

DISPATCH		CLASSIFICATION SECRET	PATCH SYMBOL AND NO. EGNA 27257
TO INFO	Chief, EE Chief, Munich Liaison Base Chief, Frankfurt Operations Base	HEADQUARTERS FILE NO. Hqs: 32W-5-38/19 FP:	
FROM	Chief of Base, Bonn	DATE 23 March 1964	
SUBJECT	CATIDE/UJDROWSY Protocol of FELPE Trial	RE "49-3" - (CHECK "X" ONE)	
		MARKED FOR INDEXING	
		X	NO INDEXING REQUIRED
ACTION REQUIRED	For Information	INDEXING CAN BE JUDGED BY QUALIFIED HQ. DESK ONLY	

LICE

The local ID USAREUR office passed us the attached translations of the protocol prepared of the FELPE/TIERTEL/CLEMENS trial. The USAREUR liaison officer undoubtedly obtained this report (in German, of course) from the ASBw, with which he maintains regular contact.

[]

Attachment (h/w):
Protocol of Trial

Distribution:
3 - EE w/l cy att
~~2 - MIB w/l cy att~~
2 - FOB w/o att

This is in fact an abbreviated protocol of the trial. We never received a copy from the CATIDE's. However, the typing or copy work is so bad parts of it are hardly legible. I will try to get an original copy from @ Bernhard.

*UJDROWSY
OPS. CHRONO*

DECLASSIFIED AND RELEASED BY
CENTRAL INTELLIGENCE AGENCY
SOURCES METHODS EXEMPTION 3B2B
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2001 2005

GROUP 1
Excluded from automatic
downgrading and
declassification

CONFIDENTIAL

THE ASSASSINATIONS SECURITY OFFICE

Dept. II 1 File: 96 - 04

Journ. No. 81/54 VE-Vertr.

55 Mülsdorf near Bonn, 17 January 196
Hardthöhe, House 101
Ext. 40 86

Subject: Protocol on Main Trial Against FALBE, CLEMENS and TIEBEL
before the Federal High Court in Karlsruhe

On 5 July 1963, the main trial against the accused

1. CLEMENS, Hans,
born on 12 Feb 1902 in Dresden,
former employee of the Federal Intelligence Service,
last residence: Cologne, Hohenstaufferring 22;
2. FALBE, Heinz,
born on 18 Mar 1918 in Dresden,
former Regierungsrat (non-scheduled position) with the
Federal Intelligence Service,
last residence: Munich, Friedrich-Schöcherl-Strasse 3;
3. TIEBEL, Erwin,
born on 10 Nov 1903 in Dresden,
manager with a construction firm,
living in Düsseldorf, Kirchfeldstrasse 127 a;

was introduced before the Federal High Court in Karlsruhe. After the writs
of indictment had been read, the three accused persons were heard as to
their personal histories.

A. Personal Histories of the Three Accused Persons:

Re 1.: CLEMENS is the son of Max CLEMENS, Music Director. After the
termination of elementary school in Dresden, he was a student
at the Dresden Music College for two years. Originally, he
wished to become a military musician. However, as a result
of the unfortunate end of World War I, he could not realize
this aim, and until the thirties earned his living as a
pianist and violinist. In 1931, he joined the NSDAP and
was employed by this party's intelligence service, that is
in the district intelligence service. He gave up his music
activities. The district intelligence service's responsibi-
lity was to discover the other parties' political activities
against the NSDAP, in particular raids, scheduled hall brawls
and similar incidents. CLEMENS was politically active. He
was an enthused NS-man and after 1933 joined the security
service.

EXCLUDED FROM AUTOMATIC RECORDING
DOB DR 1 1963 08 10 11 11

CONFIDENTIAL

EGNA-27 257 ATT

[]

CONFIDENTIAL COPY

CONFIDENTIAL

- 2 -

In 1931, he had already joined the Allgemeine SS, and in 1938 was promoted Untersturmführer. The last rank he held, was that of St-Hauptsturmführer.

He was active at the SD's main field office in Dresden and became its chief in 1937. In 1936 and 1937 he was in charge of German agencies in the Sudeten Area. During the war he was a member of Dept. VI (espionage in foreign countries) of the Reichsicherheitshauptamt (RSHA - Chief Reich Security Agency) and was being considered for commitment to Switzerland. However, this plan did not realize, so he was transferred to Italy instead, at the end of 1943, where he organized the front assignments of agents. He was in Rome and also in Como for a while, where he headed the border command point. The end of April 1945 he was captured by partisans. A liaison agent of the US Intelligence Service in Switzerland allegedly arranged for his transfer to the Americans. On 20 Jul 1945 he was acquitted from the charge by an Allied court in Italy. He was accused since he had headed the execution command, which had shot over 300 Italian hostages. However, in spite of the acquittal of the charge he was still detained in prison until 1949. His nicknames were: in Dresden "horror of Pieschen"; in Como "the tiger of Como" and among the SD members "fatty".

After he had been released in 1949, he returned to Germany to join FELPE who then lived in Scheandorf. FELPE had made CLEMENS' acquaintance in 1936. About that time FELPE had to prepare an essay on juvenile criminality. He was a candidate of the original police. He was assigned to accompany CLEMENS so that he could eyewitness reactions on juveniles.

During ... war, CLEMENS and FELPE again met at the RSHA, after both had repeatedly met at the SD beer-table (Stammtisch) in Dresden. However, their cooperation at Department VI of the RSHA was a short one, since soon after FELPE's arrival, CLEMENS was detailed to Italy. During CLEMENS' captivity, FELPE and also TIRREL re-established their connections with CLEMENS. Both continued to write CLEMENS letters to Italy.

CLEMENS previously was an active person. In particular, during the ball brawl in Dresden in 1935, he allegedly was a rough brawler. He stated that he did not put up with anything and he never was a coward. After 1935, he allegedly did away with the former hoodlums in Dresden.

Since FELPE could not put up CLEMENS in 1943, he went on to TIRREL who then lived at Leusringgen. CLEMENS had made TIRREL's acquaintance while he was active for the SD in Dresden. TIRREL who then was a lawyer in Dresden, had worked for the SD. The cooperation with CLEMENS became a friendship, so that during the war TIRREL was conscripted as a full-time co-worker, with the rank of the Oberscharführer, by the SD Service. CLEMENS also saw to it that TIRREL was transferred to Dept. VI of the RSHA, where he himself was active. During

BEST AVAILABLE COPY

CLEMENS' captivity, TIERSL, as well as FULFE, again sought connection with CLEMENS.

CLEMENS then was able to live at TIERSL's home, and from there got into contact in writing with his family in Dresden.

No 2.: FULFE's father was a Kriminalinspektor in Dresden. He was born of his father's second marriage. From 1924 to 1928 FULFE attended the elementary school in Dresden; thereafter from 1928 to 1934 the Oberrealschule (secondary school) and left school as junior high graduate. During his school period he joined the "Deutsche Jugend", in 1931 joined the NS-Schuelerbund (NS Pupils' League) and became a Hitler Youth member in 1932.

In 1932, he attended premilitary training on weekends, which was held by the so-called "Grenzschutzverteidigung Sachsen" (Border Protection Association Saxony). In 1933 he was a SA-Bannadjutant. When he was to be transferred from the SA to the SA in 1936, he refused and joined the allgemeine SA (SA-Kraftfahrzeugern).

In 1935 FULFE was drafted for the first reserve exercise by the Land Police.

In 1938 he took part in the second reserve exercise and within the scope of the SA-Verfügungstruppe (special unit) participated in the march into Sudetenland. He also actively participated in the Poland campaign, and thereafter was discharged for disability received while in service.

After FULFE had left school, he received employment as office manager with the SA Gau-Court Saxony in Dresden. The Gau-Court proposed him for the Langensachsen-Studien and within the scope of these studies he passed the final high school examination in March 1941. As a pre-college essay he prepared a study on "juvenile criminality in the large cities". On the occasion of research studies, he made in preparation of this essay, FULFE became acquainted with CLEMENS early in the summer of 1940.

Prior to taking up his studies, FULFE applied for employment with the authoritative police service. After a selective training course, the NSDA delegated him to Berlin for studies which he started in 1941. As a candidate for the authoritative service he then attended a training course for Kriminalkommissar-aspirants at the Police College in Charlottenburg, which he passed as the 'best' of the training course, after a period of 9 months. After he had headed a criminal commissariat in Dresden for a short while, he was transferred to Gleiwitz on 13 April 1943, as Kriminalkommissar (no scheduled position) headed a criminal commissariat and a criminal inspectorate there. On 10 August 1943, he was transferred to Dept. VI of the NSDA. Junior former Hauptsturmführer MEYERHOFF, he became deputy chief of Section VI b 3 (Dres Switzerland). His transfer to the NSDA had been effected upon CLEMENS' intervention, who had met FULFE at the SA-Bezirksstelle in Dresden and had been asked by

BEST AVAILABLE COPY

- 4 -

FELFE for help to get out of Gleiwitz. With regard to the work at his section, FELFE stated that in 1943 it had been difficult to procure news from Switzerland. At that time they had a resident agent, who was vice-consul in a consulate, and handled the Swiss sources. One source was located in the immediate proximity of the former Chief of the SS Intelligence Service in Switzerland, Foster BULLER.

Through this source, the first details regarding the Teheran and Talta-Conferences were obtained.

In January 1944, Dept. VI was merged with the military counter-intelligence service and at first accommodated at Camp Zossen, later on in Waldburg near Puerstemsalpe/Spreew. In the fall of 1944, FELFE attempted to get a front assignment. On 23 Sep 1944, he was sent to Eschwege/Dolland. As Obersturmfuehrer of the Waffen-SS he received the assignment to build up an overroll network. However, this could no longer be realized. One reason was that the front came closer, the other that disagreements with Hauptsturmfuehrer AUREMUS, who also was at Eschwege, brought the contact with AUREMUS to a close. On Good Friday 1945, FELFE transferred from Eschwege to Groningen and from there to a Dutch Island, where he was at the time of the surrender.

After he had destroyed his SS papers, as a SS-Obersturmfuehrer he went to captivity, however, was picked out from among the other POWs and taken to Scheveningen where he was continuously interrogated by the British Intelligence Service. The British interrogation officer had a handbook of 1944 on the German Intelligence Service. On 1 Nov 1946, as a result of an administrative mistake made by British soldiers, FELFE allegedly was discharged in character and in this way got around not being interned.

