be given by the Prime Minister concerning cases screened by the Central Screening Committee and also with matters relating to post-review to be conducted by the Central Screening Committee concerning actions taken by the Prefectural. Governor regarding cases screened by the Local Screening Committee.

c. To conduct necessary supervision over and give pertinent instructions to the Screening Committee of every level.

1). To watch progress of the screening activities and conformity with screening schedule worked out already.

2). To observe that screening activities and other related procedures be conducted in conformity with legal regulations and instructions of the Cabinet and to issue necessary instructions.

d. Upon request of the GHQ, to submit questionnaires screened by the Local Committee together with English translation thereof.

e. To coordinate and superintend disposition of matters which require previous approval of or conference with the GHQ.

f. Initiation of administrative disciplinary actions and charges for presecution or matters subject to penalty provisions.

3. A new section (tentatively called Public Office Qualifications Examination Section), with appropriate number of personnel, will be set up in the Cabinet Office to assist fulfillment of the duties of the Minister mentioned above.

Cabinet Statement

15 February 1947

About a month ago, the Government promulgated Imperial Ordinances and other regulations concerning the purge of undesirable personnel from public office and manifested explicitly its intention to carry out thorough-going house-cleaning of leaders of every echelon in political, governmental, economic, journalistic and other various occupational fields in this country. Screening of public offices under these Imperial Ordinances and other regulations is now proceeding according to the schedule.

However, in recognizing the possibility of error in individual cases, the Government proposes to establish Public Office Qualifications Appeal Board, on the basis of an outline of the plan attached hereto, in order to give those persons who have been designated as falling under the Memorandum who feel that an error has been made and can furnish proof thereof an opportunity to file an application for reconsideration of their cases and restitution of their eligibility for employment in the public service.

On this occasion, the Government expresses its firm resolution to exert its utmost effort so that cases of injustice will be duly retrieved as far as possible and, at the same time, expellation of undesirable personnel will be carried out relentlessly.

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Imperial Ordinance No.65 of 1947

23 February, 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, and as a consequence thereof removed or barred from appointment or election to a position in the public service may, in the event he feels that an error has been made in his case, file an appeal for a rescission of designation to the Prime Minister.

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 appelant 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.

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 resciskion 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 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 III. 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.

23 February, 1947

Imperial Ordinance No.65 of 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, and as a consequence thereof removed or barred from appointment or election to a position in the public service may, in the event he feels that an error has been made in his case, file an appeal for a rescission of designation to the Prime Minister.

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 appelant 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.

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 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 III. paragraph 1 above [illegible]ersons 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.

File as extra copy in Ord. Folder

Imperial Ordinance No. 65

Article 1. 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, and as a consequence thereof removed or barred from appointment or election to a position in the public service may, in the event he deems that an error has been made in his case, file an appeal for a rescission of designation to the Prime Minister.

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 2. 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.

Article 3. The appeal prescribed in Article 1, 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 1, paragraph 1 above.

Article 4. 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 5, 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 5. The Prime Minister, when he has taken measures for the rescission or for other necessary matters, on the basis of consequence of examination by the Public Office Qualifications Appeal Board, shall publish the facts immediately.

Article 6. Any person who has submitted the statement of reasons or documents prescribed in Article 2 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 and fails in doing so or who submits materials containing false information or lacking full and complete disclosure of facts on important matters shall be likewise liable to the same punishment.

Supplementary Provisions:

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

The period prescribed in the Article 3, 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.

SONOBE 25 Feb.

23 February, 1947.

Imperial Ordinance No. 65 of 1947.

Article I. Any person who has been designated as falling Under the Memorandum in accordance with the provisions of the Imperial Ordinance No. 1 of 1947 [(including the Imperial Ordinance No. 109 of 1946 replaced by the former Imperial Ordinance) may, in case he feels that there has been gross injustice with his designation, appeal to the Prime Minister.]

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The Prime Minister, upon acceptance of the appeal prescribed in the preceding paragraph, may, on the basis of ~~consequence of the findings~~ and recommendation of the Public Office Qualifications Appeal Board, rescind the designation ~~as falling under the Memorandum.~~

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 appelant 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 ~~when he accepts~~ 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.

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 1, 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 lackingfull and complete disclosure shall be liable to the

penal servitude of not more than three years or to ~~the~~ a fine of not more than ¥15,000. Any person who has been requested ~~for~~ to present ~~tion, or~~ materials or explanations of facts who fails to do so or ~~submits materials false or lacking full and complete disclosure of facts~~ who submits materials containing information ~~or explanations false or lacking full and complete disclosure~~ on relevant or material matters shall be likewise liable to the same punishment.

Supplementary Rule.

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

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

Article 1 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, and as a consequence thereof removed or barred from appointment or election to a position in the public service 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.

OK/CPM/28-4-6

Imperial Ordinance No. 64 of 1947.

A part of Imperial Ordinance No.2 of 1947 shall be amended as follows:

In Article II, "and also of chief of Chonaikai, Burakukai and its federation within the city boundary" shall be deleted.

In Article II, (2), "and of chief of Chonaikai, Burakukai of its federation" and "and No. 4" shall be deleted.

In Article III, "a copy of" shall be deleted.

In Article XII, paragraph 1, "The Committee" shall read "The Committee (excluding the Central Committee); and in paragraph 2 thereof, "in the case of the Central Committee, by the Cabinet" shall be deleted.

Articles XII and XIII shall be advanced respectively to Articles XIII and XIV.

Article XII shall be added as follows:

Article XII. In order to deal with miscellaneous matters, the Central Pablic Office Qualifications Examination Committee shall have ~~the~~ Secretariat.

The Secretariat shall be composed of the following personnel.

Chief Secretary

Secretariat member

Cabinet official

Second grade	7	(full time)
Third grade	15	(full time)

Chief Secretary shall be appointed by the Prime Minister from among men of knowledge and experience.

Chief

Chief Secretary shall supervise administration of Secretariat work under direction of the Chairman of the Committee.

Secretariat members shall be filled with the cabinet officials mentioned in paragraph 2 abowe.

Secretariat members, besides ~~with~~ those mentioned in the preceding paragraph, may be appointed or commissioned by the Cabinet from among government officials of each ministry concerned or men of knowledge and experience.

Secretaruat members shall dispose of Secretariat works under direction of the Chief Secretary.

With persons appointed as Chief Secretary or Secretariat members, the provisions of the Regulations on Discipline of Government Officials" shall be applied correspondingly.

