

*Policies and Procedures for the
Protection, Use, and Return of
Captured German Records*

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Captured documents invariably furnish important and reliable information concerning the enemy which makes it possible to draw conclusions as to his organization, strength, and intentions and which may facilitate our war effort materially. [Captured *German Order of the Day*, quoted in "MIRS History."]

Dr. Oliver W. Holmes, while serving as program adviser of the National Archives, wrote to Archivist of the United States Solon J. Buck on September 19, 1945, that a history should be compiled on the protection of historical archives during military operations and on the complications this causes among intelligence organizations and military government authorities charged variously with the protection, use, and management of these archives.¹ Unfortunately, this was not done; there is no such history—only hundreds of feet of records that wait for some historian to come along and

¹ Holmes to Buck, September 19, 1945 (AGAR-S doc. no. 1201). Holmes served as executive director of the National Historical Publications Commission from 1961 to 1972. In preparing this paper, copies of a number of army and other documents were gathered from records of the War Department and its subordinate military commands and from other records in the National Archives and were organized into a numerical AGAR-S Record Series relating to captured records policies and procedures of the United States Army. The documents in this series are located in the Captured Records Branch, National Archives and Records Service, and are cited here as AGAR-S document numbers. The following National Archives records groups were used: Records of the War Department Special and General Staffs, RG 165; Records of Allied Operational and Occupation Headquarters, World War II, RG 331; Records of the Adjutant General's Office, 1917–, RG 407; Records of the National Archives and Records Service, RG 64.

study them and write a history of the activities and policies of the United States government during and after World War II, overseas and at home, in the protection, use, and return of captured enemy records.

This paper concentrates on the role of the army—the senior partner in this government-wide program as far as the United States is concerned. The topic is discussed in three phases: the protection, use, and return of captured records during and after World War II. For the United States Army, World War II was the biggest military operation ever undertaken, unequalled by any previous military adventure in terms of manpower, areas of operations, and complicated weaponry. Further, all the previous experiences of the United States in administering enemy records were mere ripples compared with the flood of World War II: no other military experience ever involved so many documents in so many locations requiring so much attention by military commanders during so long a period of time.²

The emphasis in this paper is on captured records in Germany, for many reasons described later but especially because for more than five years after the war Germany possessed no effective, fullscale, central governmental authority to assume full control and custody of the records of the Third Reich, thus leaving major administrative responsibility with the United States Army. Attention is given mainly to United States Army activities under the Supreme Headquarters Allied Expeditionary Forces (SHAEP) and the United States Office of the Military Government for Germany (OMGUS); only limited references are made to United States Army experiences under Allied Force Headquarters (AFHQ) and under General Headquarters, Supreme Command of the Allied Powers (SCAP). Other areas in which the United States Army fought under such organizations as the Southeast Asia Command, the China Theater of Operations command, and the Persian Gulf Command are not discussed because in these areas there were functioning, friendly, indigenous governments maintaining control over archives. Additionally, limits are necessarily placed on discussion of significant events in which the United States Army played a major role, especially if these related to topics covered in other papers in this volume.

The United States Army possessed authority to capture records under the Hague Convention of 1907;³ numerous laws and other directives of the Allied Control Commission relating to Nazi, military, and other documents; numerous United States–United Kingdom agreements; and Executive Order 9604 of August 27, 1945, relating to scientific and industrial documentation.⁴

² See Philip P. Brower, "The U.S. Army's Seizure and Administration of Enemy Records up to World War II," *American Archivist* 26 (April 1963): 191–207. Only Confederate records in federal hands constituted a sizeable collection and these should really not be considered enemy records in the traditional sense.

³ U.S., *Statutes at Large*, vol. 36.

⁴ Col. John M. Raymond, United States Office of Military Government for Ger-

The term *archives* is used in this paper to denote only those materials in the possession of archival institutions or materials of such value as to merit their placement in archival institutions. The term *records* is used as the generic term for archives and for all other documentary materials, including those of temporary value (i.e., those of value only for transitory administrative purposes). The terms *documents* and *papers* are used as synonyms for records. The term *captured* refers to documents taken from any enemy during and after combat. Even though the term *seized* may be more appropriate for the postcombat period it is not generally used in this paper, largely because in Germany records could not be formally "seized" since there existed no central governmental authority from which to seize them during 1945–49. The terms *restitution* and *exploitation*, common in military literature, are generally not used here; rather, the terms *return* and *use* are employed.⁵

THE PROTECTION OF RECORDS IN WAR AREAS DURING AND AFTER WORLD WAR II

During World War II the United States War Department was concerned about the imminent threat of destruction to countless ancient and modern monuments, works of fine art, and archives located in war areas. Moreover, the War Department understood the practical uses of modern administrative records in governing conquered territory in Europe and the Far East. It consequently adopted the policy of protecting ancient and modern monuments, works of fine art, and archives to the fullest extent possible without jeopard-

many (OMGUS), in a memorandum of March 17, 1947, to the Restitution Branch, Economics Division, OMGUS (AGAR-S doc. no. 511), summarized the rights of the occupying power to remove indigenous archives, records, and documents. A summary of aspects of legal bases for taking records in enemy war areas is given in an unsigned army memorandum of December 26, 1951 (AGAR-S doc. no. 1302). Also, see Ernst Posner, "Effects of Change of Sovereignty on Archives," *American Archivist* 5 (July 1942): 141–55; Ernst Posner, "Public Records under Military Occupation," *American Historical Review* 49 (January 1944): 213–37; and Bess Glenn, "Private Records Seized by the United States in Wartime—Their Legal Status," *American Archivist* 25 (October 1962): 399–405.

⁵ There is a good bit of confusion in the use of the above terms in the World War II military literature. Even archivists did not agree on the definition of basic terms. For example, British archivists used the word *archives* much in the same way that United States archivists used the term *records*. See Great Britain, British Committee on the Preservation and Restitution of Works of Art, Archives and Other Material in Enemy Hands, *Italian Archives during the War and at Its Close* by Hilary Jenkinson and H. E. Bell (London: His Majesty's Stationery Office, 1947), for British usage (AGAR-S doc. no. 3016); and papers of Solon J. Buck and Oliver W. Holmes for United States usage: for example, AGAR-S doc. nos. 101, 102, and 801–4.

dizing military operations or personnel. This policy was incorporated by the Combined Chiefs of Staff in their directives for military operations issued in 1943 and was implemented by theater commanders in war areas.⁶

The War Department also cooperated with a number of civilian and United States government organizations, notably the National Archives of the United States, in obtaining personnel to serve as archives officers in war areas, in preparing lists describing archives and other records requiring protection in Axis and Axis-occupied areas, and in developing handbooks on techniques and procedures for the protection of archives overseas. These lists and handbooks (in large part the work of Ernst Posner) were issued as War Department publications and distributed to United States commanders around the world for guidance and necessary action.⁷

In the theaters of operations, the supreme commanders of the combined United States–United Kingdom military commands and their subordinate combined and national commanders developed policies and procedures intended to implement the directives of the Combined Chiefs of Staff. Only selected directives of certain commands are discussed below—primarily those of the AFHQ and SHAEF.

⁶ See the section titled "Europe's Cultural Heritage Must Be Protected," pp. 84–90, in U.S., Department of the Army, Office of the Chief of Military History, *Civil Affairs: Soldiers Become Governors*, by Harry L. Coles and Albert K. Weinberg (Washington, D.C.: Government Printing Office, 1964), pp. 84–90.

