

Declassified E.O. 12356 Section 3.3/NND No. 785017

ACC

10000/109/872

PAYMEN
AUG. - N

Declassified E.O. 12356 Section 3.3/NND No. 785017

10000/109/872

PAYMENT OF SUSPENDED ITALIAN OFFICIALS
AUG. - NOV. 1944

minutes

1

Dear Gerald:

Your file RF/5.5/43.

This matter is not my concern - except as a V.P. But having examined the file and especially Finance Sub-Commission's comments on Sept. 16, I do suggest that (a) there be no question of the A/CC withdrawing his suggestion (para 4), (b) the letter be so worded as to maintain our position of dissent and throwing the whole burden on to the It. Govt. (c) that the matter be discussed at a V.P.'s meeting. (I see no sign of Pol. Sec's views.)

Yours

M.S.L. 24/9

2. I am sorry. I disagree. No never have (except Finance) dissented except for the reason mentioned - para 3. A/CC has OK'd this.

G.R.U.

3. To the C.S.C. of the Acting Chief Commissioner.

Herewith revised draft of Amendment III to D.L.L. (Art 22) 159. Could you please put it before the Acting Chief Commissioner for approval and signature.

(sgd) J/cdr.
Pa to VP Admin Section

18

CSO: Ple see 16x 17
eng 17/11

3492

785017

HEADQUARTERS ALLIED COMMISSION
AFO 394
FINANCE SUB-COMMISSION
TEL: 476604

13191/F

14 November 1944
17 NOV Recd

SUBJECT: Instructions for the Treatment
of Suspended State Employees.

TO : Chief of Staff Section, ✓
Economic Section,
Civil Affairs Section,
Political Section,
Air Sub-Commission,
Army Sub-Commission,
Naval Sub-Commission,
Public Relations Branch
Local Government Sub-Commission,

Legal Sub-Commission,
Education Sub-Commission,
Commerce Sub-Commission,
Public Works Sub-Commission,
Public Safety Sub-Commission,
Agriculture Sub-Commission,
Communications Sub-Commission,
Transportation Sub-Commission.

1. Reference Para 2 (b) of Notes on Meeting of Sub-Commission Representatives on 4 November, 1944.

2. Attached copy of this office letter of ~~even~~ number 13004/F dated 31 October, 1944, is forwarded for information.

Joint Director,
Finance Sub-Commission.

3491

785017

HEADQUARTERS ALLIED COMMISSION

AFO 394

FINANCE SUB-COMMISSION

13004/F

31 October 1944

SUBJECT: Instructions for the Treatment of Suspended
State Employees in AMG territory.

TO : Regional Finance Officers, Lazio-Umbria, Abruzzi-Marche,
Toscana, Emilia, Liguria, Piemonte, Lombardia, Venezia
Regions; and for the information of Senior Finance Officers
AMG 5th and 3th Armies.

The following instructions will be followed in the treatment
of suspended public officials in AMG territory: -

1. Permanent employees of the State, parastatal offices, autonomous State organizations, provinces or communes, in Allied Military Government territory, who are suspended from duty under the provision of Art. 22 of DLL 27 July n. 159, will be entitled to receive their basic salary during the period of their suspension.
2. Basic salary does not include the supplement of active service, family allowance, *indennita'* per *offeso bellico*, or any other allowances, bonus or premium.
3. Employees classified as *avventizi* or *operai* are excluded from the above provisions.
4. DLL 27 July 1944 n. 159 was implemented in AMG territory in a special supplement to *Gazzetta Ufficiale* n. 41 dated 29 July 1944.
5. Paragraph 2 (b) of Part I, Appendix "C" in the September report of Finance Sub-Commission should be amended accordingly. The date of the law quoted therein should also be amended to read: DLL 27 July 1944 n. 159.

By Command of Commodore Stone.

Signed: A.P. GRIFTBY - SMITH

785017

State Employees in AMG Territory.