Supplementary Rule

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

Imperial Ordinance No.64 of 1947

A part of Imperial Ordinance No.2 of 1947 shall be amended as follows:

In Article II, "and also of chief of Chonaikai, Burakukai and its federation within the city boundary" shall be deleted.

In Article II, (2), "and of chief of Chonaikai, Burakukai of its federation" and "and No.4" shall be deleted.

In Article III, "a copy of" shall be deleted.

In Article XII, paragraph 1, "The Committee" shall read "The Committee (excluding the Central Committee)"; and in paragraph 2 thereof, "in the case of the Central Committee, by the Cabinet" shall be deleted.

Articles XII and XIII shall be advanced respectively to Articles XIII and XIV.

Article XII shall be added as follows:

Article XII. In order to deal with miscellaneous matters, the Central Public Office Qualifications Examination Committee shall have a Secretariat.

The Secretariat shall be composed of the following personnel.

Chief Secretary	
Secretariat member	
Cabinet official	
Second grade	7 (full time)
Third grade	15 (full time)

Chief Secretary shall be appointed by the Prime Minister from among men of knowledge and experience.

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

Secretariat members shall be filled with the cabinet officials mentioned in paragraph 2 above.

Secretariat members, besides those mentioned in the preceding paragraph, may be appointed or commissioned by the Cabinet from among government officials of each ministry concerned or men of knowledge and experience.

Secretariat members shall dispose of Secretariat's works under direction of the Chief Secretary.

With persons who are not government officials who appointed as Chief Secretary or Secretariat members, the provisions of the "Regulations on Discipline of Government Officials" shall be applied correspondingly.

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Supplementary Rule

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

Imperial Ordinance No. 61 of 1947.

Imperial Ordinance providing for the Exception to the Imperial Ordinance No.1 of 1947

22 February 1947

The provisions of Article VIII, paragraph 3 of the Imperial Ordinance No.1 of 1947 shall not be applicable only so far as the first election of members of the local assemblies (Metropolitan, Do, Prefectural, City, Ward, Town, and Village and similar administrative division) which takes place after the promulgation of this Imperial Ordinance is concerned.

Any person who wants to file notification of candidacy or notification of recommendation of a candidate for the election prescribed in the preceding paragraph shall submit, in accordance with regulations to be laid down by the Prime Minister, the questionnaire of would-be candidates prescribed in Article VII, paragraph 1 of the Imperial Ordinance to the Prime Minister through the Prefectural Governor or to the Prefectural Governor.

The Prefectural Governor, when he accepts the questionnaire in accordance with the provisions of the preceding paragraph, shall issue the certificate as laid down by the Prime Minister.

The provisions of the preceding paragraph shall not be applicable with person who has the certificate of eligibility in accordance with a rule to be laid down by the Prime Minister.

Any person who wants to file notification of candidacy or notification of recommendation of candidate for the election

prescribed

prescribed in paragraph 1 above shall, together with the notification, submit to the Presiding Officer of the Election a duplicated copy of the certificate prescribed in paragraph 3 above or of the certificate of eligibility prescribed in the preceding paragraph.

Supplementary Rule

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

Official Issues

Concerning SCAPIN 550

June 3, 1947 CLO

Imperial Ordinance No. 61 of 1947.

Impetial Ordinance providing for the Exception to the Imperial Ordinance No.1 of 1947

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Supplementary Rule

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

Cabinet and Home Affairs Ministry Ordinance No. 2 of 1947

22 February 1947

Article 1. Any person who is to submit the questionnaires in accordance with the provisions of paragraph 2 of the Imperial Ordinance No. 61 of 1947 shall submit them, in case of candidates for public 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 (called the Ordinance hereafter), to the Prime Minister through the Prefectural Governor by the date set by the former in duplicate (concerning person who has the certificate of eligibility issued by the Prime Minister in accordance with the provisions of Article 4 of the Ordinance, a copy of the questionnaire together with a duplicate of the certificate); and, in case of candidates for public offices to be designated by the ~~Prime Minister~~ Prefectural Governor under the same Appendix, to the Prefectural Governor through the electoral administration committee concerned by the date set by him (concerning person who has the certificate of eligibility issued by the Prime Minister or by the Prefectural Governor in accordance with the provisions of Article IX of the Ordinance, a copy of the questionnaire together with a duplicate of the certificate).

Article 2. The Prime Minister or the Prefectural Governor, when accepted the questionnaire as prescribed in the preceding Article from person who has the certificate of eligibility, issued in accordance with the provisions of Article IX of the Ordinance , shall, after having

it

it certified as an official copy of the questionnaire on the basis of which the certificate of eligibility has been issued, forward it immediately to the electoral administration committee concerned.

Article 3. The certificate prescribed in paragraph 3 of the Imperial Ordinance No. of 1947 shall be as in the Form attached hereto.

Article 4. The provisions of Paragraph 3 of the Imperial Ordinance No. 11 of 1947 shall not be applicable, in case of candidates for public offices to be designated by the Prime Minister in accordance with the Appendix of the Ordinance, with those who have certificate of eligibility issued by the Prime Minister, and, in case of candidates for public offices to be designated by the Prefectural Governor in accordance with the same Appendix, with those who have certificate of eligibility issued by the Prime Minister or the Prefectural Governor.

Supplementary Rule

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

Annexed Form

Certificate of Presentation of Questionnaire

for Candidacy for Local Assembly Membership

Candidate for

Name of Candidate

Date

This is to certify that the person mentioned above has duly submitted his questionnaire in accordance with the provisions of paragraph 2 of the Imperial Ordinance No. of 1947.

Prefectural Governor

Note: The person holding this certificate will, if he be elected, be subject to the screening immediately after his election as to his qualifications under the SCAP Memorandum dated 4 January 1946. In case he be designated as a person falling thereunder his election shall be defined to be invalid.

Cabinet and Home Affairs Ministry Ordinance

No.2 of 1947

22 February 1947

Article 1. Any person who is to submit the questionnaires in accordance with the provisions of paragraph 2 of the Imperial Ordinance No.61 of 1947 shall submit them, in case of candidates for public 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 (called the Ordinance hereafter), to the Prime Minister through the Prefectural Governor by the date set by the former in duplicate (concerning person who has the certificate of eligibility issued by the Prime Minister in accordance with the provisions of Article IX of the Ordinance, a copy of the questionnaire together with a duplicate of the certificate); and, in case of candidates for public offices to be designated by the Prefectural Governor under the same Appendix, to the Prefectural Governor through the electoral administration committee concerned by the date set by him (concerning person who has the certificate of eligibility issued by the Prime Minister or by the Prefectural Governor in accordance with the provisions of Article IX of the Ordinance, a copy of the questionnaire together with a duplicate of the certificate).

