

Declassified E.O. 12356 Section 3.3/NND No. 785016

ACC

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Declassified E.O. 12356 Section 3.3/NND No. 785016

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DEFASCISM, PROPOSED LEGISLATION,
AMENDMENT III TO DLL (ART 22), 159
AUG. - DEC. 1944

28 NOV 1944

5 The writer described the (Berg, Gopher & Gopher) incorporation relatives
that he is in perfect agreement with nature of culture and in favor of its
being that with effect. relatives that he is a strong control & stop being
strong control effect & being

MINUTES

Minutes

7
Lt Col White. So, I have checked with COS & no reply has yet
been received to folio 7A. AL. 10 Oct. 44

G.R.W.

A/ce

Submitted for signature.

HS/13/12

CW. App. Sec.

A/ce has signed the letter but cannot
see the letter attached to. He would have
liked to.

Edith May

14.10.44.

Office of COS.

5258

Lt Col White C.A. Sec.

Thank you. In' Long has been recalled.
16/10.

Minutes

Minutes

VP.

Refer para 4 of 4A - 4B does not seem to call for a reply. Do you agree?
~~Transfer the remainder of B to business for information and action.~~

You will note that it has taken from 19th to 26th Oct for 4B to reach this Hq and that though the letter was drafted on 14 Nov. the reply is sent to them. I have seen them who agree to send letters to us. They are sending this copy of 4B to business. I have seen business 4B and they will take necessary action.

CAS.
25 OCT 1944

S.O.I.

No reply is necessary.
 The P.M. is replying to our letter & in doing so has made a very nice admission which may later be used in evidence against him.
 Please send this letter to COS. so that his CGO may be advised of the position.

25 Oct

GR21

COS

Refer para 2 of 4A. Please see 15.11.44 above

CAS.
25 OCT 1944

16
 Noted

[Signature]
 for VP

Col
 26.10.44.
 id 300.

[Signature]
 for Col

Minutes

A/CC.

All 4 A is a draft of a D/O letter which I suggested should be sent to the Prime Minister. Apparently there is some difference of opinion between Ministers and Secretaries as to asked for the assistance of assistance by the PM. It seemed to me inappropriate to postpone when we are not quite sure as suspended them for some serious instances of foreign activities should have their pay restored to them.

G. R. Lupton
Min. Sec.

(In these copies are for introduction by Sec Gen)

Albion

- e) Amendment 3 to Decease 159 requested from the Prime Minister as amendment to Art. 22 re pay of suspended persons.

10/10/44

Sec Gen

at 4 A is a draft of a memorandum which is suggested should be sent to R. B. M.

10/10/44

Minister

10/10/44

for note (Sec Gen, 10/10/44) file with a reference to reply that the Minister should call it over to Admin.

10/10/44

Finance

to the proposed amendment to Art. 22

2257

(The above copies are for information by Sec Gen)

G. R. Lupton
Fin/Sec

e) Amendment 1 to Decree 159 requested from the Prime Minister as amendment to Art. 22 re pay of suspended persons.

Sec Gen *to* *for* *in*
 as to A is a draft of a memorandum which is suggested.
 should be printed etc.

W. H. H. H.
for VP

8 SEP 1944

for quote (see Gen. 12/12/44) etc will be discussed as early as possible and will be sent to Admin.

5257

8 SEP 1944

Finance.

At 4.15 is the Italian reply to the proposals to amend Art. 22 of Dec 159. You will also note A/Cs remarks at 4.15. Many in view of our comments please.

W. H. H. H.
for Sec.

13 SEP 1944

⑥

To A/C.C.

Opposite is a proposed draft for consideration of the C.C. *W. H. H. H.* 22/9/44.

Minutes

Declassified E.O. 12356 Section 3.3/NND No. 785016

10. *Results*

U.S. 1072-14741,
for V-22 Section

5250

(5896)

Declassified E.O. 12356 Section 3.3/NND No. 785016

It is noted that since the liberation of Germany, a discretionary provision has been in force concerning the punitive measures against some public employees holding certain political titles (communists, socialists, etc.) who are in an unexamined position in regard to the so-called government of the Reich.