FELFE then went to Bonn where a girl-friend of his wife's lived. Three weeks later, Frau FELFE arrived at Rheindorf. During the following period, FELFE allegedly lived on blackmarketing and money orders, on the proceeds from the sale of a camera.

FELFE's parents remained in the Soviet zone in 1945. His father died at Christmas 1945. His mother still lives there. Later on, FELFE through the newspapers kept himself informed on the proceedings against CLEMENS in Rome and maintained correspondence with CLEMENS and also with Frau CLEMENS in Bremen. FELFE received TIEBEL's address through a brother of TIEBEL, who lived at Bad Godesberg, and since early in 1947 maintained contact with TIEBEL.

On 4 Jul 1947 the British approached FELFE with the request to carry out intelligence activities for them. The chief assignment FELFE was to complete for the British, was to ascertain whether there was an organized KP-group at the Bonn University. Upon intervention of the British, FELFE therefore could matriculate at the Bonn University. During his studies he also was elected as a member of the Allgemeine Studentenvereine (ASA - National

BEST AVAILABLE COPY

- 5 -

Students' Committee) and as an official ASA representative, traveled to the Soviet Zone. His activities for the British lasted until the end of 1949. Thereafter he was active as a journalist and also got into contact with the LFF Northrhine-Westphalia. On 1 Jul 1950 the Ministry for All-German Affairs, temporarily employed him as an interrogator of escaped People's Police members. On behalf of the Ministry, he prepared a so-called 'Gelbbuch' (Yellow Book) which was a compilation of statements made by the People's Police members. His activities as interrogator were terminated at the end of August 1950.

Re 3.: FISSEL is the son of a factory foreman who meantime died. He attended the elementary and secondary schools (Oberrealschule) at first in Bredaen and then in Radeberg where he graduated in 1925. Upon his father's request, he at first attended the Technical University in Dresden. However, since he had no technical inclinations, he changed over to the law faculty of the Leipzig University. Later on, he continued his studies in Berlin. In December 1927 he passed his first law state examination in Leipzig, and after the preparatory service as junior barrister (Gerichtreferendar), he passed the second law state examination in Bredaen in May 1934. He only then had a chance to pass that examination since he had repeatedly interrupted the preparatory service, among others for six months extra leave because of his father's illness.

In 1934 he settled down as an independent lawyer at his father's home in Bredaen. However, after initial difficulties he succeeded in building up a good practice as lawyer. After seizure of power, he became a NSDAP member in the Spring of 1933 and a number of offices were conferred on him, among others that of Blackletter, advisory judge at the NS County Court in Radeberg, city councillor of the NS legal advice office in Radeberg and Deputy mayor.

In 1937, the SS requested him to become active for the SS in the Radeberg area. FISSEL agreed and ascertained that he found himself among very decent people. It was his responsibility to procure morale reports from among the populace, as well as to render reports on the political reputation of persons employed by the government service. It was the target to enable the SS to give a true picture of public opinion, a resonance of what the People thought.

During this activity, he and Jay had contact with CLEMENS when CLEMENS became chief of the Bredaen Field Office. As a result of the close cooperation with CLEMENS, they became friends. During the following period the cooperation with FISSEL became even closer, when he was transferred to the SS-Sector Bredaen, received RM 350.00 travel expenses per month, and at first worked at the Legal and Administrative Department and later on, at the Agricultural Section.

Agricultural Section.

In 1941, the SS enrolled him as a Oberscharfuhrer and in September 1941, CLEMENS caused his transfer to the NSDA in Berlin, where he received the assignment to carry out intelligence activities in Switzerland together with CLEMMES. However, this project failed, since after the Badoglio-Putsch, CLEMENS was transferred to Italy.

TIERTEL allegedly did not do much at the NSDA, but only studied the conditions in Switzerland.

Through his activities at the NSDA, he also made the acquaintance of FELES who for a while, was his superior and as CLEMENS and he himself, was also a member of the "Dresden Beer-table" of the NSDA. TIERTEL claims that he actually did not receive intelligence training. He did attend an intelligence training course, however, was not subject to specific intelligence schooling.

Until war's end TIERTEL remained with the NSDA, which was first transferred from Berlin to Erkner, then to Burg Lauenstein near Probstzella and finally to Kottbus/Toggensee. TIERTEL still received an assignment to be completed in Brognitz, however, on Tuesday after Sector 1945, Office Chief SCHILLERSBERG gave him orders to burn all the NSDA documents.

Thereafter, orders were issued to separate. TIERTEL went to Garzisch-Partenkirchen where he found himself accommodation, registered with the police, allegedly in his true name, and so evaded captivity.

He learned through the son of a friend of Radeberg that his parents were living at Landringgen. In September 1945 he then went there and was employed by the FOML Construction Firm. He soon became manager and today holds the position of a general representative with a monthly income of DM 1,250 plus free board and lodging.

Until he started working at Landringgen, TIERTEL had no financial difficulties since on the occasion of the NSDA's dissolution, bundles of money were distributed to the co-workers.

In October 1941, he married Isolda MORNLER at Radeberg. They have two children. In 1945 his wife and the two children stayed behind with his wife's parents at Radeberg. She did not wish to move to West Germany since she did not want to leave her parents in the Soviet zone, and the father declined to leave Radeberg. Due to his background TIERTEL did not consider it wise to return to Radeberg. He therefore stayed at Landringgen, had his chief, Herr FOML, build him a 4-room apartment which he, however, to this date has only occupied with his son Wolfgang (born in 1944) when he had taken with him to the Federal Republic, when he met the family in West Berlin in 1951. His wife, his daughter who remained married; a brother and the father-in-law still live in the Soviet zone, while brother is active in Bonn as a Bauingenieur.

BEST AVAILABLE COPY

- 7 -

After 1945, TIBBEL did not start a law practice again since he feared denazification as a former NS and SS member. He evaded denazification. During the war, TIBBEL was together with CLEMENS and FELPE at the RSHA for a while. FELPE at first went to Italy in the fall of 1943, and later on, in 1944, was transferred to Holland. After the war, at first connections with FELPE were re-established. In 1947 FELPE came to Landringsen since he had learned TIBBEL's address in Landringsen, from TIBBEL's brother, who then lived in Bad Godesberg. Since that time they have maintained connections and they both also maintained contact with CLEMENS, who at that time was still imprisoned in Italy. When CLEMENS was released from custody in 1949, he stayed with TIBBEL at Landringsen for a few months.

D. Notes of Punishable Actions

On 25 Sep 1949 CLEMENS returned from Italy to West Germany. He at first went to visit FELPE at Koblenz and by chance came across a ballet singer group at a tavern. As a former musician, he committed the group to his service and with this band went to FELPE's home to serenade his "In der Heimat da gibt's ein Wiedersehen". CLEMENS had sufficient money since he had subsequently received his salary payments for the four years he had been interned in Italy.

Since CLEMENS did not like conditions at FELPE's home, he went on to Landringsen to visit TIBBEL. One day he received a telegram from his wife who had survived the air-raid on Breda and still lived there with the family. His wife wired that on a certain day she would arrive at Cologne.

During the period from 29 Jan to 4 Feb 1950 Frau CLEMENS stayed at Cologne. FELPE got her accommodation. She disclosed to her husband that she had not come on her own, but had been sent by the Russians. The Russians requested that CLEMENS come to the Soviet Zone, for they had to speak with him. Frau CLEMENS asked her husband would he please have regard for her, the children and their home. They could expect difficulties should he not comply with the Russians' request. CLEMENS told his wife that he first had to think over whether he would go to the Soviet zone.

After CLEMENS had discussed this with FELPE and TIBBEL, and both did not hold him back (FELPE had even said: alright go, so that we know what is going on) CLEMENS traveled to the Soviet Zone, either the end of February or early in March 1950.

After TIBBEL had seen him off, he at first went to Walkenried, where he crossed the border illegally. There he met his wife and the Russians and together with them went in a car to Breda. (He apparently had made detailed meeting arrangements with his wife.)

The Russians were very pleased to see him, hugged him and kissed him. He received accommodation at a villa in the Waldschlosschen-Quartier in Breda. He had a youth assigned to him who took care of his well-

REST AVAILABLE COPY
CONFIDENTIAL

- 8 -

being. At first he was allowed to sleep as long as he wanted. His wife was taken home. On the following day about noon, he again met Colonel "Max" (never-name). Colonel "Max" is described as a fine, urbane, elegant officer who speaks German very well. During the conversation it was intimated that CLEMENS was expected to carry out intelligence activities. He agreed, since he hated the Americans like the pest. Colonel "Max" liked this attitude and on a city tour of Dresden, he showed CLEMENS how the Americans had destroyed the city.

CLEMENS was then requested to prepare the following on himself:

- a. a personal history,
- b. a personal history of his political background,
- c. a listing of his military assignments,
- d. a listing of his intelligence assignments.

This took him a week. After he had delivered the above information he was pledged for intelligence activities by the Soviet Intelligence Service and had to sign a pertinent pledge statement, according to which he was to obey the instructions of the Soviet officers. After this pledge, they had a big party within the group of Soviet officers. CLEMENS permitted a photograph to be taken of himself, and in arm with his handling officer and the other officers.

The Soviet Intelligence Service gave him instructions to join the Organization "Gehlen". After this problem had been discussed and CLEMENS had stated that this would be possible since he knew the former Captain GILBERT (phon.) of the former Abwehr (Counterintelligence Service) from his SS activity, which he assumed would now be employed by the "Gehlen" Organization. CLEMENS further was instructed to attempt to recruit known former SS co-workers for the Soviets. CLEMENS noticed during the conversation that the Russians were well informed about WILKE and TIRREL.

CLEMENS was told that he would have up to one year's time to furnish the first material. He did not receive instructions as to how he was to carry out his intelligence activities, on the contrary they said: "You have grown up in this trade". CLEMENS received \$5,000.00 or 1,000.00 from the Russians and suiting. From the very beginning, CLEMENS seriously intended to work for the Russians.

CLEMENS was illegally returned across the border by his handling officer near Walkenried.

He informed WILKE and TIRREL as to his experiences, and told them that they too were to go to the Soviet zone, and that he was to seek contact with the Gehlen Organization. With WILKE's help he looked for a room in Bonn, and at the start found accommodation at the Catholic Young Men's Home. In Bonn, CLEMENS at first looked around for old friends in the Kreisgau.