Article 2. The Prime Minister or the Prefectural Governor, when accepted the questionnaire as prescribed in the preceding Article from person who has the certificate of eligibility, issued in accordance with the provisions of Article IX of the

Ordinance, shall, after having it certified as an official copy of the questionnaire on the basis of which the certificate of eligibility has been issued, forward it immediately to the electoral administration committee concerned.

Article 3. The certificate prescribed in paragraph 3 of the Imperial Ordinance No.61 of 1947 shall be as in the Form attached hereto.

Article 4. The provisions of paragraph 3 of the Imperial Ordinance No.61 of 1947 shall not be applicable, in case of candidates for public offices to be designated by the Prime Minister in accordance with the Appendix III of the Ordinances, with those who have certificate of eligibility issued by the Prime Minister, and, in case of candidates for public offices to be designated by the Prefectural Governor in accordance with the same Appendix, with those who have certificate of eligibility issued by the Prime Minister or the Prefectural Governor.

Supplementary Rule

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

Annexed Form

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for Candidacy for Local Assembly Membership

Candidate for

Name of Candidate

Date

This is to certify that the person mentioned above has duly submitted his questionnaire in accordance with the provisions of paragraph 2 of the Imperial Ordinance No. of 1947.

Prefectural Governor

Note: The person holding this certificate will, if he be elected, be subject to the screening immediatly after his election if he falls under the SCAP Memorandum dated 4 January 1946 on the basis of the provisions of the Imperial Ordinance No.1 of 1947. In case he be designated as a person falling thereunder his election shall be defined to be invalid.

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No.2 of 1947

22 February 1947

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No.2 of 1947

22 February 1947

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Article 2. The Prime Minister or the Prefectural Governor, when accepted the questionnaire as prescribed in the preceding Article from person who has the certificate of eligibility, issued in accordance with the provisions of Article IX of the

Ordinance, shall, after having it certified as an official copy of the questionnaire on the basis of which the certificate of eligibility has been issued, forward it immediately to the electoral administration committee concerned.

Article 3. The certificate prescribed in paragraph 3 of the Imperial Ordinance No.61 of 1947 shall be as in the Form attached hereto.

Article 4. The provisions of paragraph 3 of the Imperial Ordinance No.61 of 1947 shall not be applicable, in case of candidates for public offices to be designated by the Prime Minister in accordance with the Appendix III of the Ordinances, with those who have certificate of eligibility issued by the Prime Minister, and, in case of candidates for public offices to be designated by the Prefectural Governor in accordance with the same Appendix, with those who have certificate of eligibility issued by the Prime Minister or the Prefectural Governor.

Supplementary Rule

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

Annexed Form

Certificate of Presentation of Questionnaire
for Candidacy for Local Assembly Membership

Candidate for

Name of Candidate

Date

This is to certify that the person mentioned above has duly submitted his questionnaire in accordance with the provisions of paragraph 2 of the Imperial Ordinance No. of 1947.

Prefectural Governor

Note: The person holding this certificate will, if he be elected, be subject to the screening immediatly after his election if he falls under the SCAP Memorandum dated 4 January 1946 on the basis of the provisions of the Imperial Ordinance No.1 of 1947. In case he be designated as a person falling thereunder his election shall be defined to be invalid.

FILE

MEMORANDUM

TO : Colonel Marcum
Chief, Public Administration Division

FROM : Beate Sirota
Economic Branch, PAD

SUBJECT : Enforcement of the Purge Directive

Extra copy

1. It is suggested that at the proposed meeting with leaders of the political parties represented in the Diet regarding the Purge Directive, the following proposals be made to the six leading political parties represented:

a. That a central committee be established in Tokyo with one representative each of the six major political parties.

b. That as many local committees as possible be established in each Prefecture composed of one member each of the same six major political parties.

c. That the local committees conduct an educational campaign on the Purge ordinances.

d. That the local committees inspect questionnaires posted on the bulletin boards, checking on their validity, accuracy and completeness.

e. That every local committee make a joint recommendation to the local screening committee on any violations which they have found.

f. That the individual committee members report to their representative on the central committee in Tokyo on their findings.

g. That the central committee inform the Central Qualifications Committee and SCAP of the findings of the local committees.

h. That if in certain localities all of the six major political parties mentioned above have not appointed a member to the local committee, the persons that have been appointed be allowed to function.

2. In this way SCAP and the Japanese Government will be informed about violations of the Purge and incompleteness of the questionnaires. As the people checking on such violations, are representatives of the Japanese people, no such stigma as "secret police or peace preservation"

could be attached to them. On the other hand, the Japanese Government should not look askance at such a scheme for the simple reason that the Japanese Government itself is made up of these various political parties.

3. If some such organization is not set up, there will be no way for SCAP or the Japanese Government to check on the accuracy, validity, or completeness of the thousands of questionnaires which will be turned in all over the country. The whole effectiveness of the Purge will be paralyzed if there is no proper way of surveying the execution of the Purge.

4. This suggestion has been informally discussed with Major Rizzo, Mr. Bisson, Dr. Grajdanzev and Miss Hadley, who are in favor of such a scheme.

Beate Sirota

BEATE SIROTA
Economic Branch
Public Administration Division

Notifications of the Cabinet
(Draft)

- To the Chairman of the Central Screening Committee
and the Governors -

Under Cabinet notification No.14 dated Jan.27th 1947, "BASIC SCREENING INSTRUCTIONS" Have been given out regarding disposition of screening activities.

In this respect, detailed explanation how to fill out the questionnaire was given, in view of its especial importance in subparas. a, b and c, para.3 of the above "INSTRUCTIONS" and in annexed Table 3 attached thereto. Recently, however, attention was called again by S.C.A.P. to the inc mpleteness of entry in Questionnaires of persons scheduled to be committee members of Local Screening Committees (20% of Questionnaires incomplete). It is a matter for regret that there should still exist cases of this sort especially with those who are going to engage in screening duties.

Incomplete Questionnaires will be referred back to you, and your immediate action to supplement them is required. At the same time, for preventing its recurrence, it is keenly desired on your part to take every possible step and to notify each committees concerned for the betterment of the situation, along the lines stated hereunder.

---

1. It is in clause 13, page 3, that the incomple filling as pointed out by S.C.A.P. is conspicuously perceivable. The

followings

followings are its few examples.

(1) Whereas filling should start from Jan.1st 1931, some of them do not comply with this condition deliberately ommitting to go back to 1931.