Under the law of 1945, it was provided for a certain amount of freedom of action while the investigation was being conducted. The Federal Government of Germany, however, has not been able to carry out the law of 1945 in its entirety. The law of 1945 was not applied completely for various reasons; first, the law of 1945 was not in force, second, the law of 1945 was not applied in its entirety, and third, the law of 1945 was not applied in its entirety.

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Declassified E.O. 12356 Section 3.3/NND No. 785016

TRANSLATION NO. 413

PRESIDENCY OF THE COUNCIL OF MINISTERS

File No. 18776/10045
1.3.1.

18 JULY 1944

ROME, 19 November 1944

SUBJECT: application of art. 22, third para. of D.L. 159 of 27 July 1944

TO : ALL THE MINISTERS
and for information
THE HIGH COMMISSIONER FOR EMERGENCY

It is known that since the liberation of Rome, a discretionary provision has been in force suspending the punitive measures against some public employees holding certain definite titles (quadriga, sciapa littorio, etc.) who are in an unaltered position in regard to the so-called government of the social republic.

After the D.L. 159 of 27 July 1944 for sanctions against fascists came into force public administrations were supposed to adopt the formal measure of suspension from office, contemplated by 3rd. para. art. 22 of the said decree against persons referred or to be referred for suspension proceedings, with the financial arrangement established thereof, whenever the conditions set forth in the article occur.

The mentioned provision, however, has not been applied completely for various reasons; instead, the old discretionary measures were kept in force, together with the payment of the salary only, contrary to what is established in the mentioned provision.

Hence this Presidency, in agreement with the Allied Commission and the High Commissioner for emigration, has re-examined the question of the treatment of the afore-mentioned personnel, and has come to the conclusion that the above provision must be put into effect in those cases in which it has hitherto been applied.

Public administration will therefore immediately suspend from office, with a ministerial or prefectural decree, those employees who have not been called back into service or those recall is not deemed advisable because they constitute a danger to the rehabilitation of the services or are a source of public resentment, giving moreover the relative decrees the same date as that which legislative decree 159 came into effect, for the payment of the role salary for self-support, excluding any other allowance.

For those who were suspended from office before legislative decree 159 came into effect, with a formal measure of the Allied Military Authorities, the treatment remains the same from the date of suspension until the date in which the afore-mentioned decree becomes effective, and from this time the third para of art. 22 shall be applied.

Naturally all the allowances due to those employees who are suspended from

2255

Declassified E.O. 12356 Section 3.3/NND No. 785016

TO : ALL THE MINISTERS
and for information
THE HIGH COMMISSIONER FOR EDUCATION

It is known that since the liberation of Rome, a discretionary provision has been in force suspending the punitive measures against some public employees holding certain definite titles (equivalent, superior lieutenant, etc.) who are in an unassailable position in regard to the so-called government of the royal republic.

After the D.L. 159 of 27 July 1944 for sanctions against fascists came into force public administrations were supposed to adopt the formal measure of suspension from office, contemplated by 3rd. para. art. 22 of the said decree against persons referred on to be referred for suspension proceedings, with the financial arrangement established thereof, whenever the conditions set forth in the article occur.

The mentioned provision, however, has not been applied completely for various reasons; instead, the old discretionary measures were kept in force, together with the payment of the salary only, contrary to what is established in the mentioned provision.

Hence this Presidency, in agreement with the Allied Commission and the High Commissioner for education, has re-examined the question of the treatment of the afore-mentioned personnel, and has come to the conclusion that the above provision must be put into effect in those cases in which it has hitherto been applied.

Public administration will therefore immediately suspend from office, with a ministerial or prefectural decree, those employees who have not been called back into service or whose recall is not deemed advisable because they constitute a danger to the rehabilitation of the services or are a source of public resentment, giving moreover the relative decrees the same date as that which legislative decree 159 came into effect, for the payment of the sole salary for self-support, excluding any other allowance.

For those who were suspended from office before legislative decree 159 came into effect, with a formal measure of the Allied military authorities, the treatment remaining the same from the date of suspension until the date in which the afore-mentioned decree becomes effective, and from this time the third para of art. 22 shall be applied.