TO : Regional Finance Officers, Lazio-Umbria, Abruzzi-Marche, Toscana, Emilia, Liguria, Piemonte, Lombardia, Venezia Regions; and for the information of Senior Finance Officers AMG 5th and 8th Armies.

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By Command of Comandore Stone.

Signed: A.P. GRAFFEY - SMITH

Joint Director,
Finance Sub-Commission. 3493

JAHG/t

Copy to:
C.A. Section HQ AAC

end
17/11

785017

HEADQUARTERS
ALLIED CONTROL COMMISSION
CMF

Tel. 735

Office of the Chief of Staff

Ref 4607/14/COS

24 October 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.

Sharden
Chief Staff Officer
for the Chief of Staff

c.o. C. A. Sec
Maj. Quayle.

Chief of Staff ✓

*Is it considered that the
attached letter requires any reply?*

E/S.

W. H. H. H. H.

*What White (C.A. Sec) said he was dealing with this. He agrees
no reply is called for. He however suggests PM letter be
sent to Finance Dept. as this has been done
CWA.*

25/10/44

W. H. H. H.

SW

785017

translation

✓ THE PRESIDENT • THE
COUNCIL OF MINISTERS

100/6 - 10/1.3.1.

4607 1/2
Rome, 19 October 1944

21 OCT Recd

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 epuration 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 Ellery W. Stone
Chief Commissioner
Allied Control Commission
R o m e

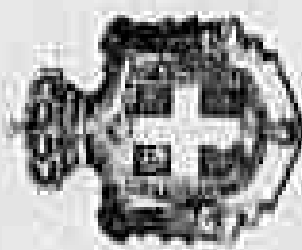
see 114
Original filed

Trans. E.C.

3488

3 copies held

Roma, 19 ottobre 1944

*Il Presidente
del Consiglio dei Ministri*

Mio caro Ammiraglio,

rispondo alla Sua cortese lettera del 26 settembre ultimo, relativa alla questione del pagamento degli stipendi agli impiegati, nei confronti dei quali è stata sospesa la corresponsione di ogni assegno perchè in possesso delle qualifiche previste dall'art.14 del decreto legislativo 27 luglio 1944, n.159, per le sanzioni contro il fascismo.

In seguito al favorevole avviso che Ella ha comunicato con la predetta lettera per il pagamento degli stipendi suindicati, questo Governo ha valutato, di intesa con l'Alto Commissariato per l'epurazione, il dubbio da Lei espresso di una possibile sfavorevole reazione nella opinione pubblica, e ritiene di poter escludere che un'apprezzabile reazione possa verificarsi.

Di conseguenza saranno subito diramate istruzioni alle singole Amministrazioni, perchè sia data integrale applicazione alla norma del citato decreto legislativo, nel senso di corrispondere la intera retribuzione, ivi compresi gli arretrati, fino alla data della sospensione dall'ufficio ai sensi dell'art.22 del decreto medesimo, e, successivamente, l'assegno alimentare pari al solo stipendio.

Sono lieto, con l'occasione, di confermarle i sensi della mia sincera amicizia.

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Sono lieto, con l'occasione, di confermarLe i sensi della mia sincera amicizia.



All'Ammiraglio Ellery W.STONE
ff. Presidente della Commissione
Alleata di Controllo

R O M A

3612

[Handwritten signature]

CofS File 11

ACC 250.
BE/5.5/AS.

14th October 1944.

15 OCT Recd

My dear Mr. Prime Minister:

10

I am very anxious to have your reply to my letter A/CC 250 of 26th September as I desire to instruct my Finance officers as to whether persons suspended as being *Marcia su Roma*, etc., are to be paid or not.

Yours very truly,

FRANK W. STONE
Commodore, USNR
Acting Chief Commissioner

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

10/10
[Handwritten signature]

B/V 25/10

[Handwritten signature]
3488

785017

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ESS/hjp

S/CC 250
BF/5.5/13

26 September 1944

Subject: Amendment III to D.L. (Article 22), 199.