(2) filling is not made in consecutive chronological order. Some drop entry to fill the gap that exists between occupations. If he was unemployed during that gap period it must be mentioned clearly. In case he was engaged in agriculture or retail trade and even if he had no definite place of office it should be entered to that effect as well. Since the said column is intended to identify his professional activities covering the entire perio after 1931, entries are necessary even where he did not serve in government office, company, or association.

(3) Some Questionnaires simply state that he has been employed in such and such a company up to the present ever since 1931. But this is not enough. In such a case, his concrete posts as changed from time to time during the whole period must be mentioned im chronological order as well.

(4) In other case, while the names of profession is given out, nothing further is mentioned as to the responsibilities and duties involved.

In this case it is presumed that the responsibilities and duties were ommitted for the reason that they are self-evident to the person who actually makes

that

that entry. But the fact is not known to the screening committee member, and for this reason a concrete and detailed entry is required in this respect.

2. There are some writers, such as newspaper editor etc. and church ministers who make no entry in the column of "writings and speeches", clause 20, page10. In such a case, it is not plausible that he has made no writing or speech. If, therefore, he has not really made any writing, editorial, periodical sermon or speech of any importance, mention should be made to that effect.

3. Unsatisfactory filling is also seen for the column "Travels and Stays Overseas" on page 13.

The date and purpose of the travel, especially the latter, must be clearly filled out.

4. In filling out Questionnaires, full and detailed descriptions are desirable. Even such a self-evident matter of which special mention is not apparently deemed necessary should be written out. Furthermmare detailed explanatory filling is recommended for whatever matters which has a possibility of inviting controversial debate. It must be remembered after all that incomple^te filling unnecessarily complicates and deters screening activities.

5. Generally speaking, entries in English are not very satisfactory. As is notified clearly on the covering paper of the Questionnaire, the English version prevails where any discrepancy exists between it and the Japanese version.

Therefore

Therefore the Japanese version must be correctly translated and entered in English column. Regarding "Romaji", a set way of the Japanese or Hepburn way must be used with each questionnaire.

6. Responsibilities for the incomplete entry in Questionnaire rest not only with the person who filled the Questionnaire but with the superior officer who signed it, the Screening Committee who decided the case upon the material as well as members of the Committee Secretariat who actually handled the matter. Such being the situation, the Cabinet will be compelled hereinafter in case where such incompleteness is revealed to take administrative disciplinary action against those who are responsible for the affair, and in case where incompleteness is extremely conspicuous to resort to finalty clause. From the above standpoint, each committee, central and local, is requested to carefully examine the entries of the Questionnaires at its receipt and also to produce and preserve minutes of each case including names of members of the Committee and the Secretariat who handled the matter.

7. Cases of incomplete filling has so often been pointed out in the past by S.C.A.P. If any improvement is not seen in this respect, it is feared that the Cabinet has no other recourse but to resort to rigorous steps to prevent the recurrence. To avert this, more thoughtfull dealing is required on the part of those who are responsible for screening activities. In order to meet this requirement it is recommended, at this juncture, that each screening committee and the Prefectural Government

Government will form a group of p rsonnel who deal solety with the examination of entries of Questionnaire, for the exact fulfillment of whose duties the Chairmen of each Committees and the Governors are respectively responsible.

COPY

SECRET

BASIC: Secret cable to WDSCA from SCAP

PHT/RCM/CTS/WAS/mab
14 February 1947

MEMO FOR RECORD:

1. Reference is made to:

a. SWNCC 236/10, 25 Apr 46.

b. SWNCC 236/15, 9 May 46

c. URAD W 80413, 17 Sept. 46

d. URAD W 82295, 6 Oct. 46

e. URAD W86893, 5 Dec. 46

f. OURAD C68424, 21 Dec. 46

g. URAD W92073, 15 Feb. 47

h. C. O. #10, 8 Mar 46

i. OURAD O-69902, 7 Feb. 47

2. Reference (h) requires submission to Washington of recommendations regarding disposition of property.

3. Having regard to pertinent material (reference a through g) it appears that certain categories of public and private Japanese property is not suitable for reparations, nor restitutable. Such property is an administrative burden with no corresponding benefit and should be disposed of at the earliest possible moment, thus relieving to some extent the seriously strained personnel situation, not only in routine matters but in the licensing and control of business enterprises involved, together with the problems related thereto. It is believed that such property should be speedily converted, under proper safeguards, to the Imperial Japanese Government economy, to bolster same at a time when it is most urgently needed.

4. Although it is recommended that the subject assets in this cable be returned to the Japanese economy, the principles involved in the present paper are entirely compatible with those in reference (i) above.

5. Justification:

a. The assets of Japanese financial and commercial institutions whose primary purpose was the exploitation of Japanese aggression are at present being liquidated by consolidation of

liquid assets and sale of other assets and properties to non-objectionable Japanese. The assets of patriotic and terroristic organizations which have been dissolved, have been blocked and are being held by IJG by direction of SCAP. All gold, silver and other precious metals and stones and foreign exchange have been screened out of the assets of these institutions and are being held separately by SCAP. Property designated for reparations or industrial facilities susceptible to reparationshave been or will be separated from the general liquidation and will be disposed of later.

b. The residual assets of the subject institutions and organizations considered in this paper therefore consist of yen, real property, and chattels, all located in Japan. There are on the books of these institutions and organizations other assets which are located outside of Japan, the ultimate disposition of which are beyond the purview of SCAP. These have no value in anything except yen unless they were opened to sale to foreign nationals in currencies other than yen.

c. Liquidation of residual assets by sale to non-objectionable Japanese will convert the entire value into a sum of yen. There is no way in which yen can be converted to dollars.

d. If the yen obtained from the liquidation are turned over to the Japanese Government, the Government will have at its disposal yen values which it can use to the benefit of the general financial economy of the country.

e. The 1945 book value of the property of the subject institutions, in Japan, is approximately 145 billion yen. In some instances property has been sold for more than the book value, however, the residue, with which this paper is concerned, after liquidation will be a small percentage of the total value. Liquidations have not been completed, therefore it is not possible to predetermine the residual values in yen.

f. The value of the property of approximately one-half of the dissolved organizations reported as of February 1947 is as follows: Value of property (moveables and immoveables) Y24,659,983.16; Cash on Hand and in Bank Y18,675,808.14; Securities Y6,372,383.64; and Expenses or Disposals Y184,104,367.18. It is believed that some of the expenses or disposals, as reported, may be recovered on the theory of impropriety.

g. Examples of SCAP license and control of business enterprises owned by dissolved organizations are as follows: DOJINKAI operation of the DOWA Hospital; DAI NIPPON BUTOKU-KAI permission to use buildings of the AKITA Branch for training and housing prefectural police; TOKYO AUTONOMOUS LABOR ASSOCIATION, KANAGAWA COOPERATIVE ASSOCIATION - operation and use of boarding houses, mess halls, bath houses, and other workers' facilities; MUSASHINO HOUSING ASSOCIATION completing construction of 50 houses.

