

**CIA HISTORICAL REVIEW PROGRAM
RELEASE IN FULL**

ER 5-5440

2003

10 May 1954

**Mr. Ralph Kelly
Commissioner of Customs
Department of the Treasury
Washington 25, D. C.**

Dear Commissioner Kelly:

On May 7, 1954, your office was requested by this Agency to take such action as might be practicable to search the German vessel Walibrook upon its expected arrival in San Juan, Puerto Rico, and, if arms or other implements of war were found aboard the ship, to seize them. This request was based upon a policy decision of the appropriate Agency of the government that the Central Intelligence Agency should take such action as might be feasible to prevent delivery of arms to the suspected consignees. This decision in turn was based on information provided by this Agency.

Pursuant to our request, your office instructed the customs agent in charge in San Juan to conduct a search of the vessel and to seize the arms or implements of war if found. It is understood that it might be necessary for the customs agent in charge to incur expenses in connection with unloading cargo to examine the suspect material or for other purposes necessary to search and seizure. Inasmuch as the action would be taken at our request, we will reimburse you for such expenses on presentation by you of appropriate vouchers. In addition, it is understood that in the event the information concerning the presence of arms or other implements of war in this cargo turns out to be unfounded, you or officials acting for you may be subject to claims for damages due to the delay of the vessel or injury to its cargo. Under these circumstances this Agency undertakes to indemnify the Department of the Treasury or any of its officers or employees for liability for official acts performed in carrying out your instructions.

I wish to express the appreciation of myself and my staff for the able and willing cooperation shown by your office and the United States Coast Guard in this matter.

Sincerely yours,

STARTED

**cc: Capt. Wilbur C. Hogan
U. S. Coast Guard**

**Allen W. Dulles
Director**

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OGC:LRH:jeb
Rewritten: AWD;hea

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NB: THE ORIGINAL COPY DELIVERED 10 MAY 1954 TO H. CHAPMAN ROSE, ASSISTANT
SECRETARY OF THE TREASURY BY HGL