

SECRET CONTROL
SECURITY INFORMATION

12 May 1952

MEMORANDUM FOR: Chief, **EE**

SUBJECT: Amendment No. 3 to Project TPEMBER

As directed by you, I am herewith submitting my comments on above subject.

HENRY HECKSHER
EE/SO/G

Attachment: 1

~~cc:~~ EE/PC

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CENTRAL INTELLIGENCE AGENCY
SOURCE METHOD EXEMPTION 3B2B
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2007

SECRET CONTROL

1. I have been requested to comment upon a projected extension of the functions of ~~the League~~. Under Amendment #3 the League will be required to set up a paramilitary staybehind net in Eastern Germany, designed to become operative with outbreak of hostilities between the USSR and the Western Allies.

HAROLD S. COHEN

2. Mr. Frank Wisner has presented the salient issues involved by posing the question whether "the new amendment proposed would open up an entirely new line of activity for this organization -- one which is not germane to its present activities (my underlining) and which would tend to distract the attention and dilute the effort of this organization which is primarily designed for work in the cold war psychological warfare field". I submit that these questions should be answered in the affirmative and the amendment be disapproved. I disagree with the position taken by the author of the draft of a memorandum, dated 6 May 1952, to the Deputy Director (Plans), who contends that the amendment can in practice be confined to a "limited development along wartime lines of existing organizations of proven motivation".

DYCLAW

3. A decisive factor contributing to the success of ~~the League~~, one of ~~PC's~~ most decisive contributions to our cold war effort against the DDR, has been its homogeneity of purpose which ~~PC~~ has with determination defended against all comers (of whom the undersigned was one). All attempts at instituting a controlled exploitation of ~~the League's~~ resistance potential along ~~SD~~ lines have been warded off. As Mr. de Neufville put it, more aptly than tactfully, when the issue came to a head: "We don't want ~~the League~~ prostituted to the support of intelligence operations". ~~PC~~ is now faced with a similar situation. For reasons outlined below ~~PC~~ should not give its consent to the projected major departure.

MEMBER'S
BY CHAIRMAN

MEMBER

4. Amendment #3 is bound to sidetrack ~~the League~~ as a whole into a field of essentially unorthodox endeavor. In the discharge of its primary psychological warfare function it has all along employed a highly successful technique, well adapted to the German mentality on whose ingrained respect for the rule of the law it is capitalizing. By ringing the changes on this leit-motif, ~~the League~~ has succeeded in upholding the orthodox concept of the rule of the law in the face of communist efforts to substitute for it executive expediency under guise of legal procedure. Irrespective of

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the constitutionality of the East German regime, a paramilitary program is bound to defy de facto authority. I maintain that one and the same organization should not on the one hand harrass the regime by charging it with violations of the criminal code, of human rights and with the abridgement of constitutional freedoms and at the same time undertake the organization of a paramilitary apparat which even during its pre-operative phase will run afoul of German laws. ✓

MEMBERS 5. I have not in any of the correspondence made available to me found a convincing explanation why ~~the League's~~ resistance potential should be considered as particularly adapted let alone adaptable to the requirements of organizing a paramilitary staybehind net equipped to operate along unconventional warfare lines. Would it not be more correct to say that ~~the League's~~ MEMBERS co-workers, for the most part jurists, are for the purposes envisaged eminently unqualified? Are they not by temperament and by upbringing the very stratum of German society whose conspicuous unwillingness to offer resistance to de facto authority by unconventional methods is a matter of historical record? ✓

NELSON G. HEWARD 6. Success or failure of the paramilitary program will be conditioned by factors of operational security and by standards of operational reporting. This puts it clearly up to Dr F, the ~~League's~~ unchallenged boss. His success, at least in part, can be attributed to his flair for publicity. A pronounced penchant to project himself upon the national scene, is not matched by an equally fervid attachment to the truth. In the presentation of facts he does not display the judgment and circumspection which he has shown in the selection of his staff. Dr F's boast that he directs an intelligence net of about 4000 persons throughout the Soviet Zone of Germany, will strike anybody familiar with conditions in the Soviet Zone as somewhat unrealistic. It may make sense from the point of view of psychological warfare to advance such claims. However, if they pertain to the effectiveness and size of a paramilitary staybehind organization, and especially if they are included in the Joint Chiefs of Staff estimate, major inaccuracies may one day have to be paid for in blood. //

BY CHAIRMAN 7. I do not know whether PC's planning should at this stage take into account contingencies that will develop as a result of a partial restoration of German sovereignty and of German re-militarization. The question suggests itself whether it will be possible to maintain untrammelled U.S. control over cold war agencies at present working under our auspices and whether we will be able to hold on to our paramilitary assets if they

are developed through one of them.