6. This is a policy matter; no surveillance by the Eighth Army is required.

7. The interests of USAFIK are not concerned.

8. Concurrences: ESS
GS
LS
DS

P. H. T. _____2-2635

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Public Administration Division

13 February 1947

MEMORANDUM FOR THE EXECUTIVE OFFICER

SUBJECT: Imperial Ordinances Establishing a "Public Office Qualifications Appeal Board"

1. Mr. YAMADA, CLO, last night brought over the attached drafts of two Imperial Ordinances entitled "Imperial Ordinance Concerning the Organization of the Reexamination Committee For The Reinstatement of Persons Disqualified From Public Office" (Exhibit No. 1) and the second one untitled (Exhibit No. 2) concerning procedure of appeal. Mr. YAMADA indicated that this proposal was the direct result of approval given by the Supreme Commander to the Prime Minister during a recent conversation. Analysis of the proposed ordinances resulted in the following agreement between Mr. YAMADA and myself:

a. (Re Exhibit No. 1) Change title to "Public Office Qualifications Appeal Board.

b. Delete the second paragraph, Article 2 of Exhibit No. 1.

Note: This provision is extremely objectionable inasmuch as it would allow the proposed Public Office Qualification Appeal Board to create "extraordinary committees" with unrestricted investigative powers at will and without restriction as to number or method of functioning. Such power could and would undoubtedly be abused and result in harassing governors, mayors, prefectural, and municipal committees and private citizens and possibly would definitely affect the morale and independent action of officials responsible for screening activities.

c. Revise Articles 7 and 8 and substitute an article providing a secretariat under the supervision of a chief secretary to handle the administrative and clerical affairs of the board.

d. Add a supplemental provision to bring in the penalty provisions of Imperial Ordinance No. 1 of 1947 to give the board necessary authority to require cooperation. (Re Exhibit No. 2)

I-A-6

e. Delete provisions for appeals to be initiated by persons other than purgee.

2. The proposal is sound and timely. The present procedure of handling appeals is quite unsatisfactory, inasmuch as it has resulted in the committee whose action is being questioned acting in an appellate capacity and in addition has diverted a disproportionate amount of energy and time to the handling of appeal cases. The present proposal establishing an independent board responsible directly to the Prime Minister has many obvious advantages.

3. It is recommended that the proposal be approved as amended.

C. P. Marcum
Chief, Public Administration Division

2 Incls
1 - Exhibit No. 1
2 - Exhibit No. 2

approved by Gen Whitney per col Darnell with comment that Bd. would only have jurisdiction over cases actually removed and that in all proposed reinstatements SCAP approval must be obtained.

13 Feb 47

/ Yamada informed of approval 1400 Feb 13

Imperial Ordinance

No. of 1947

(Draft)

Article 1. In case a person who has been designated as falling under the Memorandum (and removed from Public office as a result thereof wants to request the recission of such designation by the Prime Minister or a Governor, he may submit such request to the Prime Minister, stating the reasons and enclosing relevant documents for evidence.

A person who has been designated as one falling under the Memorandum and is still in office must leave his post before submitting the request of the preceding paragraph.

Upon receiving the request of the first paragraph above, the Prime Minister shall immediately send it to the Public Office Qualifications Appeal Board attaching thereto an explanatory statement and the questionnaire of the designated person.

The request of the first paragraph above shall be made within three months of the day on which the person was designated as falling under the Memorandum (in case of Article 3, paragraph 2 of Imperial Ordinance No.1 of 1947, the day on which the period prescribed in the same paragraph has expired).

Article 2. Upon receipt of a report concerning the result of the investigation concerning the request of the preceding article from the Public Office Qualifications Appeal Board the Prime Minister shall, on the basis of such report, rescind the designation, reject the request or take any other appropriate

measures

measures and make an announcement thereof.

Supplementary Provisions

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

A person who was designated as falling under the Memorandum before the enforcement of this Imperial Ordinance may, in spite of the provision of Article 1, paragraph 4, submit the request within a period of three months counting from the date of the enforcement of this Imperial Ordinance.

DRAFT

EXHIBIT 1
(Amended)

PUBLIC OFFICE QUALIFICATIONS APPEAL BOARD

Article 1. In order to effect the examination of application for the rescission of designation of a person as falling under the provisions of the Memorandum in accordance with Article 3 of Imperial Ordinance No. 1 of 1947, a Public Office Qualifications Appeal Board shall be established in the cabinet. The Board shall submit its opinions to the Prime Minister on the results of its examinations.

Article 2. The Board shall be composed of not more than seven members including the Chairman as well as members of the Board.

Article 3. The Chairman shall be elected by mutual vote from among the members of the Board.

The Board shall be appointed by the cabinet.

Article 4. The Board may not open its session unless five members or more, including the Chairman, are present.

The proceedings of the Board shall be determined by a majority of the members present, including the Chairman.

In case of a tie, the Chairman shall have the casting vote.

Article 5. Upon necessity of examination, the Board may request from the Prime Minister or the Local Governor, the reasons for the designation under the provisions of the Memorandum, the explanations concerning application for rescission or require the subject person or any other person concerned therewith to submit necessary data.

Article 6. Excluding those matters made public by the Prime Minister, and the Chairman, members of the Board may not disclose those matters concerned with the examinations of the Board.

Article 7. A secretariat shall be established under the supervision of a chief secretary to conduct the administration and clerical functions of the Board.

Article 8. The procedure for re-examination and other necessary matters concerning the business of the Board shall be determined by the Prime Minister.

Supplementary Provisions

(The penalty provision of Imperial Ordinance No. 1 of 1947 shall be applicable to persons who refuse to cooperate with ~~the~~ official requests for information or assistance).

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(Draft) Imperial Ordinance concerning the Organization of Public Office Qualifications Appeal Board

Article 1. In order to effect the examination of application for the recission of designation of a person as falling under the provisions of the Memorandum the Public Office Qualifications Appeal Board shall be established in the cabinet. The Board shall submit its opinions to the Prime Minister on the results of its examinations.

Article 2. The Board shall be composed of not more than seven members including the Chairman as well as members of the Board.

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

Article 3. The Chairman shall be elected by mutual vote fromamong the members of the Board.