When from CLEMENS came to Bonn for the first time to pick up material, CLEMENS did not have any as yet. However, from CLEMENS also brought news. During the following period CLEMENS received information of minor importance from WILKE, who worked at the Ministry (all-German

CONFIDENTIAL

affaires), including a table of organization. FELPE also knew various things which actually had no intelligence value, however, proved to the Soviet intelligence service that CLEMENS was making efforts. In the Fall of 1950, within the scope of his activities for the All-German Ministry FELPE had to prepare a "Gelbbuch" (Yellow Book) on the statements Kessler's Policemen had made during interrogations. FELPE also handed this "Gelbbuch" to CLEMENS for him to pass it on to the Soviet Intelligence Service. CLEMENS repeatedly invited FELPE for meals in return for these favors.

Colonel KRISCHBAUM was one of the top men in the German intelligence service during the war, and a liaison-man between CASARIS and BIRNBAUM. On the occasion of a trip from Bonn to Mueseldorf, CLEMENS learned KRISCHBAUM's address. He assumed that KRISCHBAUM was active in the "Dehlon" Organization. (This part of the statement is not clear. CLEMENS apparently had previously made investigations on a former co-worker of a German intelligence service, probably ex Captain GRINGSWART, and shadowed him on a trip from Bonn to Mueseldorf. He addressed him in the train and cleverly turned the conversation to Colonel KRISCHBAUM and in that manner obtained the latter's address.)

After this conversation, CLEMENS immediately traveled from Mueseldorf to Bad Reichenthal and called on him. KRISCHBAUM was pleased to see him again and asked CLEMENS what sort of work he did, whereupon CLEMENS replied he was a carpet-dealer. KRISCHBAUM then informed CLEMENS that he was with the old gang again and also that work for CLEMENS should be of interest. However, it might be or June before he could give him further information. Both then went on to Munich where they separated. KRISCHBAUM asked CLEMENS not to shadow him. CLEMENS noticed that KRISCHBAUM went to the Sternberg RR station and then knew that KRISCHBAUM could only be active for the "Dehlon" Organization.

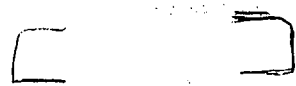
In mid-June CLEMENS received a telegram from KRISCHBAUM requesting him to come to Munich.

On 13 June 1951 he went to Munich and reported to Colonel KRISCHBAUM who then was chief of the IV (district organization) Bavaria with his seat in Munich.

At this point the Senate President interrupted CLEMENS' statements and questioned TISSEL as to the events.

TISSEL

After 1945 there were tensions between the CLEMENS couple. While he was imprisoned he raised accusations against his wife. In a letter to CLEMENS in Rome, TISSEL defended from CLEMENS. On 23 Sep 1949 TISSEL picked up CLEMENS at Minden. At that time he did not know that CLEMENS had already interrupted the trip to visit FELPE, and had not immediately come from Italy. TISSEL put up CLEMENS at his home, saw that he received returns and sick insurance money and also an invalid pension. He received mail from from CLEMENS. In the Spring of 1950, she sent a telegram that she would arrive at Stuttgart. In TISSEL's opinion, this was her first visit. TISSEL allegedly learned no details as to the course of the meeting of the CLEMENS couple.



BEST AVAILABLE COPY

Copy 12
- 10 -

The court has a letter read which TIEREL wrote to the CHAMBER couple on 23 Jan 1950, which starts off with "My dear Alexander!" In this letter TIEREL makes reference on CHAMBER and the contents also permit the conclusion that CHAMBER wished to carry out intelligence activities.

The President remonstrated to TIEREL that he must have known that Frau CHAMBER was coming to establish connections between him and the Soviet Intelligence Service. FELIX, too, should have known it. Both confirmed this. FELIX added that they were absolutely aware of this fact.

President

Author and recipient of this letter consequently knew what Frau CHAMBER wanted.

FELIX

I informed the British of this assignment.

FELIX and CHAMBER then stated what sort of conversation they had at that time on the possible reasons the Soviet Intelligence Service had to get CHAMBER to the Soviet zone.

FELIX

They wish to know from you who the agents in the illegal K¹ were.

CHAMBER

That's right, I still know WEINBERGER. Today he is a big man in the Soviet zone.

President

If these were your reflections, FELIX, why did you offer the British double agent activities?

CHAMBER

FELIX knows well how to show off.

FELIX

I also informed the RTV Northrhine-Westphalia at that time, however, the RTV said they would not engage in double operations. Thereafter, I contacted Dr. WEINBERGER, former Federal Minister of Interior, reported the case to him and asked him to help CHAMBER. He referred me to Dr. SAUER who at that time was building up the RTV. Dr. SAUER asked for CHAMBER's address.

CHAMBER

I went along. In Dr. WEINBERGER's secretariat, FELIX said "Good Lord, there in the secretary (f.) of the RTV when I know". I accompanied FELIX since I wished to find out what was going on. I had no intention to join the RTV, my assignment was to apply for employment with the German organization. FELIX wished to introduce me as the man who is maintaining the contact. That is why I went with him and thought "let's wait and see". This visit to Dr. WEINBERGER's office probably took place in the Spring of 1950.

BEST AVAILABLE COPY

CONFIDENTIAL

- 11 -

FRANZ

TITTEL, how did you get into contact with the Russians?

TITTEL

After his return CLEMENS told me that the Russians knew more about me than I did. For instance, allegedly participated in shooting foreign laborers. When CLEMENS was already in Bonn, he once told me on the occasion of a visit, that the Russians again had inquired about me. In the Fall of 1950, I then flew to West Berlin. CLEMENS purchased the air ticket. Two Russians awaited me at the Red Army Memorial in Trepow. They passed me several times and talked loudly to each other, so that I would overhear the word "August". "August" was the watch-word CLEMENS had given me. I addressed them and said yes, I am "August". The two Russians then took me to their passenger car in which Frau CLEMENS sat. The car drove towards the Autobahn and on to Dresden where we arrived about 2300 hours. After Frau CLEMENS had left, the Russians drove me to a villa where meals had been prepared, thereafter, I immediately retired. On the following day I saw that the villa was located in the "Waldschlosschen" Quarter. After breakfast I was taken to a room where an elderly gentleman awaited me and had in front of him a pile of files. It was good for my family that I had come. He told me about my party background and also of shooting. It was surprising how much he knew. I then had to write down my personal history which I prepared in a very brief form in print. I felt rather uneasy.

FRANZ

Since you were more cautious than CLEMENS. You know that the intelligence services always wish to have some compromising information on their co-workers.

TITTEL

I did not have to sign a pledge statement, nor did I receive assignments. I only knew that I had negotiated with the Soviet Intelligence Service. Thereafter we went to Suhlberg. I could not get out, we only passed the house of my family, I did not see any of my people. They then drove me back via Dresden to Berlin-Trepow, from where I took the B-Bahn to the airfield and returned to Buchsloeber. I neither received money nor reimbursement of expenses, from the Russians. After my return, I informed CLEMENS who replied that I had been lucky.

TITTEL

TITTEL was only to be used in an emergency.

FRANZ

How did it happen that TITTEL went to meet the Russians in Dresden?

TITTEL

I received a note from the Russians that TITTEL was to come. At that time the connection was still maintained through my wife who informed me in her letters on the assignments. She also came personally to Landringham,

CONFIDENTIAL

Ream and Munich on several occasions, and brought me assignments and took back material which I always kept until my wife came. She sewed the material into her clothing, as she also did with the "Goldbach" I had received from FELPE.

President

How did FELPE get in touch with the Soviet Intelligence Service?

ANSWERS

I am not clear about this. I assume that FELPE worked for the Soviet Intelligence Service already before I did. I also read a letter FELPE wrote to my wife, which I thought was suspicious because of the formulations. After my pledge I informed the Soviet Intelligence Service that FELPE supports me. I joined the "Coblen" Organization on 15 Jul 1951. My wife arranged a meeting between FELPE and the Soviet Intelligence Service in East Berlin. FELPE attended this meeting.

President

FELPE said that if everything was alright with you, he too, would cooperate.

ANSWERS

FELPE was really badly off at that time. He had been dropped by the British. He then stated he would be prepared to work for the Soviet Intelligence Service and in about September 1951 went to the Soviet Zone. The "Coblen" Organization had instructed me to report former NS members who had no occupation. I recommended FELPE to the "Coblen" Organization, however, only after he had been in the Soviet Zone. I always considered FELPE loyal to the Soviet Zone.

President

You recommended FELPE to the "Coblen" Organization since he was to work for the SED.

ANSWERS

Yes, that is right.

FELPE

I made every effort to obtain employment with the police, the criminal police and various ministries. However, CLEMENS told me that this was nothing for me. At that time his connections with the Soviet Intelligence Service were established and I furnished him journalistic raw material for the Soviet Intelligence Service. The All-German Ministry among other things had employed me as a refugee interrogator and primarily, I had to interrogate so-called People's Police. I also was instructed to compile these statements and to prepare the so-called "Goldbach". At that time I received warning from LFV Northrhine-Westphalia against traveling to the Soviet Zone. The LFV had received information from a source within the SED Central Committee that I was to be baited to the Soviet Zone, where I was to be liquidated because I had worked against the RF. At that time tensions arose with STOECKER (phon.), who was a member of the

BEST AVAILABLE COPY

- 15 -

same interrogators' group as I was. In August 1956 STONKIN was sentenced by the Federal High Court since he was a Soviet Intelligence Service agent. As a result of the disagreements with STONKIN, I discontinued work with the interrogators' organization since I did not have protection. This was the end of August 1951. At that time I received final notice for termination of employment after my employment contract each time had only been extended by another 4 weeks during the previous months. I was in Berlin at that time and as I said, was active as an interrogator. About the same time the communist world Youth Meeting was held in East Berlin. Frau CLEMENS was also in East Berlin. She had escorted a FBI Group from Dresden to Berlin. CLEMENS then asked me to give his wife money at a meeting in West Berlin.

I knew at that time from CLEMENS that he had tried to get me employment with the "Coblen" Organization, however, by the end of August, I had not received any information from the Coblen Organization. I therefore believed that this had been a failure.

President

What did you think when CLEMENS recommended you to the Coblen Organization? Can an insecure man bring a sincere man into an organization, if the latter knows the other is insecure? It should have been your first official act to drop CLEMENS. It is intelligence practice, to also recruit the wife, if the husband is active for the intelligence service, in order to eliminate risks. This is all the more important in a group of friends. What you went to the Soviet Zone, did you know that TIBBELL was also in the Soviet Zone?