⁷ *The Report of the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas* (Washington, D.C.: Government Printing Office, 1946) deals to some extent with protection of records overseas (cited hereafter as *American Commission Report*). Buck, Holmes, and Posner devoted a considerable portion of their time during 1943–47 to supporting army programs for the protection of records. Their efforts are documented in Records of the National Archives and Records Service, Record Group 64, only a few of which are cited here. For example, see the ten page "Memorandum Concerning the Protection and Salvage of Cultural Objects and Records in War Areas," 1944 (AGAR-S doc. no. 102) and correspondence between Dr. Buck and Librarian of Congress, Archibald MacLeish, 1943–44, and between Buck and the chief of the War Department's Civil Affairs Division, 1943–44, on the relations of the National Archives to the American Commission (with which MacLeish was associated) and to the War Department in promoting protection of records and related matters (AGAR-S doc. nos. 801–4, 808, and 2028). Buck and Holmes corresponded extensively with American archivists overseas (see Record Group 64). Selected documents, dealing mainly with archival plans, programs, and activities are contained in the following AGAR-S record series: Lester Born: nos. 122, 123, 320–22, 326, 328, 330–34, 903, 1455, and 1459; Sargent Child: nos. 109, 111, 113–15, 118, 119, 306, 307, 390, 314–17, 319, 409, 504, 505, 508, 510, 701, and 2062; William D. McCain: nos. 107, 223, 224, 229, 230, 232, 243, 244, and 2096; Harold J. Clem: nos. 120, 121, 410, and 502; Seymour J. Pomrenze: nos. 116, 117, 310, 313, 318, 503, 506, 507, 601, 602, and 705; and Paul Vanderbilt: nos. 501 and 702. See also Oliver W. Holmes, "The National Archives and the Protection of Records in War Areas," *American Archivist* 9 (April 1946): 110–27. Activities of the American Defense, Harvard Group, and the American Council of Learned Societies in promoting the protection of records overseas are discussed in the *American Commission Report*.

The broadest expression of policy at the theater level was stated by General of the Army Dwight D. Eisenhower in an AFHQ letter of December 29, 1943,⁸ and in a similar SHAEF letter of May 26, 1944,⁹ announcing the intent of the United States–United Kingdom forces to protect monuments and cultural centers to the extent that war conditions allowed, since these contributed to the cultural inheritance, illustrated the growth of civilization, and symbolized to the world what the Allies were fighting to preserve. Although archives were not specified, there is little doubt that the pronouncements were intended to cover their protection.

Hilary Jenkinson and H. E. Bell, in their excellent book *Italian Archives during the War and at Its Close*, point out the most significant AFHQ directives of 1943–45 that were designed to prohibit the destruction or dispersal of all collections of archives, wherever found, and to provide archivists and other military government officers with the authority to intervene when the occasion demanded in order to prevent such unauthorized actions as the unnecessary billeting of troops in buildings containing archives.¹⁰

The SHAEF directives were similar to the AFHQ directives. The SHAEF "Civil Affairs Directive for France" (May 25, 1944) instructed commanders to protect all structures, objects, or documents of cultural, artistic, archaeological, or historical value and to assist in securing them from deterioration.¹¹ Directives incorporating essentially the same policy covered other countries in which there were SHAEF missions: Belgium, Denmark, Luxembourg, the Netherlands, and Norway.¹² The SHAEF civil affairs instruction guide on the *Field Protection of Objects of Art and Archives* (May 12, 1944) includes a section on depositories of books, manuscripts, archives, and records and instructions for their protection and salvage in case of damage.¹³ The first concrete definition of policy relating solely to archives as distinct from monuments and fine arts was contained in the supreme commander's letter of August 20, 1944, on the preservation of archives.¹⁴

The directives issued on the protection of archives and other records be-

⁸ AGAR-S doc. no. 2071.

⁹ AGAR-S doc. no. 103. This directive was quoted in U.S., SHAEF, "Technical Instructions to MFAA Specialist Officers in the Field" (Washington, D.C.: Government Printing Office, 1944), 31 pp.

¹⁰ For a text of these directives, see U.S., AFHQ, General Order, no. 68, December 29, 1943 (AGAR-S doc. no. 2071); U.S., ADM, Instruction, no. 10, HQ AAI (ADM Echelon), "Preservation of Property of Educational Importance in Italy," March 30, 1944 (AGAR-S doc. no. 212); and U.S., AFHQ Memorandum no. 54, December 6, 1944 (AGAR-S doc. no. 245).

¹¹ AGAR-S doc. no. 2035 and *American Commission Report*, pp. 102–5.

¹² Ibid. Also, AGAR-S doc. nos. 407, 2040, 2041, and 2090 contain instructions on handling seized documents in those countries.

¹³ *American Commission Report*, p. 104.

¹⁴ Cited in *Official General List of Archives in Western Germany* (AGAR-S doc. no. 302).

came more detailed for Germany where the military authorities bore this responsibility for a longer period of time and for a much greater volume of records because there was no indigenous central government in Germany. Noteworthy are the SHAEF "Instructions for the Use of Archives by Military Government Officers" (December 29, 1944) in the *Official General List of Archives in Western Germany*.¹⁵ These instructions were based on the supreme commander's letter of August 20, 1944; on a directive of November 9, 1944, titled "Military Government of Germany Prior to Defeat or Surrender"; and on the basic *Handbook for Military Government of Germany* (December 1944).¹⁶ They pointed to experience in other theaters of war to demonstrate the necessity of safeguarding records in order to prosecute the war to a successful conclusion and to carry out demilitarization, denazification, and other postwar administration. It was emphasized that this protection of records would be particularly crucial in Germany, where every military government activity would entail the use of German public documents, business papers, files, and official and unofficial records of every kind. (The "Instructions for the Use of Archives" clearly stated that they were additional to and did not supersede the SHAEF G-2 directives concerning military documents, discussed below.)

There are other noteworthy points mentioned in section 2, chapter 16, of the basic handbook: military government officers particularly were instructed to—

(1) consider all archives valuable, important, and in part vital for intelligence and other military government purposes, whether located in ancient archives, large depositories, the most modern archives, or in current office papers;

(2) protect all archives and other records whether listed or not (Some should clearly be protected more than others; these were distinguished by stars in the "Lists of Protected Archives." Written archives, as distinct from printed archives, deserved special protection because once destroyed they could not be replaced. If disarranged or dispersed, any single accumulation might be ruined almost as effectively as if destroyed.);

(3) examine ruins and debris carefully, for it could not be assumed that records stored in partially or completely destroyed buildings would themselves be necessarily ruined; and

(4) keep archives and other records in their original location, since that is where they normally would be of greatest value. (To the maximum

¹⁵ Ibid.

¹⁶ AGAR-S doc. nos. 33, 1456, and 2085. The handbook was issued subsequently as an instructional text (USACAS ST 41-10-60, 375 pp.) by the United States Army Civil Affairs School, Fort Gordon, Georgia.

extent practicable, users should be given access to archives and other records, and the use of archives should be coordinated in order to avoid misuse.)

The essential policies and procedures on the protection of archives and other records were continued by OMGUS after the dissolution of SHAEF in 1945, as specified in title 18 of the "Military Government Regulations of OMGUS," the basic directive on archives in the United States Zone of Germany.¹⁷ The objectives of the OMGUS program during 1945–49 were to protect and control all records, to return records that were eligible for restitution to their owners, and to charge German civilian agencies with the administration and maintenance of their records "as rapidly as is consistent with the achievement of the objectives of Military Government."¹⁸

Directives issued to commanders in the Far East by SCAP called attention to policies adopted for the protection of records and to the coordinating role of SCAP's Civil Information and Education Section (CI and E) in implementing such policies. One CI and E memorandum placed a responsibility on the Japanese ministries (there was no Japanese National Archives or a central archives authority) to inform SCAP of sites, buildings, and collections that required protection. In addition, CI and E specialist officers were required to conduct inspection trips, report on damage, and perform other duties to carry out the SCAP protection program.¹⁹

The responsibility for the protection of records was placed on all military commanders and on all troops during combat operations; and during postwar operations, on all military government and other military and civilian personnel. In each military command—usually at the combat division and above—the staff responsibility for protection of records was vested in a general staff officer (G-5 or a similar officer); and in the major civil affairs, military government commands the responsibility for protection was assigned to a Monuments, Fine Arts, and Archives (MFAA) organization (a subcommission, section, or branch comparable to the Civil Information and Education Section of SCAP).²⁰

¹⁷ AGAR-S doc. nos. 1457, 3014, 3017, and 3018.

¹⁸ U.S., Military Government Regulations of OMGUS, "Monuments, Fine Arts and Archives," paragraph 18-101, title 18, (AGAR-S doc. no. 3018). For the SHAEF, G-2, "General Instructions regarding the Handling of Enemy Documents in Austria," May 12, 1945, see AGAR-S doc. no. 2026.

¹⁹ *American Commission Report*, pp. 6 and 157–59. For the Japanese Treasures Preservation Law no. 17, see AGAR-S doc. no. 3015.