My dear Mr. Prime Minister:

Thank you for your letter dated 7 Sept on the subject of the amendment of Article 22 to D.L. 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 Marcia 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,

See - 9 - 11

MILBY W. STONE
Captain, USNR
Acting Chief CommissionerHis Excellency Ivanoe Bonomi
President of the Council of Ministers
Italian Governmentcc: Exec Commissioner
VP, Econ Sec
VP, Admin Sec
Finance S/C

56 314

Hq 4.5685
DISPATCHED
Date Time 26 SEP 1944
Via Spt. Penrose (Lark) 1500
Initials CH

HEADQUARTERS ALLIED CONTROL COMMISSION
Office of the Acting Chief Commissioner
APO 394

EWS/ajp

8

A/CC 250

9 September 1944

MEMORANDUM TO: Vice President, Administrative Section

6-1

(5)

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 Finance Subcommittee, we were not going to ask for a change.

Stone.

2 Incls:

- 1 - Ltr fr H.E. Bonomi dtd 7 Sept 44
- 2 - Ltr to H.E. Bonomi dtd 25 Aug 44

See (9)

FILES A-(B)

3482

785017

TRANSLATIONTHE PRESIDENT OF THE
COUNCIL OF MINISTERS

Rome, 7 September 1944.

Dear Admiral,

HQ M.C., APO 394
104 Sec'y Gen.
Rec'd SEP 10 1944
By PKK

In answer to your letter of August 25th /cc 250, I want to tell you that it does not seem advisable to me to make important modifications to the decree n. 198, 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 AGO.

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. 11, of the decree, till the matter should be settled by a law. Now that this has happened with the full approval of the AGO, 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 inquiries which have been made have shown that the qualifications foreseen by art. 11, 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. 11, are not always the most responsible; art. 12 and 13 of the decree foresees 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 have been declared as 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.

FILES A-B

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 those who are seriously compromised, and will hasten (I have made a circular to that purpose) the judgment of expiation 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

See (3)

Admiral Ellery. W. Stone

Chief Commissioner

Allied Control Commission

R o m e

Trans E.O.

3482

785017

5
EWS/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 ACC or your Ministries prior to the coming into force of this decree were laid down by the Treasury with the approval of ACC 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.

Ha ACC Sec'y Gen.
DISPATCHED
Date Time 26 Aug 0915
Via
Initials

ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

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

cc: Admon Sec.

Sec - 67

Drafted by IP Admin Section

785017

Office of the Acting Chief Commissioner

Payment of Salaries to Certain
Italian Government Employees.*Finance Sub Com*
~~Administrative Section.~~Hq ACC - Sec'y Gen.
DISPATCHED
Date-Time 19 Aug. 0900
Via *mess*
Initials *DLR*

A/CC 250

18 August

4

1. Reference to attached "Aide Memoire" 1/217 of 12 Aug 44 from the Minister of Foreign Affairs, relative to the payment of the salaries of certain employees etc.

2. It is requested that appropriate action be taken and acknowledgement and reply made to the Minister.

Stone.

File HHC
3480

1 Incl-

as in para 1 above.

R. MINISTERO
DEGLI
AFFARI ESTERI

AIDE MEMOIRE

The Ministry of Foreign Affairs wishes to draw the attention of the Allied Control Commission on the following questions, all of which are of a serious and urgent character. Their equitable solution is however hampered by the contradictory and constant interventions of some of the Allied members, who consider themselves competent to judge them.

I. - The present conditions of the employees are extremely difficult. It is urgent and necessary to give them aid. The feeling of discontent, already profound, could, before very long, break out in reactions all the more serious because in a great measure justified.