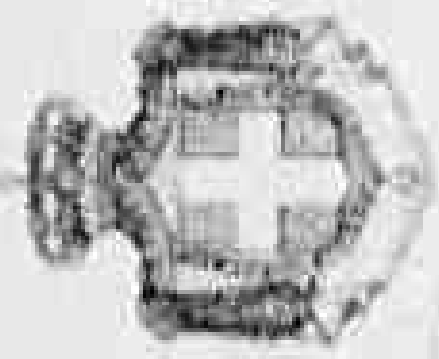
Notably all the allowances are due to those employees who are suspended from office after D.L. 159 came into effect up to that date.

It is finally noted that the other employees against whom the suspension decree is not issued, shall be paid all the arrears.

The Ministers, to whom this is addressed will put the measures prescribed in this letter into effect, either directly or through the bodies and agencies under them, giving assurance of their execution to this Presidency.

THE PRESIDENT OF THE COUNCIL OF MINISTERS
/s/ Ivano Bonatti

2255



Franceschini
del Consiglio dei Ministri

GABINETTO

Res. N. 12776 del 27 luglio 1944
(L. 3. 1)

Risposta al foglio del
Qu. Soc. N. 17

OCCETTO : *Applicazione dell'art. 22, terzo comma, del decreto legislativo 27 luglio 1944, n. 152.*

E' noto che, fin dalla liberazione di Roma, con provvedimento di gabinetto contabile, è stata sospesa la retribuzione ed alcuni pubblici impiegati in possesso di determinato qualifica (acquistata, notorio l'istesso, etc.) in una situazione non appurata circa il compimento totale, nei confronti del settantesimo governo della repubblica sociale.

Entrato in vigore il decreto legislativo 27 luglio 1944, n. 152, per le sanzioni contro il fascismo, la pubblica amministrazione deve aver dovuto subito contare, nei confronti delle persone defunte o la defezione il procedimento di epurazione, il procedimento formale di assunzione dell'affetto previsto dal terzo comma dell'art. 22 del decreto medesimo, con il trattamento economico dei pubblici, avendo un vice trasmettere gli estremi.

L'applicazione della disposizione citata, però per parte, riconoscente, per un dato integrale applicazione; e sono state invece contenute le procedure degli elenchi contabili, ritenendo ferma la sospensione della corrispondenza delle del solo trattamento, diversamente da quanto è stabilito nella nostra città.

3254

Per conto nostro, Presidente dell'Intesa con la Commissione Allarme e

Repubblica Italiana
 Roma, 27 luglio 1944, n. 172

OCCORRENZA - Applicazione dell'art. 22, comma 2, del decreto legislativo 27 luglio 1944, n. 172.

E' noto che, fin dalla istituzione di Roma, con provvedimento di amministrazione, è stata concessa la cittadinanza ad alcune persone (invece in possesso di determinate qualifiche, quali: laurea, laurea in medicina, ecc.) ed in una situazione non apparente circa il loro diritto di cittadinanza nei confronti del sedicente governo della repubblica italiana.

Inoltre in vigore di decreto legislativo 27 luglio 1944, n. 172, per le sanzioni contro il fascismo, la pubblica amministrazione deve essere dovuta subito adattare, nel confronto delle persone del settore, le norme di provvedimento di amministrazione, il provvedimento formale di amministrazione dalla ufficio preposto dal loro corso dell'art. 22 del decreto legislativo, con il trattamento economico in servizio, quando ne richiedessero gli interessi.

L'applicazione della disposizione citata, però, per parte dell'amministrazione, non ha avuto integrale applicazione; e sono state invece mantenute le precedenti misure cautelari, ritenendo ferma la sospensione della loro amministrazione anche nel caso di amministrazione in servizio e stabilita nella norma citata.

Per tanto questa Presidenza, d'intesa con la Commissione di Amministrazione, l'Alto Commissariato per l'epurazione, ed ritenendo la questione del trattamento economico al personale prestatario, pervenendo alla conclusione che si debba dare attuazione alla norma citata, in tutti i casi nei quali ciò ancora non abbia avuto luogo.