²⁰ AGAR-S doc. no. 3015. Also, see AGAR-S doc. nos. 3500 and 3501 on SCAP activities. The first, "General Report on Government Records Project" (March 31, 1946) was issued by the Allied Translator and Interpreter Section at the Washington Document Center (Advanced) and describes records processed at Japanese ministries, government bureaus, and elsewhere. The second item (November 12, 1945) deals with policies and procedures relating to the protection of arts, monuments, and cultural and religious sites and installations under SCAP's jurisdiction.

There were few professional United States archivists overseas to staff these organizations during combat and in the postwar period. Fred W. Shipman, a former director of the Franklin D. Roosevelt Library of the National Archives, visited AFHQ briefly.²¹ Another archivist Capt. William D. McCain served in Italy during 1944–45.²² Two United States archivists are known to have been in the Pacific area in 1945: Capt. Collas G. Harris in the Civil Information and Education Section of SCAP and Maj. Arthur E. Kimberly in the Manila area.²³ In Germany, there were a number of specifically designated, United States archivists including Jesse E. Boell, Maj. Lester K. Born, Sargent B. Child, Harold J. Clem, Capt. Seymour J. Pomrenze, and Paul Vanderbilt.²⁴ Of these, Major Born served the longest as an archives officer and was assigned to a number of key posts.

A considerable amount of effective work was performed by United States Army personnel—especially G-5 and MFAA staff—in protecting records so they would be available for administrative and scholarly use. The records were located and inspected, and reports of historical value were prepared about them. There are numerous periodic reports on records of national, state, and local governments in almost all the liberated and occupied areas, as well as for many private institutions; and a number of significant general reports on records were also written. Archives buildings were protected from being used as billets or for other unacceptable purposes, insofar as was practicable; and where they were so used, efforts—often quite strenuous—were made to eliminate unsatisfactory conditions, if necessary by removing the records to separate, better protected quarters either within the same building or elsewhere. Repair and rehabilitation operations were effected in many places to protect and maintain records. Indigenous archivists were assisted in returning to their original locations the collections they had moved during the war to prevent their destruction by Allied bombing, military land operations, or other wartime vicissitudes; and the responsibility for the protection

²¹ For Shipman's role during 1944–45 in the protection of records in Europe, see AGAR-S doc. nos. 211, 213–22, 225–27, 236, 238, 239, 241, 246, 405, 406, 902, 1101, 2058, and 2077. Shipman, as President Roosevelt's representative, worked with British and United States authorities and prepared a number of detailed reports pointing out problems in the protection of records that required solutions.

²² AGAR-S doc. nos. 107, 223, 229, and 2096.

²³ Harris to Holmes, August 1945 (AGAR-S doc. no. 408). See also Holmes' article, "The National Archives and the Protection of Records in War Areas," *American Archivist* 9 (April 1946): 125–26. News notes in *American Archivist* 8 (1945): 174–76, discuss the activities of Kimberly. Also, see a letter from Holmes to Kenneth Munden of June 27, 1945, concerning a visit to the Philippine Islands by Jesse Douglas (AGAR-S doc. no. 107).

²⁴ See footnote 7 above for papers in the AGAR-S Records Series relating to the activities of Born, Pomrenze, Clem, Child, and Vanderbilt. Additional documents on activities of these and other archivists, especially case no. 145-E5, are to be found among papers in Records of the National Archives, Record Group 64.

of records was turned over to the indigenous authorities as soon as possible. In each of the European "liberated areas" (France, Belgium, Luxembourg, and the Netherlands), the civilian archives organization continued to exist during the war—unlike Italy, where it fell apart and had to be restored—and took over its records after liberation. In the United States Zone of Germany, considerable time was devoted to reestablishing German civilian archives organizations, professional archives societies, and schools.²⁵

In spite of these accomplishments there were too many instances of spoliation and damage by United States forces, caused by incomplete knowledge of some commanders of the provisions (and sometimes the existence) of a policy for the protection of records; overriding emergencies where the need for troop accommodations outweighed the need to discipline the troops themselves; overenthusiasm on the part of liberated authorities who offered the use of buildings, which later suffered; or by the feeling of United States troops that buildings formerly occupied by enemy units were consequently open to immediate use.²⁶

A few examples will illustrate some of these points. Jenkinson and Bell write that Allied troops on occasion yielded to the temptation to use old papers to start a fire in the cold, wet Italian winter; they also relate a more novel story of the reported use of bulky bundles of files to lay a road through the mud in the village of Coriano.²⁷ In Bavaria, about twenty-five thousand volumes of the Bavarian War Archives (dating from 1600 to 1922) and the Munich District Archives were ordered removed from the Oberammergau Archives Collecting Center to an unheated, partially exposed stable. To compound the incident, the move was made hurriedly and carelessly, with prisoners of war pushing the archives down chutes into trucks, disarranging the files, scattering some documents, losing others, and trampling still others in the snow.²⁸ Still another bizarre incident illustrating abuse of archives occurred in Künzelsau, Germany, where a local archives was used as a photographic laboratory and darkroom. Here the troops discovered that the ancient paper—which they tore from the archives volumes—possessed the absorbent quality required to quickly dry wet film!²⁹

Additional training in the protection of records before, during, and after combat and an increase in the number of archivists available overseas would certainly have resulted in better protection of records during World War

²⁵ See references in footnotes 21–24.

²⁶ U.S., United States Forces, European Theater, (USFET), General Board Study No. 36, pp. 31–32 (AGAR-S doc. no. 3019).

²⁷ Jenkinson and Bell, *Italian Archives*, p. 17.

²⁸ Howard Clem, report of January 1946, on the Oberammergau Collecting Point (AGAR-S doc. no. 502).

²⁹ Seymour J. Pomrenze, report on January 1946, on his activities as archivist in Württemberg-Baden, p. 13 (AGAR-S doc. no. 309).

II.³⁰ But as a result of such unhappy wartime experiences the army has taken steps to improve training and doctrinal literature in its service schools and to provide positions on the operational command headquarters staff for archivists and records officers who advise commanders in these matters and thereby ensure better protection and preservation of both archives and current records in combat zones and occupied areas.³¹

THE USE OF CAPTURED RECORDS DURING AND AFTER WORLD WAR II

The United States War Department developed policies and procedures for the collection, administration, and use of captured records in the field and at home. An initial policy statement or agreement was developed in 1943 by the War Department in partnership with the British War Office since both urgently needed, at home, timely and accurate information regarding the German order of battle and related intelligence data.³² The 1943 agreement provided for the overseas collection of certain captured documents, their immediate military use overseas, and their transmission to newly established Military Intelligence Research Sections (MIRS) in London and in Washington for further military use. The ownership, control, use, and disposition of the documents was on a joint basis. The main emphasis of MIRS was the control and use of the individual document. (A MIRS organization for documents relating to the Pacific areas existed in the Washington, D.C., area under the War Department during 1944–46, and it was known as PACMIRS.)³³

³⁰ USFET, *General Board Study No. 36*, pp. 41–44 (AGAR-S doc. no. 3019).

³¹ The programs on instruction and training literature of the United States Army Civil Affairs School at Fort Gordon, Georgia, cover civil affairs records operations. Extension course no. 23 issued by the school deals with civil affairs arts, monuments, and archives teams. Table 41-500D (of organization and equipment) provides for archives positions in overseas military civil affairs organizations.

³² This topic is discussed in a "History and Operations of MIRS London and Washington Branches, 1 May 1943–44 July 1945," especially pp. 6–8 (AGAR-S doc. no. 1440). (Hereafter cited as "MIRS History.") Also, see AGAR-S doc. no. 1368 for United States–British 1943 agreement; and AGAR-S doc. no. 1460A (July 3, 1943) for a "General Directive for Washington Branch, MIRS," by Col. J. R. Lovell.

³³ AGAR-S doc. no. 1366 states that PACMIRS was activated on September 7, 1944, and transferred to the Washington Document Center in Washington, D.C., in 1946. Upon the dissolution of the Washington Document Center, its functions and records were absorbed by the Central Intelligence Agency according to a disposition form from Sherrod E. East, chief of the Departmental Records Branch, the Adjutant General's Office, to G-2, Headquarters, Department of the Army, February 11, 1953.