By Circular dated June 4th, 1944, previously approved by the Allied Control Commission, the Government announced the payment of the salaries (implying naturally also the payment of all arrears) to those employees who, at the time, had refused to accept any salary from the so-called Fascist authorities. The Allied Control Commission now opposes the payment of these arrears. Only after long negotiations it has been possible to obtain that two months' arrears shall be paid. The ~~balance~~ ^{balance} is to be paid, after the purge, only to those who come out clean. The others will have to return the two months' arrears

attention of the Allied Control Commission on the following questions, all of which are of a serious and urgent character. Their equitable solution is however hampered by the contradictory and constant interventions of some of the Allied members, who consider themselves competent to judge them.

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By circular dated June 4th, 1944, previously approved by the Allied Control Commission, the Government announced the payment of the salaries (implying naturally also the payment of all arrears) to those employees who, at the time, had refused to accept any salary from the so-called Fascist authorities.

The Allied Control Commission now opposes the payment of these arrears. Only after long negotiations it has been possible to obtain that two month's arrears shall be paid. The ~~balance~~ ^{balance} is to be paid, after the purge, only to those who come out clean. The others will have to return the two months arrears already received.

This system is very complicated. Moreover, it is to be borne in mind that the majority of those who will be dismissed are in fact those who have received their regular pay after September 8th, by reason of their having continued to work at the orders of the neo-Fascist Government. The ones directly

files 11/1/44

2)

affected world, therefore, be the most deserving, namely the employees who have remained loyal and have refused to co-operate.

It is requested that the Government be placed in a position to carry out the engagement taken on June 4th.

2. - The neo-fascist authorities proceeded to the dismissal of about 50,000 temporary employees, mostly on account of their anti-fascist attitudes. Apart from the latter circumstances, the Government cannot, for obvious reasons, recognise these measures taken by the illegal, self-styled republican government. It is also a fact, on the other hand, that the present situation does not consent the recall or maintenance in office of all those employees who have been dismissed by the neo-fascist authorities. An equitable solution it had been proposed to consider them all on active service up to July 31st, and to dismiss definitely the superfluous as from that date (naturally giving the preference to those who have maintained a loyal attitude.)

The Allied Control Authorities have rejected this proposal, consenting only the payment of one month's salary to the temporary employees dismissed by the neo-fascist authorities. This solution is considered utterly inadequate to the really distressing conditions of these unfortunate people, and represents, in respect of treatment, a most despicable

It is requested that the engagement taken on June 14th, position to carry out the engagement taken on June 14th.

2. - The neo-fascist authorities proceeded to the dismissal of about 30,000 temporary employees, mostly on account of their anti-fascist attitude. Apart from the latter circumstance, the Government cannot, for obvious reasons, recognise these measures taken by the illegal, self-styled republican government. It is also a fact, on the other hand, that the present situation does not consent the recall or maintenance in office of all those employees who have been dismissed by the neo-fascist authorities. An equitable solution it had been proposed to consider them all on active service up to July 31st, and to dismiss definitely the superfluous as from that date (naturally giving the preference to those who have maintained a loyal attitude.)

The Allied Control Authorities have rejected this proposal, consenting only the payment of one month's salary to the temporary employees dismissed by the neo-fascist authorities. This solution is considered utterly inadequate to the really distressing conditions of these unfortunate people, and represents, in most cases, an unfair treatment in respect of deserting.

3. - The Legislative Decree n.159, dated 22nd July, 1944 on sanctions against fascists, lays down, in art. 22, that suspended employees shall receive, pending the result of the enquiry, a subsidy, equal to their salaries without special allowances. It is to be noted that the salary itself, without allowance for high cost living, etc. will be reduced thereby to about one-half.

./.

3) /
This measure is dictated by principles of equity inasmuch as nobody can be punished without trial.

The Allied Control Authorities do not agree:
it is maintained that all suspended employees awaiting examination must receive no salary whatsoever and it is asked that art. 22 of the Legislative Decree is amended.

It is pointed out that the Decree was approved, in agreement with Control Authorities, and that its modification is not advisable inasmuch as it would show a constant change of standards and uncertainties in its application.

ROME, August 12th, 1944

0 4 2 4 |