The Members and the Temporary Members shall be appointed by the cabinet.

Article 4. A quorum of five members including the Chairman is required for holding the session of the Board.

The final decision of the Board shall be given by a majority of the members present including the Chairman.

In case of a tie the Chairman shall cast the deciding vote.

Article 5. In case of necessity of examination, the Board may request to the Prime Minister or the Local Governor the reasons for the designation under the provisions of the Memorandum or

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the explanations concerning application for recission or may cause the subject person or any other persons concerned to present materials or to give explanations of facts to the Board.

Article 6. Excluding those matters made public by the Prime Minister, the Chairman, Members and Temporary Members of the Board may not disclose those matters concerned with the examinations of the Board.

Article 7. A Secretariat shall be established to dispose of the business of the Board.

In the Board Secretariat there shall be the following officials.

Chief Secretary

Members of Secretariat

The Cabinet shall appoint the Chief Secretary and members of the Secretariat from officials of the respective Government offices or persons of knowledge and experience.

The Chief Secretary shall dispose of business of the Secretariat under direction of the Chairman of the Committee.

The Members of the Secretariat shall dispose of miscellaneous affairs under the direction of their superiors.

Article 8. The procedure for examination and other necessary matters concerning the business of the committee shall be determined by the Prime Minister.

Article 9. Any person who has been asked for presentation of materials or explanation of facts under the provisions of Article 5, but failed to do so or presented false materials or explanations lacking full and complete disclosure on relevant or material matters shall be liable to the provisions of Article XV of the Imperial Ordinance No.1 of 1947.

Draft

Exhibit # 1

(Draft) ~~Imperial Ordinance concerning the Organization~~ of [~~the Re-Examination Committee for the Re-instatement of Persons Disqualified from Public office.~~] Public Office Qualifications Appeal Board

Article 1. In order to effect the examination of application for the recission of designation of a person as falling under the provisions of the Memorandum in accordance with Article 3 of Imperial Ordinance No.1 of 1947, a [~~"Re-Examination Committee for the Reinstatement of Persons Disqualified from Public Office"~~] PQAAB shall be established in the cabinet. The committee shall submit its opinions to the Prime Minister on the results of its examinations.

Article 2. The Committee shall be composed of not more than seven members including the Chairman as well as members of the Committee.

In order to investigate into and deliberate upon special matters, an extraordinary committee may be established, according as it may become necessary. Out

Article 3. The Chairman shall be elected by mutual vote from among the members of the Committee.

The Committee and the extraordinary committee shall be appointed by the cabinet.

Article 4. The committee may not open its session unless five members or more including the Chairman, are present.

The proceedings of the committee shall be determined by a majority of the members present, including the Chairman.

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In case of a tie, the Chairman shall have the casting vote.

Article 5. Upon necessity of examination, the committee may request from the Prime Minister or the Local Governor, the reasons for the designation under the provisions of the Memorandum, the explanations concerning application for recission or require the subject person or any other person concerned therewith to submit necessary data.

Article 6. Excluding those matters made public by the Prime Minister, the Chairman, members of the committee and the Extraordinary Committee may not disclose those matters concerned with the examinations of the committee.

Article 7. There shall be a secretary (clerk) in the committee who shall be appointed by the Cabinet.

The Secretary shall dispose of miscellaneous affairs under the direction of his superiors.

Article 8. A Bureau shall be established to dispose of the business of the committee.

In the Committee Bureau there shall be the following officials.

Director of Bureau

Members of Bureau

The Cabinet shall appoint the Director from among the members of the committee, and the members of the Bureau from the official's of the respective Government offices and persons of knowledge and experience.

The Director shall dispose of the business of the Bureau under the direction of the Chairman of the Committee.

The Members of the Bureau shall dispose of miscellaneous affairs under the direction of their superiors.

Article 9.

In case of a tie, the Chairman shall have the casting vote.

Article 5. Upon necessity of examination, the committee may request from the Prime Minister or the Local Governor, the reasons for the designation under the provisions of the Memorandum, the explanations concerning application for recission or require the subject person or any other person concerned therewith to submit necessary data.

Article 6. Excluding those matters made public by the Prime Minister, the Chairman, members of the committee and the Extraordinary Committee may not disclose those matters concerned with the examinations of the committee.

Article 7. There shall be a secretary (clerk) in the committee who shall be appointed by the Cabinet.

The Secretary shall dispose of miscellaneous affairs under the direction of his superiors.

Article 8. A Bureau shall be established to dispose of the business of the committee.

In the Committee Bureau there shall be the following officials.

Director of Bureau

Members of Bureau

The Cabinet shall appoint the Director from among the members of the committee, and the members of the Bureau from the official's of the respective Government offices and persons of knowledge and experience.

The Director shall dispose of the business of the Bureau under the direction of the Chairman of the Committee.

The Members of the Bureau shall dispose of miscellaneous affairs under the direction of their superiors.

Article 9.

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EXHIBIT 2

Amended

Imperial Ordinance
No. of 1947

Appeal Procedures

Article 1. In case a person who has been designated as falling under the Memorandum wants to request the rescission of such designation by the Prime Minister or a Governor, he may submit such request to the Prime Minister, stating the reasons and enclosing relevant documents for evidence.

A person who has been designated as one falling under the Memorandum and is still in office must leave his post before submitting the request of the preceding paragraph.

Upon receiving the request of the first paragraph, the Prime Minister shall immediately send it to the Public Office Qualifications Appeal Board attaching thereto an explanatory statement and the questionnaire of the designated person.

The request of the first paragraph must be made within three months of the day on which the person was designated as falling under the Memorandum (in case of Article 3, paragraph 2 of Imperial Ordinance No. 1 of 1947, the day on which the period prescribed in the same paragraph has expired).

Article 2. On receipt of a report concerning the result of the investigation of the request of the preceding article from the Public Office Qualifications Appeal Board , the Prime Minister shall, on the basis of such report, rescind the designation, reject the request, or take any other appropriate measures and make an announcement thereof.

Supplementary Provisions

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

A person who was designated as falling under the Memorandum before the enforcement of this Imperial Ordinance may submit the request within a period of three months counting from the date of the enforcement of this Imperial Ordinance, notwithstanding ~~the~~ provision of Article 1, paragraph 4.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

AG 091.112 (13 Feb 47) GS

APO 500
13 February 1947

SUBJECT: Administration of the Purge

TO : Commanding General, Eighth Army, APO 343

1. Reference SCAPIN 550, 4 January 1946, subject, "Removal and Exclusion of Undesirable Personnel from Public Office", (Inclosure No. 1): Imperial Ordinances Nos. 1, 2 and 3 of 1947, and Cabinet and Home Ministry Ordinance No. 1 of 1947, (Inclosure No. 2).