The documents were processed first by London MIRS for *short-range intelligence* needs and then sent to Washington MIRS for *long-range intelligence study*.³⁴ Together the MIRS organizations, staffed by more than two hundred personnel, received and administered several hundred tons of documents during 1943–45; they published more than one thousand studies on the German military establishment and disseminated them to appropriate users. This was a relatively novel intelligence technique, i.e., the use of a large quantity of enemy records to develop many studies quickly enough for application in current large-scale military operations against the same enemy or his partners. MIRS faced a number of organizational and personnel problems that were partially attributable to its split geographical locations and a very rapid turnover of staff. By the end of 1944 the system of attempting to control the documents on an individual item level required revision. Since much larger quantities of documents were being received, SHAEF had grown tremendously in size, and numerous agencies were beginning to get into the "document business."³⁵

By May 1945 a new War Department–War Office agreement (known as the Bissell-Sinclair Agreement) was formulated that continued many of the provisions of the 1943 agreement. Additionally, the new agreement recognized that many more categories of documents from military archives—(several tons instead of one ton weekly)—would now be available, and it prescribed that when these were removed the general archival principle of file integrity should be observed; i.e., every effort should be made to remove the records intact and complete. Should it be necessary to remove a portion of a record series, a charge-out slip indicating removal should be left at site. If military government required the records for their needs and there was also a military intelligence need for them, the latter requirement was to be filled by duplicating the records; and the original documents were to be left at their location.³⁶

The main reasons for the removal of targeted records to Washington were to safeguard them (seemingly in view of the contemplated chaotic situation

A survey of PACMIRS holdings was conducted by Holmes in 1946 (see AGAR-S doc. no. 703).

³⁴ "MIRS History," pp. 14–17.

³⁵ *Ibid.* and pp. 92–100.

³⁶ Copies of drafts and final versions of the United States–British 1945 agreement, as well as related communications, form a part of AGAR-S doc. nos. 1322, 1324, 1352, 1382, 1386, 1434, 2006, 2011, and 2025. See also "MIRS History," pp. 12–13. Another United States–British agreement, dated November 12, 1945, involved "Air Documents" (AGAR-S doc. no. 1423). (There was no similar written agreement, it seems, concerning navy documents. However, there was a verbal understanding between United States and British naval officials that served as a basis for handling captured navy records.) In addition, there were United States–British agreements on other categories of records: for example, on geological records (AGAR-S doc. no. 1936) and topographical records (AGAR-S doc. no. 1860).

in Germany and the lack of an indigenous, central government); to assist the military in the prosecution of the ongoing war against Japan; and to supply information for occupational intelligence demands, war crimes trials, and other similar requirements. An agreement provided for a London Military Documents Center and a German Military Documents Section (GMDS) near Washington, D.C., to succeed the London and Washington MIRS organizations. The London center was to serve essentially as a special projects research and a records control and transmission organization; and GMDS was to be the records depository, making documents available to authorized United States–United Kingdom users as they needed them. The original agreement stipulated that, at such time as the agreement was terminated, the records of GMDS (captured before the dissolution of SHAEF) were to be divided and the United Kingdom's portion was to be shipped to London.³⁷ But this provision was modified in April 1946 when it was decided that the records should remain intact in Washington until disposition was determined jointly by United States–United Kingdom authorities.³⁸

These two organizations were established in 1945 and performed the functions outlined for them, but with a number of important modifications. Some records were shipped directly to London with no examination at SHAEF, while others (notably, about 100 tons of German military archives found in northern Germany) were shipped directly from the European continent to the German Military Documents Section. The principle of joint staffing was discontinued early in the postwar period, and only a liaison staff remained at London and at Washington. Also, the development of studies by center personnel was largely deferred due to managerial problems faced by their decreasing staff—thus leaving the research mainly to intelligence and historical personnel.

The London Military Documents Center was discontinued on February 1, 1946, and the custody of captured and seized German records that remained in Great Britain was assigned to appropriate British agencies.³⁹ The GMDS continued to exist as an intelligence organization until 1947 when

³⁷ "MIRS History", pp. 12–13.

³⁸ AGAR-S doc. nos. 1356 and 1357 contain correspondence (March–April 1946) pointing out that both the United States and British authorities agreed that the GMDS records should not be split as originally planned, but should remain intact in the Washington, D.C., depository for use by representatives of both governments.

³⁹ Sections I, II, and IV, "MIRS History". AGAR-S doc. no. 1366 contains a discussion on the London Military Documents Center. For a listing of British agencies that had captured records collections in 1948, see AGAR-S doc. nos. 1435 and 1495. The United States military attaché at London handled United States–British captured records matters after 1945 (see AGAR-S doc. no. 1447). A British representative remained at GMDS to handle liaison matters after the termination of active British participation in the work of GMDS (see AGAR-S doc. no. 1379).

it was transferred to the Office of the Adjutant General's Departmental Records Branch. Other captured German records in the United States were assigned, as in Great Britain, to the appropriate United States agency.⁴⁰

At AFHQ and at SHAEF, policies and procedures were developed for the collection and use of captured documents. Essentially, the basic directives issued in 1944 in both theaters prescribed a comprehensive system for collecting intelligence documents on as orderly a basis as was possible in a rapidly moving military situation. Documents of intelligence value (essentially all records of enemy origin, until they were examined) were to be used *in situ* or evacuated through military intelligence channels to a central military intelligence document center for theater processing and possible shipment to MIRS London. (*In situ* meant the use of the documents at point of origin, at site found other than origin, or at an Allied records depository established within the theater.) A uniform system of collecting, processing, and evacuating documents was prescribed. Documents essentially of concern to Allied navy and air force were to be turned over to navy and air force authorities in the theater, as were certain other excepted classes of records. Intelligence staffs at all theater levels were made responsible for the execution of this intelligence document system, and document centers were provided for throughout the theater to control the captured records.⁴¹

⁴⁰ For the organizational and functional changes involving MIRS Washington and its successors—GMDS, 1945–47; Departmental Records Branch of the Adjutant General's Office, 1947–57; and the National Archives and Records Service, General Services Administration, 1957 to date—see AGAR-S doc. nos. 1349–50, 1371, 1372, 1571, 1579–85, 1675, 1679–91, 1693, 1694, 1696, 1704, 1818, 1820, and 2013. These documents also include periodic progress reports. The standing operating procedures (SOPs) used by the Departmental Records Branch and its successor organizations in administering its captured records constitute an important archival administrative guide; see AGAR-S doc. no. 1812. See also AGAR-S doc. no. 1575 on the control and servicing of captured records at the Departmental Records Branch. A number of important surveys were made of the records: Holmes' study in 1946 and Leo Gerald's and Edward G. Campbell's separate studies in 1947 are included in AGAR-S doc. no. 703; Seymour J. Pomrenze's study in 1947 is included in AGAR-S doc. nos. 705 and 904 and is also included with studies by other archivists in AGAR-S doc. no. 2030. A series of guides and other finding aids were issued in the 1950s and 1960s. Philip P. Brower, Herman Goldbeck, Donald E. Spencer, and others played important roles in preparing these guides (see AGAR-S doc. nos. 1676–78, 1697, 1719, 1720, 1747, 1748, 1805, 1807, 1810, and 1811). Guides by Fritz T. Epstein, Gerhard L. Weinberg, and others are also of value in describing the captured records in the Departmental Records Branch and elsewhere (see AGAR-S doc. nos. 1550, 1722, 1806–7, and 1813). For captured records in the custody of non-army, United States agencies, see AGAR-S doc. no. 1322 (State Department); AGAR-S doc. nos. 1321 and 1324 (Library of Congress and Commerce, Air Force, and Navy Departments); and AGAR-S doc. no. 1320 (Justice Department). A Pomrenze survey of 1947 also covered captured record holdings throughout the United States government. In addition, see AGAR-S doc. nos. 1528, 1535, 1536, 1617, 1639, 1641–45, and 1721.