WELER

After I had entirely separated from the office in Berlin, CLEMENS arranged a meeting between his wife and me. On 1 or 2 Sep 1951 Frau CLEMENS then took me to East Berlin. We took the S-Bahn to Treptower Park where an eastern passenger car with Soviet intelligence officers in civilian clothes including Colonel "War", awaited us. He understood German very well, however, did not speak so well and therefore used an interpreter. The officers acted very friendly and took me to a house in Marikhorst. There a large table was set for a banquet. I did not feel well at the time, ate relatively little and only drank Crimean champagne. Colonel "War" spoke to me. I explained my situation to him and expressed my hopes and expectations of an occupational existence, and asked him whether he could help me to enter the East-West trade.

President

Do you want to further enlarge this fairy tale you told me during the preliminary investigations?

WELER

I wished to establish business relations, which however, could have been used for intelligence purposes.

President

Did you sign a plaque?

WALKER

I don't know, I had to return immediately to West Berlin the same night since I lived with relatives and they would have been upset had I not returned.

President

Did you prepare a personal history?

WALKER

Oh, I may have done, it is part of intelligence practice. I also was to think over how I wished to settle down and what sort of assistance the Soviet Intelligence Service could give me.

President

Was it known where you were to settle down? Did the German Organization come into the conversation? I can hardly imagine that this was not discussed.

WALKER

It is possible, the aim had been reached, the contact was established.

President

You allegedly received \$1,000.00.

WALKER

Yes, I received \$1,000.00 as reimbursement for my flight expenses. I do not know whether they were to cover the expenses I would incur at the next meeting with "Mor" on 19 October. I had just returned from Berlin to Bremer when Colonel KRISCHMAYER called on me on 14 Sep 1951 and asked me whether I wished to become active in the old trade. I promised, since I thought this would be a chance for me to gain a footing in the German Organization. On 19 Oct 1951 I again flew to Berlin and met "Mor". However, we did not drive to Mariaburg, but to the "Valdeckschloesschen" quarter in Dresden. Thereafter we went for a several-hour sightseeing tour of Dresden. "Mor" continued to explain to me who had been the authors of Dresden's destruction. I shed tears on this trip. After this sightseeing tour, I possibly signed the pledge. I also informed "Mor" that I would probably be employed with the German Organization. I did not feel well in my situation at that time, however, I no longer had a chance to withdraw. I was to have to attend two meetings.

President

Did KRISCHMAYER intimate to you on 14 Sep 1951 what your future employment would be like?

WALKER

Yes, I knew that I was to be assigned to III F (counterespionage).

President

You joined the German Organization on 19 Oct 1951.

CONFIDENTIAL

BEST AVAILABLE COPY

- 15 -

ANLEN

On 26 Oct 1951 I received an invitation from the GLV to come to Munich. There they asked me whether I could start work on 15 Nov 1951. I agreed. In the evening I met CLEMENS when I asked how things would continue. In order not to stab CLEMENS in the back, I said nothing of my connections with the Soviet Intelligence Service. CLEMENS said, if you say anything about maintaining connections with the Soviet Intelligence Service, your employment here will be terminated, for whoever is employed in the field of an intelligence service, is dropped as soon as he has contact with the enemy.

President

Was there a big party on the evening of 26 Oct 1951?

ZELEN

Yes, CLEMENS invited me, and we also toasted it with this will please "War".

CLEMENS

He wrote "War" a postcard via my wife's address and informed him that there was no more doubt, things were settled satisfactorily.

At that time I was a courier of UV Bavaria with the Gehlen Organisation and in charge of the journal (Zeitschrift). At that time I made the acquaintance of the personnel and learned about the location of various branch offices, including the GLV, for instance in Augsburg and Regensburg I worked in the operational field, got to know sources who worked within the Federal Republic territory, but did not handle these sources. I was in Munich from 15 June 1951 to 11 April 1952. Then I was transferred to Muenchener where a new "UV Rhein und Saar" was built up. There I also handled confidential agents, although only within the Federal Republic territory. While active in Muenchener, I had disagreements with the former chief JAGGON. JAGGON had legally left the Soviet zone for the Federal Republic, taking along all his furniture. In 1945 he was a Kriminalkommissar in Leipzig. I assumed at that time that JAGGON also worked for a communist intelligence service. In the Fall of 1952, the UV Rhein-Saar was moved to Stuttgart and there a new UV was built up. I became branch office chief, and was also active as confidential agent handling officer until 1 Jul 1956. Thereafter I was transferred to Cologne to work for UV Cologne. I was assigned to the special section and worked at the "Index". In 1958, I became deputy chief of the observation command, where I stayed until my arrest.

I never was in financial difficulties. I intended to resign from the Organisation when 40 years old. I received DM 500.00 net. I was no government official (Beamter), but was paid in accordance with TSt 5b (government employees' tariff table). I was pledged for secrecy by a handshake, and had to sign a document. I was satisfied with my position with the Gehlen Organisation, however, the Gehlen Organisation was my adversary, for the Gehlen Organisation meant the Americans.

BEST AVAILABLE COPY

CONFIDENTIAL

President

Together with how many Americans did you work? Did the Gehlen Organization report to the American or the German authorities? Were you never informed that they reported the information they gained, to the Federal Chancellor?

CLEMENS

For me it was a fact that the Gehlen Organization is an American intelligence service.

President

And when the Gehlen Organization became the Federal Intelligence Service?

CLEMENS

This was even more embarrassing, however, could not be helped.

President

FELFE, how did you fare at the GVL?

FELFE

I was an assistant at III f, I had to evaluate and put reports in order and forward them to Munich. In April 1952, I received the task to prepare the activation of a UV Rhein-Ruhr. CLEMENS was assigned to me as an aid and we worked together for two months. At that time JACUSCH also crossed my road. I recognized him as the man who had prevented me from being employed with the Bunseldorf Criminal Police. Later on, I learned that he worked for the Soviet Intelligence Service and I was transferred to the Staff in Karlsruhe, where I stayed until 30 Sep 1953. On 1 Oct 1953 I was transferred to the Central Headquarters in Munich.

President

Through what circumstances did you get there? Did you apply for that position?

FELFE

I did not like the conditions in Karlsruhe, in particular I could not get along with the Chief named ALBERT. Meantime, on the occasion of shooting in 1952, "Max" had asked me whether I could apply for assignment to another office. Later on, I realized why I should work at another office of the Federal Intelligence Service. ALBERT, the chief in Karlsruhe, already worked for the Soviet Intelligence Service at that time. Later on, he was arrested and hanged himself in the pre-trial prison. My first superior in Karlsruhe, to whom I once confided that I did not like it in Karlsruhe, meantime was at the Central Headquarters in Munich. At the Central Headquarters I was assigned to the Counterespionage Section where I cooperated with 3 technicians. The Group Leader distributed the cases. The Group is engaged in counterespionage, that is with the Soviet, the Polish, the Czech and the Hungarian intelligence services.

This Group had an operational task, namely to steer cases and also to identify and control intelligence assignments whose target was the Gehlen

BEST AVAILABLE COPY

- 17 -

Organization. At first every technician received cases from all the East Bloc countries, later on, this was differently handled and every technician was assigned a specific enemy. I for instance received the Soviet Intelligence Service. I worked on varied assignments.

President

Did you also get in touch with "Index"? Did you also handle free sources and did you know them only by their cover-names, or also by their true names?

FELIX

Yes, in 1959 within the scope of "Index-assignments". I knew both the true and the cover-names.

President

You first were an employee and later on an official.

FELIX

On 28 Feb 1958 I was promoted to Regierungsrat on probation. However, I never did become a lifetime official. I was assigned to a Oberregierungsrat position and also paid as such. I drew a salary of approx. DM 1,660.00. Since February 1954, I lived in Munich and also own a house, more or less a weekend house in Oberaudorf (phon.).

I swore an oath of office and signed a secrecy pledge up to and including Geheim (Secret), the last one in 1961.

I swore the oath of office in accordance with Par 53 of the Government Official Law, on 30 Oct 1958.

President

CLIFFENS, during all this time you were active for the Soviet Intelligence Service. How did this actually take place?

CLIFFENS

In the beginning, the courier service was carried out by my wife, who came to Munich. I also packed news in Alete-cans (baby food cans), since my wife gave birth to a child in 1950, which however, was not mine. I typed the news in plain text. However, I urged this procedure be changed since I did not like it. The transmission of information was to be effected from hand to hand, that is why I organized the "Balthasar" Case, when in Drosseldorf. "Balthasar" previously had been my deputy, when I served with the SD in Dresden. At that time he was a controller at an enterprise in Saxony. He was a double agent, however, did not know that I too, worked for the Soviet Intelligence Service. I met "Balthasar" in West Berlin, approximately every 6 - 8 weeks, the first meeting was on 24 Aug 1952 and the second was on 2 Nov 1952, the third on 26 Nov 1952 and the fourth meeting on 24 Jan 1953. After the blow with ALBERT had happened in the Summer of 1955, we no longer were permitted to hold meetings in

BEST AVAILABLE COPY

CONFIDENTIAL

- 18 -

Berlin. I first met my handling officer "Alfred" in East Berlin, however, later on also met him in West Berlin, in Brussels (on occasion of the World Exhibition) and in Linz. "Alfred" was FELPE's and my handling officer, after Colonel "Max" had returned to Moscow. Sometimes a Det. major (ambassy councillor), a major, whom I addressed with "comrade", attended the meetings. FELPE and I also called him big "Alfred".

President

You used contact paper, A-3 radio, photography and micro-point?

CLEMENS

I did not photograph, FELPE did. The Minox camera I received, I passed on to FELPE. There was work division between FELPE and me. I received our assignments via A-3 radio, deciphered them and passed them on to FELPE. For this purpose I used contact paper (secret writing paper). I did not undergo radio training. FELPE did not have the code documents for the A-3 traffic. FELPE did not meet the Soviet Intelligence Service as often as I did, his official duties did not permit it. On a few occasions FELPE and I went together to meet the Soviet Intelligence Service and on 22 Jan 1953 all the three of us, that is FELPE, FISSEL and I, were in Maribor. After the meeting Frau FELPE and my wife joined us at a night-club in West Berlin.

President

How did the material get over there?