8. The SPD has as far as ^{MEMBER} the League is concerned adopted a position of benevolent neutrality. With predictable certainty the SPD - not Dr Schumacher alone - will oppose and possibly try to thwart the activation of staybehind resistance nets in Eastern Germany which they would indict as corollary to the defensive thinking of the American General Staff and as at variance with the stipulation that only a massive and offensively motivated military investment can enlist German support. I doubt that there has been any material change in this attitude since 1949 when SO courted an unqualified refusal in its quest for SPD support in the recruitment of W/T operators. We should of course not allow ourselves to be thrown off the course by the anticipation of SPD opposition. It appears pertinent though to pose the question whether the prospect of an unbridgeable rift between the SPD and the League and all that entails for the successful discharge of the League's psychological warfare responsibilities, is not a weighty factor on which the views of the field should be solicited?

9. Prior to turning Dr F over to PC management, he had been tested by the undersigned on a number of SO-type assignments. He was found not qualified for orthodox intelligence work, mainly because of a conspicuous absence of proper intelligence value standards to guide his efforts, a shortcoming that would make itself felt in the execution of a program as set forth in Amendment #3. This situation cannot be remedied by the simple device of providing Dr F with a deputy in direct charge of the paramilitary setup. In recognition of the fact that the League is essentially a one-man show, Amendment #3 makes special provision to accord Dr F a dominant voice in the management of the affairs of the "ideelle Betreuungsstelle". This arrangement, although it provides a modicum of assurance that the psychological warfare program of the League will not be relegated into a secondary position, precludes a genuine delegation of responsibilities to the paramilitary deputy and is likely to saddle PC with a very untidy remote control situation.

10. From the viewpoint of protecting the control echelon of the paramilitary apparatus ("ideelle Betreuungsstelle") Amendment #3 provides the conceivably worst solution. The vigilance of the communist security services is focussed upon the League and its activities which constitute a grave threat to the internal stability of the East German regime. For the purpose of mustering adequate safeguards, we must predicate our

TRAMPBERR

security planning on the assumption that the penetration of the League ranks high on the priority schedule of those services. What Amendment #3 in effect proposes is to move the most vulnerable and delicate mechanism of the paramilitary system into an area of maximum exposure. Hostile services will have little trouble in applying the assets already developed in combatting the League to its paramilitary annex.

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11. "I also have the impression that we are getting to the point where we seem to be tacking a paramilitary tail onto too many of our major organizational activities in Germany" (quoted from Mr Wisner's memorandum, dated 15 April 1952). It is my opinion that the farming out of the implementation of our paramilitary program to semi-autonomous German organizations, consoling ourselves with a residuum of broad and largely ineffectual supervisory powers, is fraught with danger. By piling vast staybehind commitments upon a slim American staffed control base and by exercising control through proxy, we will be placing ourselves into a most disadvantageous position, should we - in the face of a sudden crisis - be called upon to effect a smooth and speedy transfer of our paramilitary assets to Army control. The success of our staybehind program is not reflected in the publication of imposing and sometimes grossly misleading statistics, but in a current and reliable estimate of the speed and efficiency with which we shall be able to convert our resistance potential into highly selective, tightly controlled and securely organized resistance task forces ready for action on D-day. Amendment #3 fails to provide the prerequisites for a staff control situation from which such estimates would normally flow.

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12. It need not be stressed that, were I convinced that Amendment #3 represents the only feasible approach to the establishment of a paramilitary staybehind net, the sacrifice of League assets which it might entail would not weigh heavily enough to support my recommendation to disapprove it. I am convinced, however, that a more acceptable alternative is clearly within our capabilities. The problems with which we are faced in our paramilitary planning should be viewed primarily not in terms of convertible assets, but of providing an organizational framework which at the outbreak of hostilities on short notice, or even prior to this event, can be fitted into the command structure of an army (NATO or EDC). For current planning I could visualize as a practicable short -

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term solution the activation of a paramilitary staff composed of American and German experts in the field of unconventional warfare, operating under U.S. Army cover. We should without misgivings forego the rather transparent fiction that the staybehind effectives are exclusively German controlled. Some of the advantages of U.S. Army cover immediately suggest themselves: The paramilitary control element could easily lose itself in the complex vastness of the army staff structure, where it would enjoy the protection of the army security services. Its reporting would be governed by army standards of accountability, its discipline be sanctioned by the provisions of the military code, its logistic support problems be facilitated by organizational proximity to an Army staff. Whether such an arrangement would allow for the proper handling of the political ramifications of a staybehind program, could only be determined on the basis of trial.

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