⁴¹ For the SHAEF basic directive, see AGAR-S doc. nos. 1329 and 2081. Also, see

There were a number of document centers under SHAEF G-2 and AFHQ intelligence control during 1944–45 and under Headquarters United States Forces European Theater (USFET) G-2 and its successors during the post-war period.⁴² Their mission was to collect, sort, service, and transmit targeted documents. Records depository procedures were standardized to an extent at meetings held in 1945 under the direction of USFET intelligence personnel. For example, the detailed document-by-document descriptive procedures of the SHAEF period were replaced by general subject matter descriptions (somewhat similar to record series descriptions) and emphasis was placed on servicing more adequately the increasing number of users by requiring each user to use the records where they were located, rather than shipping documents to the user as had been done during the SHAEF period.⁴³ Certainly, well over 95 percent of the documents were left in Germany.⁴⁴

In addition, the United States Army aided the State Department and its partners in their administration of records of the German Foreign Ministry.⁴⁵ The army established records depositories in Germany for those records

AGAR-S doc. no. 1539 for "Plan for Handling Enemy Documents during Operation 'ECLIPSE,'" by the United States Twelfth Army. The AFHQ directives are described in Jenkinson and Bell, *Italian Archives*, p. 11 ff.

⁴² For a list of United States and British document centers in Germany and in Austria, see AGAR-S doc. no. 1437. Other lists are contained in AGAR-S doc. no. 1359 (1947) and AGAR-S doc. nos. 1383, 1412, 1435, and 1900 (1948). The last-named document listed for Germany eight major repositories, eleven minor repositories, and an undetermined number of temporary repositories. These centers prepared periodic reports, copies of which are in the National Archives. On the Berlin Document Center and its predecessors in England, France, and Belgium, see AGAR-S doc. nos. 1313 and 1410. On the Ministerial Collecting Center near Kassel, which was relocated to Berlin in 1946 and became part of the Berlin Document Center, see Lester K. Born, "Ministerial Collecting Center near Kassel, Germany," *American Archivist* 13 (July 1950): 237–58, and AGAR-S doc. nos. 116, 320, and 2017.

⁴³ USFET, *Report of the German Documents Conference*, October 22–25, 1945, (AGAR-S doc. no. 1433). A previous meeting on plans for developing an efficient document organization in the American zone of Germany was held July 9–10, 1945, at Heidelberg (see AGAR-S doc. no. 1329). For other meetings, see AGAR-S doc. nos. 3004–9, 3011, and 3012. The United States Army officials responsible for captured records were greatly concerned about the tremendous tasks ahead and proposed some meaningful archival solutions to existing records administration problems.

⁴⁴ The army directives emphasized that records were to remain *in situ*, and that only specific categories were to be removed. See, for example, a basic directive of SHAEF (no. 8) on enemy intelligence documents (AGAR-S doc. no. 1329, April 18, 1945, p. 1, par. IIA5). Intelligence Directive no. 7 of the Control Commission for Germany (British Element), September 6, 1945, prescribed that "no documents or archives will normally be removed from their repositories, but will be examined *in situ*" (AGAR-S doc. no. 1327). The 95 percent figure is probably correct when one takes into consideration records at all governmental levels and in private hands.

⁴⁵ See George O. Kent, "The German Foreign Ministry's Archives at Whaddon Hall, 1948–1958," *American Archivist* 24 (January 1961): 43–44. Also, see AGAR-S doc. nos. 1421, 1464, and 1479.

that could not remain in German hands or be given back to German authorities at that time: records of Nazi organizations; records of defunct Reich ministries; records taken by the Germans from Jewish, Masonic, labor, and other organizations and individuals persecuted by the Nazi regime; and records of certain semiprivate and private organizations, such as the I. G. Farben, that were in essence extensions of the German Nazi and military machines.⁴⁶

The United States Army authorities in Germany centralized these records in depositories so they would be accessible to authorized users. Collections of Nazi organizations were brought together mainly at the Berlin Document Center, and records of many of the Reich ministries at the Ministerial Collecting Center near Kassel. (These were moved to the Berlin Document Center in February 1946). Jewish, Masonic, labor, and other records of the persecuted were centralized at the Offenbach Archival Depot, from which point they were returned to their owners or to logical successors. Those of semiprivate and private German organizations were, in part, placed in a Field Information Agency, Technical (FIAT) organization for further transmission to authorized users.⁴⁷ The army also aided other organizations in collecting certain documents that were not available to them during World War II; for example, it provided administrative and other support to the Library of Congress Mission and to a number of other missions of governmental and private organizations interested in using enemy documents.⁴⁸ In fact, every organization that sought to collect or use records in the United States Zone of Germany needed, as a minimum, the permission of the United States Army commander—and usually depended on some effective administrative support in order to carry out the mission successfully.

One gains a good idea of the magnitude of the problems faced by army authorities in administering enemy records by considering the following facts about Germany. First, World War II German authorities did not make the job of locating their records very easy for the occupying forces. "It should be emphasized," wrote the USFET G-2 to the OMGUS deputy mili-

⁴⁶ See Leslie I. Poste, *The Development of U.S. Protection of Libraries and Archives in Europe during World War II* (Fort Gordon, Georgia: United States Army Civil Affairs School). This book is based on Poste's doctoral dissertation at the Library School of the University of Chicago. Chapter 10 deals with the Offenbach Archival Depot, with whose activities Poste was very familiar. Also, see citations above in footnotes 42, 59, and 63.

⁴⁷ See citations above in footnotes 42, 46, 59 and 63. For information on FIAT, see AGAR-S doc. nos. 1333, 1433, 1863, 1864, 1868, 2010, and 2053.

⁴⁸ For the types of aid given by the army to the Library of Congress Mission, see AGAR-S doc. nos. 1433, 1448, 1459, 1476, 1488, 1489, 1593, 1620, 1621, 1872, and 1873. Army relations with the Hoover War Library Mission to Europe (Stanford University) are discussed in correspondence between former President Herbert Hoover and various government officials, including army and Library of Congress representatives, in 1946 (AGAR-S doc. nos. 1429, 1430, 1446, and 1491).

tary governor on October 12, 1946, "that the propensity of the Germans for dispersing their documents over many hiding places makes it impossible to declare the archives of the Berlin Documents Center or any other Documents Center fully complete."⁴⁹ There were at least one thousand different deposits of valuable German records scattered all over the country in every conceivable place.⁵⁰ In at least one instance there was a self-generated fire in a salt mine that contained records; and the fire could not easily be extinguished nor the records easily removed.⁵¹ Moreover, the army was faced with the problem of administering not one but many depositories (some eight major centers, eleven minor centers, and an unspecified number of temporary depositories)—even as late as 1948.⁵² The quantities in some of these centers were enormous: in the latter part of 1945, for example, it was stated that one thousand six hundred tons (more than forty thousand linear feet) were assembled at the various centers awaiting disposition,⁵³ and in 1948 a representative of the Department of the Army sent to Germany to survey captured and seized records in the United States Zone estimated there were still some eight hundred tons awaiting return, transfer, destruction, or other disposition.⁵⁴ As for users, it was stated in one survey that about 150 German collections had been used by approximately 125 different United States and Allied agencies during 1944–47.⁵⁵

⁴⁹ AGAR-S doc. no. 1890. Problems in pulling together records of any one organization are discussed in this document by G-2, USFET. Other bizarre examples are as follows: some fifty thousands personnel records were found in caves near Marktheidenfeld, Bavaria (ARAG-S doc. no. 1877); records were located in the Tempelhof Airdrome underground tunnels (AGAR-S doc. no. 1885); film strips of hundreds of speeches of Nazi leaders (AGAR-S doc. no. 1881) were hidden on a farm whose owner was seemingly unaware of what he had; files of a German general were located at a transformer station (AGAR-S doc. no. 1893); and Nazi party alphabetical and geographical personnel files were rescued from destruction at a pulp mill, to which they had been sent by German authorities (AGAR-S doc. no. 307). Also, see photographs on Operation "Hidden Documents" showing the location in Czechoslovakia of a cache of boxes containing documents (AGAR-S doc. no. 1452). In April 1945 the Germans had arranged for intricate demolitions in the area to ensure the destruction of these documents. See also *American Commission Report*, pp. 130–33.

⁵⁰ Ibid., pp. 126, 135, and 136.

⁵¹ Sargent Child, in a talk in 1945 at the National Archives on American archivists in Europe, described a salt mine in which key intelligence records, stored a half mile below the earth's surface, had been set afire by German officials. The fire had been so intense that the ceiling of the salt mine collapsed, putting out the fire. Workers seeking to salvage the records had to break up huge blocks of rock salt before the documents could be reached (AGAR-S doc. no. 307).

⁵² See citations in footnote 42.

⁵³ USFET, *Report of the German Documents Conference*, October 22–25, 1945, p. 25.