CLEMENS

During my Stuttgart time, FELPE's documents already were photographed with the Minox in my room. This was in about the Fall of 1953.

The undeveloped films were delivered by CLEMENS or FELPE on the occasion of meetings in the Soviet Zone. Besides, correspondence was maintained via a cover-address on contact writing paper, recordings on tapes with Minifon were made only at a later date. All our meetings with the Soviet Intelligence Service officers were tape recorded. FELPE's voice only was on the tape recordings and I took such tapes to the Soviet Zone. I usually made copies of my work papers and took these to the Soviet Zone, together with material from FELPE which he frequently mailed to me in parcels with declared value.

President

After the "ALBERT" Case in the Summer of 1955, the Gehlen Organization prohibited that CLEMENS travel to Berlin, since "ALBERT" had material on CLEMENS in his possession.

CLEMENS

We got a shock and kept quiet for a few weeks. After a while FELPE called on me and said FISSEL must go there in order to find out what's what. I went to FISSEL and told him that he must go, since I could do no more.

CONFIDENTIAL

BEST AVAILABLE COPY

- 19 -

SELFE photographed files and card records of the Federal Intelligence Service in Fullach and in hotels in Cologne. On the occasion of Federal Intelligence Service operational meetings in West Berlin I took the material to East Berlin. At first I always flew on a US courier plane. After TIBBEL had been employed as courier, I handed him a suitcase with a secret compartment where files and tape records could be concealed. After TIBBEL had delivered the material, I again picked up this suitcase. The suitcase always was at my home. TIBBEL went approximately 10 times.

President

Report on the legal and illegal meetings.

CLEMENS

For the purpose of attending the illegal meetings, I usually drove by car to Berlin via Helmstedt. The meeting was held on the Autebahn, usually near Kilometer-stone 107. "Alfred" waited there to pick up the suitcase with the secret compartment and we then went on together to Berlin. While "Alfred" turned towards East Berlin, I went on to West Berlin where I overnights. When I went with TIBBEL, TIBBEL stayed in West Berlin while I drove to East Berlin alone. If TIBBEL went alone to East Berlin, he also went to East Berlin. On the return trip, we picked up our suitcase from "Alfred" near the meeting-place and "Alfred" escorted us to Helmstedt to see whether we passed the control alright.

President

SELFE, did CLEMENS correctly describe how things went off?

SELFE

That is right. He was the man who maintained the connection. He was the 'motor'. There was no A-3 traffic until 1953. Meetings were usually arranged on short notice through letters in latent writing. If neither CLEMENS nor I could travel to Berlin, the meetings were held in Austria which was still occupied at that time. After I had been transferred to Stuttgart, that is from 1953 on, the Minox camera was used which I had received from the Russians. However, I believe that this was sooner in 1954 than in 1953, since in 1954 I was in Munich. In 1954 I bought a Mafikon which I also used, however, not to the extent the Russians would have liked. A-3 traffic was only maintained by CLEMENS. I did not have the code. CLEMENS was the decipherer and I frequently had to help him since in some cases only half of the messages were understandable. CLEMENS often blamed the Soviet Intelligence Service because of bad A-3 transmission. The Russian therefore wished to change over to another procedure and for this purpose suggested a high-speed radio procedure. I explained it to CLEMENS and together we listened to it, however, it was not clear. It also was too much work. We therefore refused to adopt the high-speed radio procedure. It also required us, since iron dust powder was used. Thereafter I used the microdot procedure. I placed the microdot at a certain point in the letter. At first CLEMENS had explained the microdot procedure to me, however, not correctly, and it took me

BEST AVAILABLE COPY

CONFIDENTIAL

- 20 -

year until I had gotten on to it. In Austria I was briefed as to the preparation of Mibrats (type of Mierodot). However, this was a failure.

President

Why didn't CLEMENS brief you?

ELFE

This was nothing for him.

President

How many meetings did you attend in the past years?

ELFE

A total of approximately 20, on 3 or 4 occasions together with CLEMENS, once all three of us, that is TIEBEL, CLEMENS and I. I frequently met the little "Alfred", that is what I called him, while the big "Alfred" sometimes was present. On 29 Oct 1954, "Max" bid us farewell in Lina when CLEMENS and I met him there. We went together from Lina to Vienna, I have not seen "Max" since. On 15 Jan 1954 I traveled to Lina and Amstetten (phon.) alone.

President

What was the meeting in Vienna like?

ELFE

I met the Director in Vienna in 1950. One year previously, I had had the 1st meeting in Salzburg. The meetings took place in an easier atmosphere. These changes were due to the fact that BERIJA no longer was in office. The meeting in Vienna originally was to take place in Salzburg, however, through a message was cancelled and re-scheduled to take place in Wien-Hütteldorf (phon.). "Alfred" came to ask me whether I agreed to speak with his Director. I agreed and asked why he did not immediately call him a Director General. He smiled. The meeting was held in Vienna in September 1950. It was a General from Moscow. Four or eight weeks later, in about October 1950, I met the General again in Berlin. The General always wore civilian clothes.

CLEMENS arranged the transport of the material through TIEBEL. TIEBEL went when neither CLEMENS nor I could travel to Berlin. I also wrote letters to cover-addressees. Initially, CLEMENS and I wrote to the same cover-addressees, later on each of us had two different cover-addressees. In the letters, I only advised them all was well or meeting arrangements were made, or I made comments on current political events, which the Russians frequently considered very important. My last cover-name was "Kurt", previously "Manfred" (?). CLEMENS' last cover-name was "Gisela", previously "Gisela".

President

TIEBEL, how did you get along?

CONFIDENTIAL

IRREL

The times are somewhat confused. When all three of us were in Berlin on 22 Jan 1953, this was not the suitcase time. That was much before this time.

Prior to my own courier activity, I was three or four times over there. At the second meeting I was assigned the cover-name "Erich".

The courier activity started in 1953, after the incident concerning "Albert".

CLEMENS gave me a yellow letter, which I was to take to "Alfred". The yellow envelope contained films. In reply to my question as to whether there weren't important things in the envelope, CLEMENS said "they can have all of it". I met "Alfred" at the Kalleche for in Berlin and gave him the letter. "Alfred" also gave me a letter for CLEMENS.

I took a plane to Berlin.

I made the second courier trip by train. I received the suitcase with the secret compartment from CLEMENS. I made approximately 10 trips with the suitcase. Some 30 films and 2 Microfilm reels could be placed in the secret compartment of the suitcase, which CLEMENS showed me and also explained the mechanism to me. If I drove in a car, I gave "Alfred" the suitcase on the Autobahn right behind Belastedt, near kilometer stone 107. On the return trip "Alfred" returned the suitcase to me near the Autobahn control point "Drei Linden".

Request

CLEMENS, what did you deliver to the Russians? At first when you were with the BV from September 1950 - 1951. You claimed that you didn't cheat the Russians?

CLEMENS

I did not furnish them false material. I gave them whatever I could. I did not give them everything though so that no conclusions could be drawn as to who furnished the material. Information I furnished from the BV Bavaria, included the location of field offices, the organization and the seat of the Gehlen Organization which used to be a catch question of the Soviet Intelligence Service. They asked me where the Gehlen Organization was located. I replied at Pullach. I further reported on courier trips, the cover-names and cover-numbers. At that time I did not know the true names. KRICHSAUM was well known to the Russians. I stated the address and the true name of the chief at Kuerberg. Although, as a courier I was not permitted to establish closer contact with the chiefs of the field offices and they not with me, still I had coffee with the chief in Coburg at his home, and in private conversations learned many things, also his true name. Thereafter, I was with UV Rhein-Ruhr in Dusseldorf for a year. From there I delivered the same material as I did from the BV Bavaria. Further, I prepared character reports on three persons and the two secretaries. "Alfred" wanted me to tap the chief. However, I refused to do it and told him that they would experience a nice failure should they dare it. "Alfred" stated in reply that they had done things which were

verse.

I also furnished the same material on the Stuttgart office. Since all co-workers with the exception of one, had moved along to Stuttgart, I need not state their names. I verbally reported to "Alfred" on the "Albert" case. I asked him whether WEINMANN (phon.) was a Soviet Intelligence Service man. "Alfred" denied it. I told him that FELTZ and I were endangered. "Alfred" allegedly did not know which Service had handled WEINMANN.

I never delivered originals, but always had FELTZ photograph the documents.

I also reported on UV Cologne and "Index" that in the structure and my appointment as "Index" chief. "Index" was the most interesting information for the Russians. But also the disclosure of the Munich cover-firms.

FELTZ photographed the "Index" documents. We pencil-marked the documents we had photographed, to control them.

In the Fall of 1935, I became deputy chief of the observation command. I reported on the seat of the command, and on the 10 co-workers. The Russian was not interested in them since most of them were former criminal police officials. First the Russian was pleased, however, then disappointed since for a whole year we engaged in the "Red Hand". The Russian was not interested in it. I disclosed 10 observation assignments to the Russians; the most important one was "Amion". I named the Agency for Plant Security in Essen, the Jaguch Agency, the Security Group (I had known SAHRESSE already in Essen), who was in charge of the security of ministers and where the agency is located. If General Cohen wished to obtain special information, he told FELTZ, FELTZ phoned me and I asked SAHRESSE. This was a fast procedure and I could always immediately pass on an answer to Fullach. I also stated the location of the Federal Intelligence Service School.

President

FELTZ, did you report all you know to the Russians?

FELTZ

No, lots less. I attempted to restrict the information to such as was not too dangerous. I dared not to unveil everything. While in Esslingen, I only reported on organizational matters and cases which passed over my desk. Also the co-workers, I had forgotten the driver. The Soviet Intelligence Service approached me with regard to a certain person, and I found that I had forgotten the driver.

President

From the Fullach period. The Russians knew where you were and what you were. I mean, the Russians expected a lot. Did you state the names of co-workers?

FELTZ

Yes, but not all. The Soviet Intelligence Service gave me a year's time to have things develop quietly. On some co-workers I gave the cover-names.

BEST AVAILABLE COPY

- 23 -

on some their true names. After the Spiegel-article on the Federal Intelligence Service had been published, photographs were presented to me with the question whether I knew them. Some were photographs of individual persons which were extracted from a group picture and also from other photographs. As far as I could, I confirmed the names. I also furnished a report on the liaison staff in Bonn. I could not furnish character reports. You know how difficult it is to give a character report on a third person. I can't do it.

President

The Russians were extremely interested in character reports.