Le amministrazioni pubbliche dovranno quindi provvedere sollecito alla

5461
 1943

te a sospendere dall'ufficio con il prescritto decreto ministeriale o prefettizio i dipendenti che non sono stati riciclati e non si ritenga opportuno riciclare in servizio persone costituiscono un pericolo per il riassetto dei servizi e sono ragione di turbamento per il pubblico, dando ai decreti relativi in decorrenza dalla data di entrata in vigore del decreto legislativo n. 159, al fine della corrispondenza del solo stipendio a titolo di assegno alimentare, esclusa ogni altra indennità.

Per coloro i quali sono stati sospesi dall'ufficio anteriormente all'entrata in vigore del decreto legislativo n. 159, con formule prevedenti l'assunzione delle autorità militari all'estero, rimane fermo il trattamento relativo, dalla data di sospensione sino all'entrata in vigore del decreto legislativo predetto, e in questo senso deve essere applicata la legge come del citato art. 22.

Naturalmente, ai dipendenti che sono sospesi dall'ufficio da una data posteriore all'entrata in vigore del decreto legislativo n. 159, fino a quella data competono tutti gli assegni.

E' infine ovvio che agli altri impiegati, nei confronti dei quali non è emanato il decreto di sospensione dall'ufficio, devono essere pagate tutte le competenze arretrate finora non corrisposte.

I Ministri, ai quali è diretta la presente, dovranno provvedere all'attuazione delle previsioni in essa contenute, sia da parte propria, sia da parte degli enti ed istituti dipendenti, assicurandone l'adempimento a questa Presidenza.

5253

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

Alcuna del decreto legislativo n. 159, al fine della corrispondenza del suo stipendio a titolo di assegno aliteniore, assoluca ogni altro im-
dennita.

Per coloro i quali sono stati sospesi dall'afficio anteriormente al-
l'entrata in vigore del decreto legislativo n. 159, con formale propo-
sizio della Autorita' afficiale, rimane fermo il trattamento reio-
tico, dalla data di sospensione sino all'entrata in vigore del decreto
legislativo predetto, e da questo momento deve avere applicazione il
terzo comma del citato art. 22.

Naturalmente, ai dipendenti cui sono sospesi dall'afficio da una
data posteriore all'entrata in vigore del decreto legislativo n. 159,
fino a quella data competono tutti gli ass. gnt.

E' infine ovvio che agli altri impiegati, nei confronti dei quali
non e' emanato il decreto di sospensione dall'afficio, devono essere po-
nate tutte le competenze arretrate finora non corrisposte.

I ministri, ai quali e' diretta la presente, dovranno procedere al-
l'attuazione delle prescrizioni in essa contenute, sia da parte propria,
sia da parte degli enti ed istituti dipendenti, assicurandone l'adempie-
mento a questa Presidenza.

5250

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

Giuseppe Saragat

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS
ALLIED CONTROL COMMISSION
CICP
Office of the Chief of Staff

Tel. 735

Ref A/97/1A/COS

24 October 1944

25001/1944

SUBJECT: Payment of Salary to Suspended Italian Officials

TO: Economic Section

1. The attached letter from the Prime Minister dated 19 Oct 44 is sent to you for necessary action.

2. Will you please prepare reply for signature of the Acting Chief Commissioner.

[Signature]
Staff Officer
Chief of Staff.

c.c. C. A. Sec ✓
Maj. Quayle.

5252

Declassified E.O. 12356 Section 3.3/NND No. 785016

translationTHE PRESIDENT OF THE
COUNCIL OF MINISTERS

100/6 - 10/1.3.1.

Rome, 19 October 1944.

Dear Admiral,

I answer your letter of September 26th, about the payment of the salary of the employees, whose wages were suspended because they belonged to the category foreseen by art. 14 of the legislative decree n. 159, July 27th 1944, for the sanctions against Fascism.

Following the advice you gave us in the said letter about the payment of these wages, the Government and the High Commissariat for education have examined the possibility of an unfavourable reaction in public opinion, and think that no appreciable reaction can take place.