⁵⁴ Bussey report of 1948 (see AGAR-S doc. no. 1383).

⁵⁵ Pomrenze to Hamer, director of the National Archives' Office of Records Control, November 25, 1947 (see AGAR-S doc. nos. 704 and 706). Headquarters USFET

In comparison to the European program, a similar program in Japan was small indeed. In Japan a Government Records Project was instituted in November 1945 by SCAP to examine the records of Japanese governmental agencies and to select from them materials of value to Allied intelligence services and other agencies. With the aid of Japanese officials, procedures were developed either to take the original documents required or to reproduce copies for use by theater agencies or the War Department in Washington. A general report on the project was issued on March 31, 1946, by the chief of the Washington Document Center at SCAP's Allied Translator and Interpreter Section in Japan, summarizing descriptions of documents obtained from each ministry. Also, descriptions were made of documents retained at site that were considered of possible future research interest.⁵⁶

THE RETURN OF CAPTURED RECORDS AFTER WORLD WAR II

Now we turn to the last of the three phases described in this paper: the role of the United States Army in the return of the captured records after World War II. Again, we are dealing mainly with these problems as they involved Germany. Hilary Jenkinson and H. E. Bell discuss return problems involving Italy.⁵⁷ The problems faced by the United States Army in the return of Japanese captured records are not covered in this paper. But essentially, the policies and procedures developed for the return of captured German records were followed in returning the relatively small volume of captured Italian and Japanese records.

A major area of concern to the United States Army authorities in Germany involved the establishment of policies and procedures for the return of records captured by German authorities in German-occupied territories throughout Europe. In accordance with the restitution policies spelled out in the "Military Government Regulations of OMGUS," an effort was made

initiated a survey of its captured enemy holdings in October 1947 (see AGAR-S doc. no. 1892).

⁵⁶ AGAR-S doc. nos. 3500 and 3501. The report of March 31, 1946, is 81 pages in length. For correspondence on the return of Japanese captured records, see AGAR-S doc. no. 2007.

⁵⁷ Jenkinson and Bell, *Italian Archives*, pp. 22–24. See also U.S., Adjutant General's Office, Historical Records Section, Departmental Records Branch, Reference Aid no. 6, "An Indication of Sources of Information concerning Enemy Records in the Mediterranean Theater of Operations," by Kenneth Munden (October 17, 1949)—AGAR-S doc. no. 1505; *American Commission Report*, p. 88; and F. A. Mullen's article on Vatican records in the *Library Journal* 70 (July 1945): 631.

from 1945 to 1946 by the United States Army to locate all such archives and other records and to arrange their return to the countries from which they were taken. For example, public and private archives of France, Luxembourg, and the Netherlands discovered in Germany were returned to those countries.⁵⁸ Not only were valuable public records involved but also such famous private collections as the Rothschild family papers and the Spinoza collection.⁵⁹ Archives taken by the Germans from Italian governmental and private organizations were returned to Italian hands, including about 350 feet of Italian military archives captured from the Germans in Germany (along with German army records) and shipped to the GMDS early in 1946⁶⁰ and historically valuable materials of the Italian Rabbinical College, some dating back to the sixteenth century, which were safeguarded at the United States Army's Offenbach Archival Depot until they could be returned to appropriate authorities in Italy.⁶¹

These instances of returning captured records (as well as aiding in straightening out French, British, and United States interzonal record transfer problems⁶²) posed relatively few problems if compared to the problems faced by the United States Army when there were no proper heirs in the countries from which documents were taken or when the international boundaries had been altered. For example, to whom should valuable historical records of Jewish organizations of Eastern Europe be returned—records seized by German authorities after liquidating the custodians, destroying the institutions, and transporting the documents to Germany for so-called scientific study by the Nazi Institute for the Study of the Jewish Problem under Alfred Rosenberg? To solve the dilemma, the army determined that those records that could properly be associated with existing successor organizations should be transferred to such successors; for example, the assignment in 1947 by

⁵⁸ *American Commission Report*, pp. 110–11. Child wrote on February 1, 1946, that the looted libraries and archives were being identified for return (AGAR-S doc. no. 504). See also Daniel H. Thomas, "A History of the Diplomatic Archives of Belgium," *American Archivist* 15 (October 1952): 297–302 on their wanderings. Child discussed the return of certain French archives seized by the Germans in his memorandum to the chief of the Restitution Branch, Economics Division, OMGUS, February 21, 1946.

⁵⁹ See AGAR-S doc. nos. 506, 507, 509, 601, 602, 1311, 1312, 1326, 1328, 1435, 1453, 1454, 1461, and 1468 on activities of the Offenbach Archival Depot, OMGUS.

⁶⁰ AGAR-S doc. nos. 1314, 1324, and 1337 discuss proposals on the return of these records.

⁶¹ See citations in footnote 59. Also see orders of March 2 and 4, 1946, establishing the depot and its organizational structure and designating Seymour J. Pomrenze as director (AGAR-S doc. nos. 506, 507, and 509). He was succeeded by Isaac Bencowitz (1946), followed by Joseph Horne (1947–49). The depot was closed and its holdings transferred to a Wiesbaden depository or elsewhere during 1948–49.

⁶² Lester Born to the Office of the Director of Intelligence, OMGUS, August 2, 1949 (AGAR-S doc. no. 1439). Some specific examples of interzonal transfers are cited by Edgar Breitenbach in his letter to Oliver W. Holmes of January 11, 1946 (AGAR-S doc. no. 305).

the United States Army, through the Library of Congress Mission and in cooperation with the State Department, to the Yiddish Scientific Institute of New York City the records of its parent body, formerly at Vilna. The other records awaited specific record disposition decisions by the State Department or their assignment to an organization such as the Commission on European Jewish Cultural Reconstruction.⁶³

Another question: To whom did the archives belong that were removed by German authorities during the war to western Germany from depositories in eastern Germany, where the cities and towns later became part of postwar

⁶³ For a brief statement on the nefarious activities of Reichsleiter Alfred Rosenberg and his Institute for Exploration of the Jewish Question at Frankfurt, see a translation of the Office of the United States Chief of Counsel, Document 171-PS, "Library for Exploration of the Jewish Question" (n.d., 3 pp.), and also notes from Heinrich Grummach, head of the Jewish Section of the Gestapo Library (n.d., 4 pp.) (AGAR-S doc. no. 1468). Rosenberg's activities have yet to be carefully studied and evaluated, for there is no parallel to these confiscatory actions of private (as well as institutional) cultural properties and to the misuse and mistreatment of their custodians. See the letter of February 10, 1968 (AGAR-S doc. no. 3506) from Dina Abramowicz, librarian of YIVO Institute for Jewish Research, to Pomrenze, in which Ms. Abramowicz points out that hundreds of communal, synagogal, academic, and private Jewish libraries in Eastern Europe in the pre-Nazi era were destroyed, together with their librarians and other custodians. "However," she writes, "most of these dedicated and competent people for whom their occupation was a labor of love perished anonymously together with millions of other victims of Nazi oppression. Only a few of them, the most outstanding and articulate, were privileged to have their biographers and historians." And she mentions Khaykl Lunski, librarian of the famous Strashun Library in Vilna, who perished at Treblinka; Herman Kruk, director of the Grosser Library in Warsaw and the Ghetto Library in Vilna, who died in the concentration camp at Klogge; Meyer Balaban, famous historian and collector, who died in the Warsaw ghetto in December 1942; and Yitskhok Anilovitch, Khane Gritshanski, and Moyshe Lerer of the staff of the YIVO at Vilna, who also lost their lives at Nazi hands.