FALFR

I gave them some, however, no precise ones.

President

They said what's now in Pullach?

FALFR

As far as I know, I told them without hesitation. The Soviet Intelligence Service was mainly interested in section I, military intelligence on the Soviet Union. However, I neither maintained official nor personal contact with these offices. Contacts with two persons of these offices only developed during the past two years. However, by that time the Soviet Intelligence Service's interest had decreased.

I was given a photostat copy of the Pullach layout. I had to enter which sections and persons were working in the individual buildings. The Soviet Intelligence Service in Amsterdam (phon.) handed me the photostat copy of the layout plan. I took it with me. They never again asked for the plan. I no longer know whether I gave them a telephone directory of Pullach, if so, only an old one, certainly no new copy.

DIEMERS

"Alfred" always asked for the latest telephone directories. Also information on the latest status of the card index. FALFR once photographed a telephone directory and a layout plan of Pullach, at my home. FALFR also showed me a plan of the Karlsruhe layout, and explained to me in which villa they always meet.

President

Did you state the location of Berlin field offices?

FALFR

"Alfred" was extremely interested in learning where Federal Intelligence Service branch offices were located in Berlin. I thought it was strange that he did not inquire about the Berlin field offices of the central headquarters. I was requested to state the license numbers of motor-vehicles. When this question was asked, I could not give any information. However, it may be true that I said "the man works for us".

BEST AVAILABLE COPY

CONFIDENTIAL

- 24 -

Whenever I had to travel to West Berlin for a legal meeting of the Federal Intelligence Service, I first met the Russians. The Soviet Intelligence Service then asked me why are you here? I did not meet sources in Berlin, but handling officers of contact-agents.

President

CLARENCE, where did you meet the people of the Federal Intelligence Service?

CLARENCE

At the radio tower and at Hotel Kampinski. I always made reservations for a room whenever I could not meet them in public.

ELMER

I met the handling officers of contact agents at conspiratorial apartments and at hotels.

President

ELMER, didn't it seem compromising the contact agents if "Alfred" had you observed? The agents could then be watched without being warned by "Albert". For "Alfred" knew why you were in Berlin.

ELMER

I met "Alfred" at the "Aquarium" when it was dark. He never asked me where I stayed. When we separated, we quickly did so, usually by way of a taxi.

CLARENCE

Our meetings, for instance the ones in the "Aquarium" were secured by the Russians. When we saw each other, we signaled if everything was alright. The Russians were there before us. During the meeting I told "Alfred" where I was staying.

President

ELMER, at the time of your arrest 15 8 inch films were found. Thirteen were reeled off and two were not. Were all of them destined for the Soviet Intelligence Service?

ELMER

The 13 films were, the two were not.

President

The minor films showed the following:

1. RIV report on agent radio control
2. Federal Intelligence Service Weekly Report No. 34 as of 22 Aug 61
3. " " " " " " No. 35 as of 30 Aug 61
4. " " " " " " No. 36 as of 6 Sep 61
5. " " " " " " No. 37 as of 15 Sep 61
6. Federal Intelligence Service Office Bulletin

BEST AVAILABLE COPY

CONFIDENTIAL

- 23 -

7. BIV CR Letter on PRIFOLAZH
8. BIV CR Letter No. 66
9. BIV Letter on "Tahkrene"
10. BIV Situation Report of 31 Jul 1961
11. Federal Intelligence Service card records
12. Federal Intelligence Service Office Bulletin
13. Federal Intelligence Service Weekly Report No. 38 as of 26 Sep 61
14. BIV Situation Report of August 1961
15. BIV Intelligence Report of 31 Aug 61
16. Federal Intelligence Service card records
17. House Regulations of Federal Chancellor's Office
18. Federal Intelligence Service Weekly Report No. 39 as of 27 Sep 61
19. " " " " " " No. 40 as of 4 Oct 61
20. " " " " " " No. 41 as of 11 Oct 61
21. BIV Counterintelligence Report of August 1961
22. BIV Counterintelligence Report of September 1961
23. Federal Intelligence Service Weekly Report No. 42 as of 18 Oct 61
24. BIV Intelligence Report of September 1961
25. Federal Intelligence Service card records (still on film) also admitted upon question of presenter
26. 9 page handwritten notes on Federal Intelligence Service Headquarters (allegedly was own study, was not to be delivered to the Soviet Intelligence Service).

Since when have you furnished these reports? You admitted to have done so since 23 Sep 1957.

WITNES

I do not know whether I regularly received them until 1957. I believe that I regularly received all those documents only from 1957 on. If I got them regularly, I delivered them, I believe since 1957. On the occasion of the meeting with the Director in 1958, I also discussed these reports with him.

President

You had access to the monthly BIV Intelligence Report since June 1955.

WITNES

In a rule, yes, as well as the Federal Intelligence Service Weekly Reports, the BIV Situation Reports and the Monthly Counterintelligence Reports.

President

Agent radio - control reports.

WITNES

I was not the actual recipient of these reports, this was the radio-technical department. I saw and photographed them during the past years (since about 1958).

BEST AVAILABLE COPY

CONFIDENTIAL

-26 -

President

Regarding the card index. Did you deliver the card records upon request of the Soviet Intelligence Service?

WELLS

The questions were handed to me in writing. If there were records in the general card index of the Federal Intelligence Service, I did furnish the information.

CLEGG

"Alfred" was very much interested in the card records. "Alfred" said we need to have access to the card index. Some 70% of our material always consisted of record information. In former cases almost exclusively card records were furnished. Whenever I met WELLS in Cologne or Munich, he had numerous green record cards or entire folders with him.

President

Office chart, Foreign Office?

WELLS

Yes, that is right. It may be true that I officially received a copy of the Foreign Office's telephone directory.

President

Cooperation Federal Intelligence Service, other services.

WELLS

In particular, the agreement of the individual services among each other. "Alfred" asked me about it.

President

TIEREL, what did you know of the material furnished?

TIEREL

Nothing.

CLEGG

Whenever I handed the material to TIEREL, I told him that no dangerous things were concerned.

TIEREL

Yes!

President

How many films did you deliver and how often?

CLEGG

We delivered films every 5 to 6 weeks. We started with 2 to 3 films.

CONFIDENTIAL

- 17 -

The maximum we delivered, were 10 films at a time and also tape recordings.

President

It started in 1954. That is for eight years. If I make an average of 3, how many films are concerned if I consider 3 deliveries per year. That is 10 films a year. If it is considered that some 300 films with 30 pictures each were delivered in the course of the years, this makes a total of 15,000 pictures.

Since when have you delivered Xerox records?

CLARENCE

That's FELPE's baby!

FELPE

I started operating with the Xerox at the end of 1954. When CLARENCE traveled to the World Exhibition in Brussels in 1958, it already was in operation. We did not regularly forward the reels. When the BRENNAN incident happened, CLARENCE said he will never again send reels along. Thereafter I again used the Xerox starting in 1961.

President

In the suitcase of 1956, there already are circular cutouts.

CLARENCE

We also used reels at an earlier date.

President

How many reels did you forward, FELPE?

FELPE

I don't know.

BEST AVAILABLE COPY

CLARENCE

25 - 30 reels.

FELPE

In my opinion, there were less. I then furnished political situation and opinion reports. The General was highly interested in seeing me switch over to the Foreign Office.

President

How many letters did you forward?

CLARENCE

Initially 3 to 4, later on a maximum of one per month. The letters only served to maintain the connection.

President

4-5 traffic.

BEST AVAILABLE COPY

CONFIDENTIAL

- 29 -

CLEMENS

The 1-3 messages were received on Saturdays at 1300 hours and on Mondays at 0700 hours. On both days the same messages were transmitted. "Alfred" said, when the others have their time off, we must work.

President

Did you always listen to the transmissions?

CLEMENS

I always listened to the radio since I got the signal whether or not something would be transmitted. If the weather was good on Saturdays, I sometimes did not listen, but drove out.

President

We have here a deciphered message: Urgently request information whether it will be useful to continue action to compromise Federal Intelligence Service?

WELFE

CLEMENS sent me this message to my vacation place.

President

You were asked, WELFE, whether it would be useful to continue the action of compromising the Federal Intelligence Service.

WELFE

.....

President

How much money did you receive?

CLEMENS

At first RM 800.00, then over RM 1,000, RM 1,500 and finally RM 2,000 monthly.

WELFE received the same pay. We had to pay expenses.

President

The travel expenses were not high, since they were paid by the Federal Intelligence Service. How much is still left?

CLEMENS

Approximately RM 6,000 is still left. I lived well. I also received a letter of commendation, a medal and a bonus of RM 2,000, since I had worked for the Soviets for 10 years. Besides, I also was commended by the Federal Intelligence Service.

President

WELFE, is this right?

[] []

BEST AVAILABLE COPY

CONFIDENTIAL

- 29 -

WELLS

CLEGGERS is mistaken. Only from 18 Jan 1960 on, did we receive a fixed salary, that is DM 2,000. I got a total of DM 135,000 until shortly prior to my arrest.

President

What expenses did you incur during your service with the Russians?

WELLS

The trip to Vienna, two pieces of land

President

You cannot consider the land an expense.

WELLS

It was my principle to overnight at the most expensive hotels when traveling, since they are the most comfortable and the safest ones. We also gave presents to the Russians.

CLEGGERS

We gave them a fountain-pen with the name of the meeting-places engraved on one, that is Vienna, Berlin etc., at the meetings the Russians always brought me lobster, since I liked it so much.

WELLS

My expenses amounted to approximately DM 15,000, that is DM 20,000 were left.

President

How did you get the money?

CLEGGERS

Always cash, however concealed, for instance, in an old cardboard box, in dressing-cases. Once I threw an old cardboard box in which the money had been concealed, out of the window of my railroad compartment after I had removed the money from the concealment.

WELLS

I said during the preliminary investigations that I once received DM 2,000, once DM 1,500, three times DM 500.00 and smaller amounts and expenses, all in all totaling approximately DM 5,000.

President

I do not wish to further compromise you in public. In the "Balthasar" case you cleaned up the current account into which DM 900.00 had been paid for the widow, and divided it up among yourselves.

There were 100 pages taken down on the less important "Balthasar" case during the preliminary investigations, while there was but one page on

CONFIDENTIAL

- 30 -

the very important agent radio control reports.

We will now discuss the "FUERNANN" Case.