2. Imperial Ordinances Nos. 1, 2 and 3 of 1947 and Cabinet and Home Ministry Ordinance No. 1 of 1947 were issued by the Imperial Japanese Government to further implement SCAPIN 550 and extend its application to local government organs and other influential political and economic posts. These Ordinances define in detail the categories of personnel to be screened and the criteria by which certain personnel shall be designated as falling under the memorandum and thereby subject to removal or barring from specified positions and exclusion from the public service. They also establish the administrative machinery and procedures required for the conduct of the screening program by the Japanese Government.

3. In order to insure compliance by the Japanese Government with the provisions of SCAPIN 550, as implemented by the Ordinances referred to above, it is necessary that SCAP supervise and review the administration and action of the Japanese Government.

4. Effective review and supervision by SCAP can only be accomplished with the assistance of the occupation forces in the field.

5. The basic principles to be observed by Eighth Army representatives in rendering such assistance with particular reference to the administration of the purge program by the Japanese Government were discussed during the conference held by the Government Section with Military Government representatives 6 through 10 January.

6. The principal points of the information discussed with Military Government officers at that time are <u>summarized</u> below:

a. <u>Purpose</u>

(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 dis-

b.

armament 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 rechniques 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 ordinance referred to above.

(2) All Japanese submitting petitions or making inquiries or requestsfor 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 Eighth Army authorities and 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) Inorder 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 Ordinances.

(3) The criteria under which persons will be screened for the public service are enumerated in Appendix I, 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 result 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 made available for public inspection.

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

SCREENING SCHEDULE

Date		Approximate No.
1 February	Members of Screening Committees	2,500
15 "	Holders of Principal Public Office at the Prefectural Level	5,000
20 "	Holders of Principal Public Office at the Municipal Level and Election Administration Committee Members	5,200
25 "	Candidates for Governor and Mayor of five principal cities and Members of the House of Councillors	3,500
28 "	Candidates for Prefectural Assemblymen	21,000
	Candidates for Mayor and Headman 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 para. 10, 11 and 12, Appendix II of Cabinet and Home Ministry Ordinance No. 1, 1947	6,000
25 March to 15 April	Candidates for Assemblyment of City, Town and Village	15,000
16 April to 30 April	Holders of Principal Public Office in organizations under para. 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.

d. Responsibilities of the Occupation Forces

(1) 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:

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

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

(c) 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.

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

(e) 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.

(f) 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.

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

(h) 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".

(i) 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.

(j) 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:

1. Place of posting
2. Date and duration of posting
3. Preservation and availability of old questionnaires
4. Delivery of bulletins to newspapers

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

7. The inherent value and ultimate success of the Purge Program can only be realized with the general awakening of the people to their responsibilities and constitutional prerogatives in the selection of democraticand well qualified representatives. 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 these instructions are received through channels. It should be noted, however, that the Political Affairs Bulletin, prepared jointly by the Government Section and the Civil Information and Education Section, SCAP, is prepared 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. Military Government officers should, however, be on the alert for distortion or inaccurate translations or interpretations.

8. The following points are reiterated for emphasis:

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

b. The activities of Military Government personnel should not in any way interfere with or inhibit the procedures or action 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 chairman thereof and observing compliance with the publicity procedures.

9. 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.

10. The documents listed as inclosures, copies of which, with the exception of SCAPIN 550, were distributed to the Military Government officers during the conference referred to in paragraph 5 above are to be considered a part of these instructions. In order to avoid confusion, however, Military Government officers should be instructed immediately that they are to disregard two additional documents which they received at the conference referred to 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 paragraph 6 d above under the heading "Responsibilities of the Occupation Forces."

BY COMMAND OF GENERAL MacARTHUR:

JOHN B. COOLEY
Colonel, AGD,
Adjutant General.

4 Incls:

Incl 1 - SCAPIN 550
" 2 - Imperial Ordinances Nos. 1,2,3 of 1947; Cabinet & Home Ministry Ordinance No. 1 of 1947
" 3 - Notification to Screening Committees
" 4 - Tentative List of Screening Committees

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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
~~Government Section~~

APO 500
~~3 February 1947~~

AG 091.112 ( ) GS
AG (~~File No.~~)

SUBJECT: Administration of the Purge

TO : Commanding General, Eighth Army, APO 343

1. Reference SCAPIN 550, 4 January 1946, subject, "Removal and Exclusion of Undesirable Personnel from Public Office", (Inclosure No. 1); Imperial Ordinances Nos. 1, 2 and 3 of 1947, and Cabinet and Home Ministry Ordinance No. 1 of 1947, (Inclosure No. 2).

2. Imperial Ordinances Nos. 1, 2 and 3 of 1947 and Cabinet and Home Ministry Order No. 1 of 1947 were issued by the Imperial Japanese Government to further implement SCAPIN 550 and extend its application to local government organs and other influential political and economic posts. These Ordinances define in detail the categories of personnel to be screened and the criteria by which certain personnel shall be designated as falling under the memorandum and thereby subject to removal or barring from specified positions and exclusion from the public service. They also establish the administrative machinery and procedures required for the conduct of the screening program by the Japanese Government.

3. In order to insure compliance by the Japanese Government with the provisions of SCAPIN 550, as implemented by the Ordinances referred to above, it is necessary that SCAP supervise and review the administration and action of the Japanese Government.

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4. Effective review and supervision by SCAP can only be accomplished with the assistance of the occupation forces in the field.

5. The basic principles to be observed by Eighth Army representatives in rendering such assistance with particular reference to the administration of the purge program by the Japanese Government were discussed during the conference held by the Government Section with Military Government representatives 6 through 10 January.

6. The principal points of the information discussed with Military Government officers at that time are summarized below:

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 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 Eighth Army authorities and 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. ~~Jurisdiction of the central committee is outlined in Appendix 3, Cabinet and Home Ministry Ordinance No. 1, attached hereto.~~ delete

(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 ~~by~~ under which persons will be ~~disqualified~~ 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 result 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 made available for public inspection.

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

SCREENING SCHEDULE

Date		Approximate No.
1 February	Members of Screening Committees	2,500
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		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.

d. Responsibilities of the Occupation Forces

(1) 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:

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

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

(c) 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.

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

(e) 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.

(f) 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.

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

(h) 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".

(i) 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.