Reports of the Offenbach Archival Depot, cited in footnote 59, mention the collections. See Pomrenze to Holmes, March 13, 1946, on some initial problems at the depot (AGAR-S doc. no. 318). Also see Max Weinreich of the YIVO, New York City, to Jerome Michael, chairman of the Commission's Legal Committee, December 6, 1946 (AGAR-S doc. no. 330), on their concern for proper protection of the depot's collections. Other correspondence with the commission is in AGAR-S doc. no. 2031. In an eight-page letter of June 5, 1946, from Professor Michael, then acting chairman of the Commission on European Jewish Cultural Reconstruction, to Maj. Gen. John H. Hildring, assistant secretary of state, there is a discussion on the composition and objectives of the commission. Michael expressed concern about the safety and ultimate disposition of the Jewish religious and cultural treasures in Germany and Austria and proposed certain policy guidelines on these matters (AGAR-S doc. no. 1454). Leslie Poste, *Protection of Libraries and Archives*, chapter 10, contains a valuable historical summary. From March 1, 1946, to May 31, 1948, some 2,404,530 items were shipped as follows from the Offenbach Archival Depot to fifteen countries: East Germany (Prussian State Library), 700,000; France (including the Rothschild Collections, 340,777; the Netherlands (including the Spinoza Collections), 328,848; the USSR, 272,495; Italy (including the Italian Rabbinical College), 251,188; and the United States (Yiddish Scientific Institute, New York City), 79,204. During 1946–48 the depot handled a total of 3,172,822 items.

Poland with substantially no German inhabitants? German archivists and Major Born of the United States Army felt that the policy of returning archives to the country in which the archives institutions had been located should not be followed in these instances: the archives should remain in West Germany where the people now lived.⁶⁴ These and similar problems were still being resolved by the United States Army when OMGUS was discontinued in 1949 and its responsibilities were transferred to the State Department.

There were, understandably, many more problems involving the return of German records to German authorities. Those that were not removed by the Germans or by the Allies for denazification, demilitarization, or similar activities were given back to local authorities. Those that had been hidden by German authorities at other localities, for safety purposes only, were returned to their original location by United States Army authorities or by German authorities aided by United States Army officials. For example, the state archives authorities of Württemberg were provided with United States Army transportation to visit outlying depositories and to return their archives to Stuttgart or Ludwigsburg.⁶⁵ Some German records in United States depositories in Germany were returned as early as 1945 (for example, the German Railway Office documents)⁶⁶ and many other groups were turned over to functioning German agencies during the 1946–47 period.⁶⁷ Of course many of the German records transferred to operating elements of OMGUS were being used to administer the United States Zone of Germany until such time as a central, German governmental authority would be established to which they could be returned.

At Berlin, United States Army authorities served as members of a Committee on Disposition of Nazi Documents and Related Materials during

⁶⁴ AGAR-S doc. no. 325. For Born's views see his five-page memorandum of August 2, 1949, to the director of the Political Affairs Division, OMGUS (AGAR-S doc. nos. 1439 and 1499B). For an example of views of German archivists, see a letter of January 17, 1947, from a German archivist in Hanover to one in Berlin (AGAR-S doc. no. 325). Problems arising from requests by various governments for access to, or copies of, specific captured records were also faced by United States Army authorities (see AGAR-S doc. nos. 1319, 1321, 1322, 1324, 1346, 1348, 1349, 1425, 1498, 1833, 1890, 1891, and 1896–99, concerning requests from Belgian, Czech, Netherlands, Polish, and Soviet governmental sources). There were also many requests by individuals. See also, Fritz T. Epstein, "Washington Research Opportunities in the Period of World War II," *American Archivist* 17 (June 1954): 225–36.

⁶⁵ See reports by Pomrenze on his activities as archivist for Württemberg-Boden, January–February 1946 (AGAR-S doc. nos. 308 and 601). These activities by United States archivists enabled German archival authorities to reconstitute their collections earlier and to open their institutions for business within a relatively short period of time after the close of World War II.

⁶⁶ AGAR-S doc. nos. 1439 and 1499C. See Lester Born to the Office of the Director of Intelligence, OMGUS, August 2, 1949 (AGAR-S doc. no. 1439).

⁶⁷ AGAR-S doc. nos. 1439 and 1499C.

1947–48 (for the most part under the chairmanship of Major Born), and deliberated carefully at some twenty-five sessions on the use and disposal of records of army intelligence interest at the Berlin Document Center. They developed detailed guidance for the disposition or retention of some ninety-one collections, either by turning them over to German authorities, the United States government (OMGUS, Army Historical Division, State Department, or Library of Congress), British agencies, international organizations (the Secretariat of the International Police Committee at Paris), or private groups (German Red Cross and Hoover Library at Stanford); or by recommending their destruction as valueless papers.⁶⁸ The problem of disposition of records at the Berlin Document Center became a responsibility of the State Department when control was transferred from the United States Army in 1953 to its Office of the High Commissioner for Germany (HICOG).⁶⁹

Naturally, the main interest of German officials and the scholarly world was focused on the return of the German records that had been removed from Germany to the United States and to Great Britain, particularly those in the custody of the GMDS near Washington. United States archivists and other archivists had, from time to time, written on the need to return the German records that were in the United States.⁷⁰ Probably the most significant statement was made by Ernst Posner in his sixty-page comprehensive "Report on Public Archives of Germany" of July 9, 1949, prepared after his trip to Germany as an archives consultant to OMGUS. In the report he recommended that

the restitution of German records to Germany be brought to the attention of the Governments concerned. While considerable quantities of these records may still be needed for purposes of intelligence, for research in the history of the prewar and war periods and for other purposes, and while others may be considered *bona fide* war booty that may be retained indefinitely, it would seem that those portions of the records that pertain to the internal history during the recent period, can and should be restituted after an appropriate repository for the administration of such material has been set up by the *Bund*.⁷¹

German archivists and other German authorities, as well as the German press and other media, began to state the case for the return to Germany of their records. Dr. Bernhard Vollmer, the first president of the Association

⁶⁸ See reports on activities of the Committee on Disposition of Nazi Documents and Related Materials (AGAR-S doc. nos. 1384, 1407, 1409, 1412, 1435, 1436, and 1458). The last document contains Born's final report on the committee's activities.

⁶⁹ The Army Adjutant General proposed this action in a letter to the Department of State in 1953 (AGAR-S doc. no. 1010). The Department of State concurred in the proposal.

⁷⁰ AGAR-S doc. nos. 1484, 1493, 1496, and 2059–60 concern the period 1944–47.

⁷¹ AGAR-S doc. no. 301. The quoted sentences are on p. 58.

of German Archivists, wrote Charles Braibant, president of the International Council of Archives in 1950, on this matter. Braibant forwarded the letter to Wayne C. Grover, then the archivist of the United States. After coordinating the request with the Department of the Army, Grover replied that problems inherent in Vollmer's suggestion had been under consideration for some time by various United States agencies, but no solution had yet been reached. He indicated further that the question of restitution policies and practices would certainly be provided for in the peace treaty to be negotiated.⁷²

The former German Institute for the History of the Nazi Era (now the IfZ) sent its representative, Dr. Hermann Mau, to visit the United States in 1951, at the invitation of the State Department, and to report on German archives and other records in this country. Mau discussed various matters with State Department and army officials, including the problems of returning captured archives of the German Foreign Ministry as well as the German military collections.⁷³

As was to be expected, German archivists wrote articles on the subject in issues of *Der Archivar*, discussing both the need to return the collections and the progress of the programs to return them.⁷⁴

At the highest level of the German government action was started to obtain the return of Germany's cultural treasures. For example, on June 21, 1950, the German chancellor informed the chairman of the Allied High Commission that the German Bundestag had passed a resolution requesting the return of the German archives that had been removed from Germany.⁷⁵ And subsequently, German ministers (especially those for foreign relations and defense), and even the German chancellor himself, took occasion to present their views to their United States counterparts at various meetings.

⁷² Wayne C. Grover to Vollmer, February 1, 1951 (AGAR-S doc. no. 1310).

⁷³ AGAR-S doc. nos. 1303 and 1342.

⁷⁴ AGAR-S doc. nos. 1512, 1514, 1515, 1517, 1518, 1520, 1568, 1569, and 3148. These contain selected items from issues of *Der Archivar* for 1947–56. See also Lester Born's memorandum of August 2, 1949 (AGAR-S doc. no. 1439). He refers to "Wer Schreibt die Deutsche Geschichte?" *Rhein-Neckar Zeitung* (March 9, 1949). He also quotes a resolution of the Society of German Archivists: "The matter [of return] is of greatest importance if we expect the German historians to render to their people a scholarly account of German recent history. They cannot fulfill this mission unless the indispensable source materials are returned to Germany, assembled under professional custody, and made accessible."