CLEMENS

One day during a meeting "Alfred" gave me a Kinfon-reel which I had to pass on to FELPE. FELPE then called on me and said "sit down first". He had the reel rolled off. I said that the sound had not been erased, but an unknown person spoke. FELPE then found out that this unknown person was FUERNANN. After my arrest I had this incident recorded.

The unknown person spoke on employment of persons with the Federal Ministry of Defense and also stated names. FELPE wanted to have some fun and identify the speaker. He was successful. Allegedly a Regierungsrat or Oberregierungsrat was concerned.

FELPE and I were surprised at the Soviet's flip and let "Alfred" know what we thought.

FELPE

This is right. FUERNANN said on the tape that he was the crazy FUERNANN, drives a VW, and lives in a street in Bad Godesberg, where he also parks his VW and where 2 diplomats live who drive Mercedes cars. On the basis of my address directory I then made investigations regarding FUERNANN. This was shortly prior to my arrest.

President

After your arrest you did not say anything. In accordance with Par 139 of the Criminal Code, you as a government official should have reported where you learned of FUERNANN and that he disclosed State secrets to the Soviets. Since you did not do so, you were not sworn in during the FUERNANN proceedings.

FELPE

The officials of the Security Group told me that CLEMENS told them something about an official of Bonn, in my own interest I was to tell them what I knew about it. I then disclosed the name and the details.

President

Didn't you on your own name FUERNANN?

FELPE

Hints made by the Security Group that I could only gain, caused me to speak.

President

This was on the same day. You had heard an intelligence contact conversation in which a German and a Soviet Russian were involved, and that the German had to do with employment with the FRG Armed Forces, and also that inquiries were sent to the Federal Intelligence Service. Further, that persons were named to the Soviet Intelligence Service who had been

TOP SECRET

BEST AVAILABLE COPY

- 31 -

active for the Gehlen Organization.

PELFE

I could not recognize whether FURMANN handled military or civilian employment.

Prosecutor

PELFE, didn't you at first deny the question when you were asked by the Security Group? Right?

PELFE

I do not recall.

President

We still have to discuss things which happened during the period of pre-trial imprisonment. Some of the details are of no importance to the judgment. PELFE, with whom did you clandestinely maintain connections during the pre-trial imprisonment?

PELFE

With "Alfred" through my mother and with my wife.

President

How many letters did you write?

PELFE

There were two ways for me to contact "Alfred". Via the one way approximately 4 - 6 letters, via the second way approximately 4 - 5 letters.

President

That is a total of 10.

PELFE

Yes.

President

At least one letter reached the recipient, for you got an answer. We will not discuss how you arranged it.

What did you want to achieve by writing the letters?

PELFE

After my arrest I knew what awaited me and what my family could expect. I believed that this was important to me and that the best for me would be to commit suicide. Only the Soviets could help since at that time they probably were interested in preventing the proceedings. Various prisoners had made remarks as to how they could get out of prison. They approached me to join them. The first thought was to commit suicide, the second to receive flight aid through the Soviet Intelligence Service, possibly also assistance to be pardoned. Because of these two viewpoints

BEST AVAILABLE COPY

CONFIDENTIAL

- 32 -

I wrote the notes. I wished to prove to the Soviet Intelligence Service, that I am absolutely loyal and only betrayed FUERNBERG since there was no other way out. Further, the Soviet Intelligence Service was to take care of my family who was in distress.

President

This is somewhat contradictory. At first the agent is undetected, then the Soviets are to send cyanide of potassium.

HELFE

In the situation in which I found myself at that time, I got all confused...

President

I will read a letter, the note was written in latent writing which afterwards was made visible. The letter was to be transmitted by a co-prisoner (only part was taken down):

24 Sep 1952

Dear Friends:

1. After Kurt has repeatedly attempted to send you mail, but there was no acknowledgment Acknowledge receipt by having my mother send me a picture-postcard in memory of your native town of Dresden.
2. Kurt's situation is very bad. Disclosure of FUERNBERG was also effected by Gisela, so that KURT found himself in a constraint situation. Henni also incriminated Kurt with matters concerning Kirpitschew. Kurt expects to receive 12 - 15 years penitentiary. Also high property fines, since HENRI stated that RM 175,000 were received.
3. Kurt intends to commit suicide still prior to trial, should you be unable to help him. He requests a clear answer and also two containers of cyanide of potassium.
4. Letters are censored by remand judge. Parcels only roughly searched in Kurt's presence. Send underwear parcel to Kurt from Munich, write address with typewriter. Poison in fluted cardboard, since Kurt has previously also received cardboard boxes. Also enclose letter-paper so that Kurt can give news to "Alfred" through mother. Basis: "Die Bibel hat doch recht" (The Bible is still Right)..
5. Will you help Kurt:
 - a. Transmit honorarium to lawyer. Officially notify mother that she can withdraw money from the Dresden account.
 - b. Transmit greater amount to Kurt's wife; cover-story is that Kurt saved Jews' life in Upper Silesia in 1943 by not arresting them. For this he now received a larger amount.
6. Draft of a letter

[]

BEST AVAILABLE COPY

- 33 -

7. Kurt will attempt to flee prior to trial, needs so-called Engelshaar (possibly filament) which can be obtained in tool-shop. Bearer of this letter knows more.
8. Offer to exchange Kurt against Oskar GEMMANN. Refer to pardoning procedure of 15 Dec 1952 (?).
9. Read letters with a view to concealed hints. Send DM 100.00 per month so that Kurt can maintain connection with co-prisoners.
10. Sent Kurt information, is Kurt to apply for Soviet citizenship? With a view to good cooperation and letters from SCHLEPPIER to Kurt.

You received an answer from "Alfred", however, this answer was not found among your effects. According to your statements, the reply stated that your wife and mother-in-law rejected any sort of help. Release all details on arrest. Release cover-story for lawyer. Attitude towards you is as before. We will carefully check all your suggestions.

FALPE

Early in January 1963, I furnished information on details regarding my arrest. The Americans said on the occasion of my interrogation, that KLIMOW (phon.) had defected from Helsinki.

President

Early in February 1963 your secret correspondence was discovered. Did you also write during the period in Koblenz?

FALPE

Yes.

Pleadings of the Prosecution

1. Chief Prosecutor FISCHER:

Entire clarification of the treasonable activities which have been carried out for a decade is impossible, since the classic evidence material "Alfred" is in Karlsruhe or in Moscow. It is clearly evident, even more from the intelligence viewpoint than from the legal, what the accused persons meant to Moscow and how great their guilt is. Quite correctly, FALPE is called the head of a three-man group, and the case itself the most important tried in the Federal Republic to this date. The Federal Intelligence Service was the chief target of the Soviet Intelligence Service and there is no doubt that the Federal Republic and the American intelligence service were prejudiced. However, the shot was not fatal, it only wounded a certain part, namely the one engaged in counterespionage concerning "Moscow". The investigations disclosed information which is of extreme importance and which enabled counter-measures. The uncovering of these agents, who were so important to them, meant a serious loss for the Soviet Intelligence Service. This success is due to the Federal Intelligence Service's

BEST AVAILABLE COPY

- 34 -

security system. Intelligence activities are of special importance in the cold war. In this fight, there are successes and failures. At this time in particular the newspapers of all countries are full of reports of this type. However, failures also teach lessons which may then lead to even greater success.

In February 1950 CLEMENS committed himself in Dresden to work for the Soviet Intelligence Service. This cooperation was mediated by his wife who still lives in Dresden. His cooperation lasted until 6 November 1951. He knew that the Soviet Intelligence Service aimed at obtaining State secrets of the Federal Republic of Germany and the Armed Forces. The first immediate target of the Soviet Intelligence Service was to penetrate the Gehlen Organization. This target unfortunately was achieved in a surprisingly short time, namely in May 1950, through CLEMENS' initiative. He was active with the Gehlen Organization and the Federal Intelligence Service, as an employee whose last pay was according to TOA 7. He was not employed at the Central Headquarters, but at various field offices.

The Soviet Intelligence Service's second target was to get a firm hold of CLEMENS' friends, namely TIBBEL and FELPE. This target was also quickly reached. TIBBEL was pledged late in the Fall of 1950, and FELPE in September 1951 committed himself in Dresden to cooperate with the Soviet Intelligence Service. FELPE even was a Soviet Intelligence Service's agent until February 1953. As did CLEMENS, FELPE also knew that the Soviet Intelligence Service's aim was to obtain State secrets of the Federal Republic and the Armed Forces. FELPE also made every effort to complete the assignments to the best of his ability. Already a month after his pledge by the Soviet Intelligence Service, FELPE succeeded in entering the employ of the Gehlen Organization. On 26 Oct 1951, FELPE was interviewed, and on 15 Nov 1951 he was requested to enter service. A picture-postcard of Munich sent to "Max" on the evening of FELPE's employment was characteristic for the inner attitude of the two accused persons. From August 1953 on, FELPE had been an assistant section chief at the Central Headquarters, finally a probationary Registrar at the Counterespionage Section. CLEMENS and FELPE were an intelligence tandem for the Soviet Intelligence Service; TIBBEL the courier.

At the start, the handling and communication routes were primitive, but later on, they were refined and included A-Z traffic and the use of Mikrats (type of microdot). However, the most important contact means were the meetings with the handling agents of the Soviet Intelligence Service. These meetings which lasted hours and nights, established close ties with the handling officers of the Soviet Intelligence Service. FELPE, in particular, made notes on these meetings. "Little Alfred" handed FELPE micro-films. Until employment by the Gehlen Organization no regular meetings took place, but the connections were primarily maintained through Fran CLEMENS who concealed on her person material for the Soviet Zone or through news concealed in Aletu-gasa (baby-food tin) sent by CLEMENS to Dresden.

After CLEMENS and FELPE had been employed by the Gehlen Organization, their official duty in West Berlin was made use of by the Soviet

BEST AVAILABLE COPY

- 35 -

Intelligence Service for meetings. Only if there was no official reason to fly to Berlin, TIEDEL entered into action.

Since early in 1952, the Soviet Intelligence Service demanded that a meeting with one of the accused persons was held every six weeks. This demand was fully complied with for 9 years. The majority of meetings were attended by CLEMENS. FELFE attended approximately 3 to 4 meetings per year. Until 1958 these meetings were held at a conspiratorial apartment in Mariahorst, thereafter in West Berlin as street-meetings lasting 1 to 2 hours. From 1954 on, 1 - 2 active meetings were held in Vienna, usually around the time of the Fall Fair. At these meetings, the difference between CLEMENS and FELFE became evident. CLEMENS attended these meetings only twice, however, not all of the conversations. At those meetings the entire complex of treasonable activities was talked over and security measures were discussed. FELFE's secured Vienna assignment held instructions for the so-called general meeting in Zurich in September 1962.