Therefore, the necessary instructions will be given to the Administrations, for the decree to be enforced, integrally, paying the entire retribution, arrears included, till the date of the suspension from the charge, according to art. 22 of the said decree, and then the alimentary allowance amounting to the salary only.

I remain, yours very sincerely,

/s/ I. Bonomi

Commodore Allery W. Stone
Chief Commissioner
Allied Control CommissionA C M S

5251

Trans. E.C.

3/15

Declassified E.O. 12356 Section 3.3/NND No. 785016

NSC 250.
12/5.5/44.

14th October 1944.

My dear Mr. Prime Minister:

I am very anxious to have your reply to my letter 4/00
250 of 26th September as I desire to instruct my Finance officers
as to whether persons suspended as being Mercia ex Roma, etc., are
to be paid or not.

Yours very truly,

WILSON E. STONE
Comptroller, USNH
Acting Chief Commissioner

His Excellency Ivanoe Bonomi,
President of the Council of Ministers,
ITALIAN GOVERNMENT.

5250

Declassified E.O. 12356 Section 3.3/NND No. 785016

WMS/hjp

A/C 230
08/5.5/44

26 September 1944

Subject: Amendment III to Bill (Article 22) 159.

My dear Mr. Prime Minister:

Thank you for your letter dated 7 Sept on the subject of the amendment of article 22 to Bill No. 159 dated 27 July.

You rightly point out that the circular letter issued by the Treasury in June has now been superseded by the decree and that therefore by law payment to all classes (including Garcia su Roma, etc.) of suspended officials should be made, pending a final decision in each case.

From this view I could not dissent in principle but in making my suggestion I was influenced by the possibility of unfavorable public reaction should your Government commence paying the classes of squadrista, etc., when no such payment has been made for 3 months.

If, my dear Prime Minister, you and your colleagues have fully considered this aspect of the case and are of opinion that there will be no such reactions or that they can be easily handled then, especially in view of the distress which may otherwise be caused, I am agreeable on the basis of Article 22 as it stands.

Will you please let me know your decision in this matter at once so that I may with the least possible delay give the appropriate instructions to my Finance Officers.

Yours very truly,

WILLIAM W. BROWN
Captain, USMC
Acting Chief Commissioner

3248

His Excellency Ivanoe Bonomi
President of the Council of Ministers
Italian Government

cc: Exec Commissioner
W, Econ Sec
W, Admin Sec
Finance S/C

59 354

By ACC Secy Gen
DISPATCHED
Date Time 26 SEP 1944
via Sp. Mess. (and 1200)
initials 47

Declassified E.O. 12356 Section 3.3/NNN No. 785016

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

GCH/pa.
13 Sept 1944.

ACC/LIC/L.

SUBJECT : Amendment of RIL 159 of 27 July 1944.
TO : Finance Sub-Commission.

Note

1. Reference yours dated 16 September 1944, unnumbered.
2. It does not appear that DORUMI's Government is anxious to protect fascists. As a matter of fact ~~both~~ TOGHIANI and SCOCODINARO, both communists are of opinion that salaries be maintained during suspension whatever the fascist qualifications of the officials may be.
3. The difficulty is to determine who is a fascist according to the law or who is not. It is to protect people who may be found not guilty of fascism that the payment of salary during suspension is recommended by all members of the government.
4. If Finance can supply all concerned with a 100% watertight definition of a fascist, proceedings would be rendered very much easier.

G. G. HASTINGS,
Lt. Colonel,
Officer in Charge Italian Branch,
for Chief Legal Officer. 5248

HEADQUARTERS
ALLIED CONTROL COMMISSION
FINANCE SUB-COMMISSION
APO 394
Tels. 417 and 553

(5A)

16 September 1944.

SUBJECT: Amendment of RDL 159 of 27 July 1944.