(j) 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:

1. Place of posting
2. Date and duration of posting
3. Preservation and availability of old questionnaires
4. Delivery of bulletins to newspapers

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

7. The inherent value and ultimate success of the Purge Program can only

be realized with the general awakening of the people to their responsibilities and constitutional prerogatives in the selection of democratic and well qualified representatives. 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 through channels. It should be noted, however, that the Political Affairs Bulletin, prepared jointly by the Government Section and the Civil Information and Education Section, SCAP, is prepared 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. Military Government officers should, however, be on the alert for distortion or inaccurate translations or interpretations.

8. The following points are reiterated for emphasis:

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

b. 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.

9. 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.

10. The documents listed as inclosures, copies of which, with the exception of SCAPIN 550, were distributed to the Military Government officers during the conference referred to in paragraph 5 above are to be considered a part of these instructions. In order to avoid confusion, however, Military Government officers should be instructed immediately that they are to disregard two ~~of the~~ ADDITIONAL documents which they received at the conference referred to above, namely, Imperial Ordinance No. 4 of 1947 concerning headmen of chonaikai, burokukai 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 paragraph 6 d above under the heading "Responsibilities of the Occupation Forces."

9 > BY COMMAND OF GENERAL MacARTHUR:

4 Incls:

Incl 1 - SCAPIN 550
" 2 - Imperial Ordinances Nos. 1,2,3 of 1947;
Cabinet & Home Ministry Ordinance No.1 of 1947
" 3 - Notification to Screening Committees
" 4 - Tentative List of Screening Committees.

Purge

GS File

Letter of Instructions to Commanding General,
8th Army

Government Section G/S 10 February 1947

(1)

1. In order that Military Government units in the field may efficiently carry out their duty of surveillance of the purge directives certain specific information must be furnished those units.

2. Request the attached letter to Commanding General, Eighth Army, which contains definite instructions pertaining to the surveillance be approved.

1 Incl:
Ltr, CG 8th Army

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471

MEMORANDUM FOR RECORD

SUBJECT: Command Letter Concerning Administration of the Purge

1.Command letter concerning the administration of the Purge was written to impress upon Military Government Personnel in the field the fact that to a great extent their observations and report of the conduct of the Purge by the Japanese Government will determine the success of the Purge extension.

2. Command letter contains specific instructions as to action by Military Government Personnel, and specific prohibitions of certain actions. It also contains screening schedule and a general explanation of the extension of the Purge. Inclosures are SCAPIN 550, the Japanese ordinances implementing the extension of the Purge and related subject matter.

J. Napier,
Major

TO : GENERAL HEADQUARTERS OF THE SUPREME COMMANDER FOR THE ALLIED POWERS.

FROM : Central Liaison Office, Tokyo.

SUBJECT: Application for Approval of Reinstatement of Persons Excluded from the Public Service under SCAPIN 550.

C.L.O. No. 808(PP) 8 February 1947

1. Reference:

a. SCAP Memorandum AG o91.1(4 Jan 46)GS, subject: "Removal and Exclusion of Undesirable Personnel from Public Office."

b. SCAP Memorandum AG 676.3(11 Oct 45), subject: "Continuation of Ionosphere Measurements and Associated Research in Japan."

2. In compliance with the reference b. Memorandum, the Japanese Government has been making its efforts to continue systematic observation of ionosphere over Japan and to maintain and manage "Physical Institute on Radio Waves" under the Department of Education as a core of the post-war non-military organization for the research work thereof. In connection with the continuation of the research work, it is requested that General Headquarters, Supreme Commander for the Allied Powers be good enough to give favorable consideration to the reinstatement in the said Institute as technical officials of Second Grade of the following two persons who are to be excluded from public service for the reason of their being formerly technical captains of the Army:

MURAMATSU, Kinya
YUHARA, Hiroo

3. Both persons, after having graduated from the Tokyo Imperial University, entered the military service and were engaged thereafter solely in technical field in the Army. Therefore they have not received any military education and are entirely scientific experts who have nothing to do with strategic or actual fighting field of the Army, and are among the few who have technical knowledge and experience concerning the research work in question. They are the persons who exactly come under the category stipulated in paragraph 2b. of the reference b. Memorandum, which reads: "personnel of Naval and Military organization hitherto contributing to the overall wartime program of work on radio wave propagation should be transferred

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

6 February 1947

MEMORANDUM FOR PUBLIC ADMINISTRATION DIVISION

SUBJECT: Summary of Staff Studies from G-2
a. "Interpretation and Implementation of the Purge Phase of the Occupation."
b. "War Politics in Japan".
c. "The Brocade Banner - The Story of Japanese Nationalism."

General Willoughby, in his check sheet dated 23 December 1946, subject: "Implementation of the Purge", states: "Nothing must be done to deteriorate this record (the astonishing tranquillity of the Occupation); any move, no matter how laudatory under the Potsdam Declaration, must be analyzed as to its effect on public peace." It is with this basic premise as a starting point and as the basic philosophy of thought as the underlying theme that these three staff studies were prepared. "Any move . . . must be analyzed as to its effect on public peace". Public peace, to General Willoughby and his staff, seems to mean the maintenance of the status quo and any move to change the status quo would therefore endanger "public peace".

1. In "Interpretation and Implementation of the Purge Phase of the Occupation", the main points of criticism of the extension of the purge are the following:

a. The local purge is dangerous . . . because any government needs an indispensable bureaucracy.

b. The Economic Purge . . . will throw industry into inexperienced hands.

c. Extension of purge to types of organizations not condemned by JCS Directive 1380/15 . . . threatens the stability of the government. (Among these organizations they include the Dai Nihon Butokukai, which they term a "semi-official athletic society."

d. The extension of the purge supports Communist policies.

e. The recommendations presented are based on the above premises.

2. In "War Politics in Japan", the main point of dissension with the extension of the purge is that mere connection with IRAA, IRAPS or the Political Association of Great Japan by any one, should not be grounds for making that person purgeable. (Recommend General Willoughby read the Ordinances extending the purge).

3. "The Brocade Banner - The Story of Japanese Nationalism" attempts to prove by the cyclic theory of history that the purged elements , being

dislocated from their routine life, will be forced into extremist movements, thereby supporting the Communist movement in Japan.

4. Conclusion:

a. The staff studies presented, as long as they stick to the facts, are very informative.

b. The interpretations with regard to purge policies are in disagreement with Government Section's policies which still give precedence to the terms of the Potsdam Declaration over the maintenance of public peace with regard to actions taken by the IJG.

c. The staff studies at this time are irrelevant inasmuch as the extension of the purge is a fait accompli.

5. Recommendation: That Government Section make no comment on the staff studies.

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