⁷⁵ AGAR-S doc. nos. 1318 and 1341. A news item in the *Manchester Guardian* of May 13, 1950, indicated that the German chancellor would ask the Allied High Commission for the return to Germany of all former German archives that were then present in foreign countries. For an extract of the session at the Bundestag of May 11, 1950, see AGAR-S doc. no. 1506. Also see AGAR-S doc. no. 1344, which points out the connection between the chancellor's request and the policy of the United States and Great Britain to allow the German Federal Republic the greatest possible degree of freedom in the conduct of its own affairs, including the field of foreign relations.

These inquiries continued to come forth even after a plan had been adopted to return the records and the army began to move certain groups back to Germany.⁷⁶

By 1949 steps were taken toward the development of United States–United Kingdom policies that would permit an orderly return of German records to a central German authority. The Department of the Army joined the State Department and other agencies in a reexamination of problems associated with the custody of its captured records, and it participated fully during 1949–51 in many meetings of an Inter-Agency Conference on Captured Enemy Documentation to determine the extent of holdings of German records in the United States, their use, the general agreements and commitments involving them, and proposed return policies.⁷⁷

With the adoption of a policy by the United States to reestablish friendly relations with Germany and to restore German military forces as part of the North Atlantic Treaty Organization's (NATO) defenses, the Department of the Army recognized in 1949 that Germany would need its military records to accomplish United States and NATO military and political objectives; and therefore, those records that were required by Germany should be returned, bearing in mind the continuing United States intelligence, historical, and other interests that could be protected through a duplication of the records concerned. Moreover, every army position statement stressed a need for British concurrence prior to any return of the German military records. Within this framework, the Department of the Army promoted the formulation of a United States governmental policy for the return of captured German records under the leadership of the State Department. State accepted this responsibility and worked successfully to accomplish its goals, closely supported by the army.⁷⁸

A policy statement acceptable to the Department of the Army was completed shortly before the fall of 1952 and then coordinated with policies of the British government, leading to the acceptance in 1955 of a United States–United Kingdom agreement for the return to Germany of German military records in army custody.⁷⁹

⁷⁶ For example, see AGAR-S doc. no. 1340 (1951): "The authorities of the West German Government have recently raised once again the question of all categories of German archives. . . ." Practically every time a high-level German official visited Washington, D.C., the question of the return was raised, and the Department of the Army was invited to comment (see AGAR-S doc. nos. 1469B [request by German chancellor in 1952] and 1559 [request by German war minister after 1952]).

⁷⁷ AGAR-S doc. nos. 1306, 1316, 1319, 1322, 1327, and 1339 deal with the work of the conference, 1949–51, and contain minutes of certain meetings, 1950–51.

⁷⁸ AGAR-S doc. nos. 1001–5, 1007, 1009, 1304–6, 1308, 1324, 1340, 1342, 1343, and 1470 deal with army actions in evolving a policy on return during 1950–53.

⁷⁹ Correspondence, plans, and other papers on return, 1953–55, from AGAR-S doc. no. 2084.

The Department of the Army had acted on certain matters during the 1940s and early 1950s that proved of considerable value when the time came to develop plans for the return of the German records; for example, the army began to collect at GMDS a relatively small volume of German records that had, for research purposes, been decentralized to various army offices, installations, and organizations. A comprehensive guide to the records was prepared under the direction of Philip P. Brower of the Departmental Records Branch, Office of the Adjutant General.⁸⁰ And the army, through the archivist of the United States, obtained authorization from the Congress of the United States to transfer and return German records according to provisions of the Records Disposal Act of 1943.⁸¹

During 1953–54, as the negotiations for a United States–United Kingdom agreement were progressing, the Department of the Army developed a master plan for the return of the German records, comprised of three basic phases: the declassification of the records, the microfilming of selected portions, and the actual shipment to the Federal Republic of Germany of the paper records, including those microfilmed and those not deemed worth microfilming.

The declassification phase was a key step leading to the return of the records to Germany.⁸² This phase of the return program required establishing detailed procedures within the army for a thorough evaluation of record content from the standpoint of United States security. From the time of their arrival in the United States, the German military archives and related records had for valid reasons been handled as confidential documents. Now, with their return imminent, the army had to take time-consuming steps to weed out the small volume of records that still required the retention of a United States security classification. Essentially, many of the same security declassification criteria later applied to information in United States Army records were used to declassify German records. Since numerous people (especially intelligence, planning, civil affairs, and historical experts) took part in the review actions leading to declassification, a procedure was developed whereby detailed summaries of each record group, and often of the record series, were prepared by the custodians at the Departmental Records Branch and then circulated to all agencies concerned for study and recom-

⁸⁰ See footnote 40.

⁸¹ U.S., Congress, House, *Disposition of Papers by Sundry Government Offices*, H.R. 1077, 83d Cong., 1st sess., August 1, 1953 (Job no. II-NNA-777 of the National Archives and Records Service, General Services Administration), covers the return authorization for German captured records. A similar authorization was obtained to return the Japanese captured records (U.S., Congress, House, H.R. 2027, 84th Cong., 2d sess., August 24, 1956; Job no. II-NNA-2082 of the National Archives and Records Service, General Services Administration). See AGAR-S doc. nos. 3144 and 3145.

⁸² AGAR-S doc. nos. 1475, 1594, 1653, 1737, 1739, 1758, 2003, 2005, and 3149.

mendation. If any question arose regarding the adoption of a recommendation for declassification, the documents involved were examined by the action officer concerned before rendering a declassification decision. The security declassification actions were then carefully recorded and used as precedents providing the authority for declassifying similar information in any of the German archives or other records in army custody. Since 1950, more than twenty-five thousand linear feet of German records have been declassified by the Department of the Army.

The second phase in furthering the return of the German records consisted of microfilming those documents of continuing value for intelligence, historical, and other purposes. The microfilming of the records as a prelude to the return of the original paper documents had been planned by the army in the late 1940s and early 1950s; and although some reproduction was completed, personnel and other shortages slowed down any large-scale microfilming operations. It was at this stage that a rather unusual partnership evolved between the Department of the Army and the American Historical Association, sparked in part by the concern of such scholars as Dr. Hans Kohn that important records might be returned to Germany without the retention of either originals or reproductions. This partnership with the historical community of the United States enabled the army's microfilm program to be expedited and in a more scholarly manner. The department welcomed this arrangement, for among other things it led to a more professional description of the historically valuable documents selected for reproduction and to the preparation of excellent, detailed finding aids to the German documents. Until 1958, the Adjutant General's Office shared this responsibility with the American Historical Association; and after the German records were transferred to the National Archives and Records Service, General Services Administration, the army continued to work closely with both organizations in promoting the microfilming of records. Also, the army chaired a committee, consisting of representatives from several government agencies (State Department, Departments of the Navy, and Air Force, and the National Archives) and from the American Historical Association, whose duty it was to approve the return of specific bodies of German records without microfilming (on the grounds that the information contained in them did not warrant reproduction). By 1958, more than five thousand linear feet of records had been microfilmed; all together some fifteen thousand linear feet were microfilmed, partly with the aid of army funds. These filmed records are now in the custody of the National Archives and available to scholars around the world.⁸³

⁸³ AGAR-S doc. nos. 1565, 1572–74, 1576, 1577, 1595, 1596, 1600, 1619, 1817, 2000, and 2001. For an account of the concern of United States scholars and others

The third and final phase, scheduling the return of German records, was planned by the army in such a manner that those records of greatest research value would be the last to be declassified and microfilmed; they were, of course, also the last to be shipped to Germany. Even the physical movement of the records required considerable careful and detailed planning since it was most important that they reach German authorities safely and in good condition. The army therefore established a procedure for boxing, transporting, and receipting the records that would assure maximum security until the records could be officially turned over to appropriate German authorities. The army continued, even after 1957, to ship records back to Germany at its own expense. As of March 1968 a total of thirty-five shipments comprising more than twenty-five thousand linear feet of captured records, had been returned to the country from which they originated.⁸⁴

regarding a premature return of the records, see AGAR-S doc. nos. 1601-3, 1606, 1608-10, and 1821.

⁸⁴ AGAR-S doc. nos. 1014, 1556, 1557, 1559-64, 1566, 1597-99, 1649, 1650, 1710, 1726, 1736, 2004, and 3147. Statistical reports on captured records (by record group and subrecord group) are contained in AGAR-S doc. nos. 1578, 1615, 1618, 2002, and 3146.

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