TO : Vice-President, Administrative Section. ✓

1. In accordance with your request contained in 5 of the attached file (DF/5.5/AS) comments are made as below:-
2. The reply submitted by S.E. Bonomi would appear to be an evasion of the problem of epurazione rather than a sincere consideration of that problem.
3. Specifically the statement in the first paragraph of this letter that the decree should not be amended simply because it is a recent decree does not relieve the Italian Government from giving whatever "careful study and consideration" is necessary (even beyond that already given) in order to carry out the terms of the armistice for the purging of Fascists from the Italian Government.
4. The statements made by Bonomi in reference to the need for amending Art. 22, (incidentally to make it consistent with Art. 14), that it is necessary to pay something to fascists otherwise they will starve to death is quite irrelevant. There is provided in Italian law a system of relief which is being applied to those Italians who were not fascists and why the fascists should receive better treatment than those that were not fascists is not clear.
5. The Italian press has repeatedly criticized the present Italian government for its failure to deal effectively with fascists and if Bonomi's reply were to be given publicity, it is doubtful that his government could exist longer; except as a government imposed on the Italian people through support of the Allied Nations. 5241
6. A specific danger, referred to in the preceding paragraph, will develop with the arrival of 27 September, the monthly pay day. The facts are these: By a ministerial circular issued 27 June, payment of salaries to three categories of fascists was prohibited for the months of June and July. Later by agree-

(5A)

ment with the Under-secretary of the Treasury the prohibition was continued for August completing the categories to conform with the six mentioned in Art. 14 of RLL 159. For the month of September, however, a complete reversal will have to be made and payment of full salaries will be made to all six categories of known fascists, excepting only those few who have been actually suspended, in which case those suspended will receive their basic pay only. Such a condition can only bring more discredit on the Italian government for its coddling of fascists.

7. It is pertinent to point out that were S.E. Bonomi employed as counsel for former fascists he could not make a stronger plea on their behalf than contained in his reply of 7 September 1944.

8. In reference to the note made by the Chief Commissioner, the suggestion made by Finance Sub-Commission was to the effect that if the epurazioni proceedings were conducted efficiently and quickly there would be no need for amendment, since the cases would have been decided individually on their relative merits. This, however, has not been the case and at present the situation described in paragraph 6 has developed.

A.P. Graber Smith
Colone

Joint Director,
Finance Sub-Commission.

Copy sent to Director-Legal S/c

Declassified E.O. 12356 Section 3.3/NND No. 785016HEADQUARTERS ALLIED CONTROL COMMISSION
Office of the Acting Chief Commissioner
APO 194

HIS/njp

9 September 1944

A/CC 250

1 SEP 1944

MEMORANDUM TO: Vice President, Administrative Section

1. Reference is made to attached letter from H. E. Bonomi, dated 7 September 44, which is in reply to A/CC 250 of 25 August 44 drafted by your section.

2. Please provide appropriate action and draft reply for my signature.

My recollection is that with agreement of the Sub-Commission, we were not going back for a change.

Stone

2 Incls:

- 1 - Ltr fr HE Bonomi dtd 7 Sept 44
- 2 - Ltr to HE Bonomi dtd 25 Aug 44

5246

Declassified E.O. 12356 Section 3.3/NND No. 785016

TRANSLATIONTHE PRESIDENT OF THE
COUNCIL OF MINISTERS

Rome, 7 September 1944

Dear Admiral,

104
8 Sept 1944
1944

In answer to your letter of August 25th Acc 250, I want to tell you that it does not seem advisable to me to make important modifications to the decree n. 159, 27 July, of the Lieutenant, so soon after its being issued. Because of its difficulty and of its political importance, the wording of this decree has been carefully studied and considered both by my Government and by the ACC.

I take the liberty of expressing my way of thinking about the subject of your letter.

The art. 22 of the decree deals with the payment to the suspended employees, not of their whole retribution, but of their salary only, which is now but a part, and not always the most important, of their retribution. The present law has taken this measure for reasons of alimentation, for it is neither human nor just to take away every means of living from those whose guilt has not yet been proved, even if they are strongly suspected.

For prudence sake, it has been decided last June to suspend every payment to all those who were in the conditions foreseen by the art. 14 of the decree, till the matter should be settled by a law. Now that this has happened with the full approval of the ACC, it seems that we might pay their salary only for alimentation purposes to the suspended categories, and the whole retribution to those who are not suspended.

You must remember that the inquests which have been made have shown that the qualifications foreseen by art. 14 have often been attributed in a general way without corresponding to a real responsibility; therefore it does not seem advisable to suspend everybody's salary without distinction. In time, the inconvenience is getting more and more serious, for in the present difficult moment, these people find themselves without means, sometimes without sufficient motives, and are therefore encouraged to take part in activities which are hostile to the Government, and might manifest itself by inconsiderate actions.

You must also remember that the people mentioned in art. 14 are not always the most responsible; art. 12 and 13 of the decree foresee more serious cases. For these total suspension of every kind of retribution is not possible, because of the lack of a precise qualification which would individualize them; the individualization can only take place by supposition with the decree of suspension, and in a certain case, by the judgement of epuration.

The following is therefore happening: those who had a qualification (belonging to the party before the march on Rome, littorio scarf, etc) as a simple formality, have been deprived for month of every economic resource; many of them are very simple people and not at all well off; those who have a greater responsibility get their whole retribution till the decree of suspension and then at least an allowance.

To my mind, the law ought to be enforced, while the Government making a wary use of its power of suspension, will go on removing these who are seriously compromised, and will hasten (I have made a circular to that purpose) the judgement of epuration on which depend the sacking, and in serious cases, the right to an allowance.

I shall be glad to know your opinion on this matter.

Yours truly

/s/ Ivanoe Bonomi

Admiral Ellery. W. Stone

Chief Commissioner

Allied Control Commission

R o m e

5244

Trans E.C.

Declassified E.O. 12356 Section 3.3/NND No.

785016

SRS/ajp

A/CC 250

25 August 1944

My dear Mr. Prime Minister:

I understand that certain amendments to D.L. 159 are in contemplation and I would like the Council of Ministers to consider making a further amendment to deal with the following inconsistency.

The arrangements for the pay of persons suspended by AOC or your Ministries prior to the coming into force of this decree were laid down by the Treasury with the approval of AOC in the month of June.

One of these provisions was that persons in certain categories (e.g. Mercia su Roma) should receive no pay. Art 22 contains no such limitations and creates the impression that this decree restores pay to persons of these categories. I think you will agree that this is undesirable and that it may possibly give rise to unfavourable comment both here and overseas.

I therefore ask you to consider the amendment of paragraph 3 of Art 22 so that persons of the classes mentioned in Art 14 shall not be entitled to pay. You may also like to consider putting in a clause permitting payment to those categories in special cases e.g. where a title has been conferred in recognition of prowess in sport.

Hq AOC Secy Gen
DISPATCHED
Date Recd 26 Aug 1944
Via 173
Initials 344

MILLY E. STONE
Captain, USNR
Acting Chief Commissioner

5240

His Excellency Ivanoe Bonomi,
The President of the Council of Ministers,
Italian Government,
Rome.

cc: Admin Sec

NOTES ON FINANCE SUB-COMMISSION

MEMO

16 August 44

The attached comments from the Finance Sub-Commission do not appear to take into consideration the principal elements of the problem.

A. Suspension. To start with it is taken for granted that proved fascists are easy to identify- this is not so. Arguments are still raging as to the criteria by which the status of a fascist can be determined. Is it for instance all members of the F.N.F., in that case all judicial personnel should be dismissed. Is it the attribution of the rank of squadrista, the granting of a sciarga littoria, the award of a marcia su Roma insignia. All these have been conceded to people who were prominent in literature, science and sport, but had very little to do with Fasciam. So that if it is agreed that very few persons, if any, either in the Italian administration or A.C.C., are qualified to ascertain at first glance who is a fascist or who is not, how can the proposed suspension be applied without running the risk of causing great injustice, which would be still increased if the suspended employees were deprived of what is in many cases their only means of supporting themselves and family. To act thus would be to use a method which we have strongly condemned both in America and Britain, when the Fascists dismissed from office their political opponents. The position of state employees is not cut and dry as in Anglo Saxon countries and it would be fatal to use the same regulations in Italy as exist in our administration. Often an efficient fascist will be dismissed and an incapable non party civil servant get promotion ~~downright~~ of the numerous vacancies the application of the decree will create.

B. Pension. There is no argument against the suppression of pensions or their reduction when the person concerned is proved to have obtained undue promotion through political means, except that the Fascist paid the pensions of the people they dismissed from office, at least in the magistracy. Furthermore is it wise to create a class of discontented citizens without means and ready to take up any allegiance or form of employment in order to live.

C. Assistance to fascists and patriots. As set out in para 3, it would be impossible to have two rules one for patriots and one for fascists, though

paid to patriots having lost their worldly properties out of the funds which no doubt the government is going to recuperate, at least in part, from all the big contractors, firms and company directors who made millions out of the fascist rulers, through corruption, graft and dishonesty.

It seems that this category of persons has not unduly retained the attention of the responsible legislators and that most of the efforts of defascism are concentrated on a class of citizens who through open and often unavoidable fascist assistance may have succeeded in getting a rise in salary from 2000 to 2500 liras a month, in three years instead of five. From a moral and financial point of view this policy appears to be, to say the least, undesirable.

P.S. Be it enough to cite the case of Conte Armenise, Ciano's millionaire partner, National Councillor, managing director of the Banca dell'Agricoltura, who retained his post, salary and large allowances up to August 12, when a small ufficiale giudiziario, of the Ministry of Justice, who lost an arm in the last war and was honorary "marcia su Roma" was deprived of his 1900 Lire a month early in July and has been starving ever since, with his wife and three children.

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS
ALLIED CONTROL COMMISSION
FINANCE SUB-COMMISSION
APO 394

1A
1 AUG 1944

13006/f

10 August 1944.

SUBJECT: Ruini Statement on Reorganization of Administration
and Defascistization Decree.

TO : Vice-President, Admin. Section. ✓

1. Further discussion concerning the above subjects were held today. Present were S.E.'s Bonomi, Ruini, Soleri, and Lt. Col. Stephan.

2. At this meeting four topics were discussed:-

- (a) salary payments to Squadrista, Sclerpa Litterio and Marcia su Roma,
- (b) payment of salaries in arrears,
- (c) payment of salaries to avventizi, and
- (d) payment of salaries to persons under suspensions by defascistization committees.

3. For (a) the agreement reached was that no salaries would be paid as such. Representatives of the Italian government (Ruini) suggested that a sussidio be paid from time to time. (This is a form of payment made on order of the head of an office (minister, etc.) to needy employees in his office. Each case is considered individually and the sum allowed is deemed to provide for the assistance required). Instead of this it was suggested that these individuals should be placed on public relief if their economic condition warranted. Final decision as to the Italian stand was to be left to the meeting of the Council of Ministers.

4. For (b) agreement was reached that a provisional payment in the amount of two months back salary would be paid now and thereafter no further payments of back salaries would be paid until all employees had been reviewed by the defascistization committees. The screening process was estimated to require a period of two to three months. For those employees who will be dropped after screening a deduction of the provisional payment of two months back salary will be made from the amount due such employee. The amount due such employee is the amount of deductions (5%) which have been made by him in accumulating ~~premium~~ benefits. The amount of employee contributions to pensions are to be returned without interest.

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Declassified E.O. 12356 Section 3.3/NND No. 785016

This agreement was conditional on acceptance by the administrative section ACC, in respect to possible effects on the work of the defascistization committees.

5. For (c) final agreement was reached that the prior discharge of these employees would stand. To each will be paid a sum, equal to one months salary. At the same time they will be relieved as quickly as possible considering the needs of the government agencies. In addition all avventizi now employed would be discharged, and rehiring would follow the same principle as for those previously discharged.

6. For (d) the same principles were stated as for (a) which also was to be kept for discussion at the meeting of the Council of Ministers for acceptance by the Italian government.

A. P. Grappin Smith

Colonel,
Joint Director,
Finance Sub-Commission

It is not clear that this letter is the official communication which might refer to the informal discussion committee which has been formed. It is not clear whether it is an official communication.

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