Intelligence aids used were Minox, Minifon, secret writing paper, Mikrats, A-3 traffic, suitcase with container.

FELFE photographed with the Minox camera at the office after office hours at his home, at hotel rooms and at CLEMENS' home in Cologne. In the majority of cases, CLEMENS then took care of the transmission of the treasonable material.

Since 1956 the Minifon was also used. Via the Minifon FELFE gave explanations regarding the treasonable material and also advised whether the Soviet Intelligence Service's operations were to be continued. For this purpose, the suitcase, besides concealments for 20 Minox films and a Minox case, also had concealments for two Minifon-reels.

In using the Minifon reels the Soviet Intelligence Service made a mistake with grave consequences: the handing over of a Minifon reel which had not been erased and which contained a conversation of a Soviet Intelligence Service handling officer with the German agent FURSMANN, who, as a result of CLEMENS' and FELFE's confession, could be arrested. After the end of 1951, early in 1952, also latent writing was used. Both had to send word to a cover-address each week. CLEMENS complied with these instructions during the entire period of his treasonable activities, while FELFE allegedly complied with them at times. Inquiries transmitted by A-3 traffic frequently were answered in latent writing. Early in 1961, FELFE thus gave his approval to carrying through the press campaign against the Federal Intelligence Service.

The A-3 traffic has been used by the Soviet Intelligence Service to transmit assignments since the end of 1957. At the same time Mikrats were used. CLEMENS held the key codes. They were found among his effects. The A-3 traffic only served as a handling aid, supplementing the contact paper. In 1961/62 (?) on the occasion of the press campaign against the Federal Intelligence Service, the A-3 traffic was intensified.

All three accused persons were paid by the Soviet Intelligence Service.

BEST AVAILABLE COPY

CONFIDENTIAL

- 36 -

CLEMENS received approximately DM 179,000, FELPE DM 135,900 or DM 135,000. However, the actual total amount must be estimated. In a financial respect, both were most generously treated by the Soviet Intelligence Service. The minimum amount must in each case be fixed as being DM 130,000. It must be considered that CLEMENS probably worked one year longer, however, FELPE received more bonuses.

The following was proven. Quite in general, to a very great extent the material was photographed with the Minix camera and handed over to the Soviet Intelligence Service. Frequently, information was delivered by way of latent writings. FELPE also reported via Minifon, both verbally and in writing, on the Federal Intelligence Service at meetings:

- Compromise of numerous co-workers of the Gehlen Organization and the Federal Intelligence Service.
- Intelligence operations: targets and details thereof.
- Other official information as far as the BfV and the US Intelligence Service were also involved in intelligence operations.

There is no indication that FELPE and CLEMENS disclosed the names of sources.

- with regard to the overall picture furnished by FELPE and CLEMENS, and the State secrets and secrets of the BfV and the US Intelligence Service transmitted, I fully agree with the findings of the expert and make them my own.

According hereto, the following are to be considered State secrets:

1. The entirety, but also individual information on co-workers of the Gehlen Organization and the Federal Intelligence Service.
2. The entirety of numerous pieces of information on Gehlen's Organization and the organization of the Federal Intelligence Service, in particular photographs, telephone directories, information on friendly intelligence services, the cases "(illegible]" (Joint-Operations) and the Fall exercises
And also information on the schools.
3. The entirety of furnished information, the Federal Intelligence Service's weekly reports, the BfV monthly reports and agent reports, BfV CS-Letters, agent radio, control reports, Kurishorst-study, details on crash of a Czech aircraft and the study Defection Inducement.
4. The entirety of operations and observations on which information was furnished, in which respect disclosures on "Index" and "Diagram" were particularly serious.
5. The following information is to be classified in accordance with Par 353 b of the Criminal Code: information on STASCHENWEXIS, list of Federal Chancellor's Office, Security Group, Protective Guard of Security Group.

FELPE maintained connections with the Soviet Intelligence Service until

BEST AVAILABLE COPY

CONFIDENTIAL

- 37 -

15 Feb 1953, by forwarding approximately 10 notes to "Alfred". Among other things, he informed him that his situation was bad, in particular through CLEMENS, he was gravely incriminated and they blamed him particularly for the MIRNITSCHEN and STACHYNERIJ Cases. CLEMENS also made statements on treason codes, also unnecessarily aroused suspicion with regard to FURHMANN. He further furnished information on the course of the preliminary investigations.

FELIX at least received one reply and again answered the questions asked in this letter. So there is no doubt that the stipulations of Par 100 e of the Criminal Code were fulfilled. This must be ^{assumed} should deduction of pre-trial imprisonment be considered.

with regard to the judicial appreciation: the entire activities carried out since 1950, come under Par 100 e Sec 1 of the Criminal Code. Since the law on the NATO Status of Forces Agreement has existed since 1 May 1963, offenses stipulated in former Para 7 of Annex A of the Status of Forces Agreement, also come under Par 100 e Sec 1 of the Criminal Code now.

CLEMENS and FELIX had betrayed State and service secrets and thereby became punishable in accordance with Paragraphs 99, 100e, 353b Secs. 1 - 2, as a specifically serious case. Facts stipulated in Secs. 1 - 2 will only be prosecuted if the superior authority files a charge. In this case, the United States would have been the competent authority. No charge was filed. However, failure to receive such a charge will remain without any importance to CLEMENS and FELIX. The US Government had confided these facts to the Gehlen Organisation or the Federal Intelligence Service, whereby they also became German State secrets. FELIX as a government official, had accepted bribery according to Par 332 of the Criminal Code. In CLEMENS' case a punishable act within the meaning of Secs. 1 to 3 of Par 353 of the Criminal Code is concerned.

The treasonable activities constitute a continued action.

In all criminal proceedings assessment of punishment is of decisive importance. This is a case of treason which did not bring about any differences of opinion. The accused persons betrayed their country. Three Federal Republic citizens committed treason in favor of the Soviet Union. In most western countries and in those of the East Bloc, including the Soviet Union and the Soviet Zone, these crimes would be punished with death. In other countries the punishment is over 20 years or lifetime. In the Federal Republic the maximum penalty at present is 15 years penitentiary. The amendment to the Criminal Law provides for a pertinent increase.

The individual guilt is varied. I therefore say, give each what is coming to him, the accused persons, but also the State, which has taken over the protection of its citizens. FELIX was a top agent, both are extremely dangerous. They had access to important secrets. The damage caused by them, even though only a partial action was concerned, is extremely high. Both betrayed a number of very important secrets.

In FELBE's case, there appears to be no reason for mitigating circumstances. Everything is against him. According to his intelligence assignment, he had himself employed by the Gehlen Organization with the intention of betraying those secrets which he would learn. These activities lasted 10 years. He continued to abuse confidence. He became a traitor, became guilty of perjury and acted dishonorably for material reasons. He was not prepared to render on his own, a contribution towards indemnification. The wording of the prison notes speaks clearly. While already in prison, he still denounced his co-offender and friend CLEMENS.

Against CLEMENS is the fact that he too, joined the Gehlen Organization on orders of the Soviet Intelligence Service and carried out the treasonable activities for 11 years, furnishing the Soviet Intelligence Service information of continuing gravity. He paved the road well for his friends FELBE and TIEBEL, to be recruited by the Soviet Intelligence Service.

It is in his favor that from the very beginning he made a full confession and through pointing out to WUHMANN, made up for some of the considerable damage done. During his temporary discharge from prison because of his illness, he did not abuse the confidence. As grave as his offense is, the maximum punishment should not be adjudged.

Statements the prosecutor made on TIEBEL, were not recorded.

The Requests for Punishment Submitted by the Federal Prosecutor's Office

1. FELBE should be sentenced to 15 years penitentiary, forfeiture of civil rights for a period of 10 years, confiscation of treasonable monies amounting to DM 150,000, as well as of the secured items such as the Ford M 17, - KEY 328, Minifon, portable typewriter, magnifying glass etc. Only 10 months of pre-trial imprisonment are to be deducted.
2. CLEMENS to 12 years penitentiary. Forfeiture of civil rights for the period of 6 years, confiscation of treasonable monies amounting to DM 150,000, confiscation of the secured items such as radio, tape recorder, suitcase, portable typewriter. The full period of pre-trial imprisonment is to be deducted. FELBE and CLEMENS should pay the costs of the proceedings. In both their cases continued imprisonment should be adjudicated.
3. TIEBEL should be sentenced to 5 years penitentiary. Forfeiture of civil rights for a period of three years, confiscation of treasonable monies amounting to DM 40000. Full period of pre-trial imprisonment to be deducted, and the warrant of arrest should again be put into force.

On 25 July 1963, the 3rd Senate of the Federal High Court pronounced the following verdicts:

BEST AVAILABLE COPY



1. **FRITZ** 14 years penitentiary and forfeiture of civil rights for a period of 8 years. Confiscation of treasonable monies amounting to DM 140,000, and also the secured items. One year pre-trial imprisonment is deducted. He has to pay the costs of the proceedings.
2. **CIEMENS** 10 years penitentiary, forfeiture of civil rights for a period of five years, confiscation of treasonable monies amounting to DM 140,000, and also the secured items. The full period of pre-trial imprisonment is deducted. He has to pay the costs of the proceedings.
3. **TINDEL** three years penitentiary, confiscation of DM 4,000 treasonable monies.

FRITZ and **CIEMENS** committed treason in unity of action with betrayal of secrets. **TINDEL** also committed treason in unity of action with betrayal of secrets.

By Virtue of Law

Three former SD co-workers from the foreign espionage section, a short time after each other, had themselves recruited by the Soviet Intelligence Service, then joined the Gehlen Organization and there carried out treasonable activities for 10 years.

Such facts are simply shocking. The Senate has received a great number of letters requesting that the accused persons be given a maximum punishment and regretting that the death penalty has been abolished. These people do not know that man is not only good, or not only bad. The Senate is to establish that many things were foul in the Federal Intelligence Service. It has established though that each country is active in espionage and the main target of counterespionage is to penetrate the hostile intelligence service.

From the very beginning, it must have been almost impossible to reconstruct events which happened a decade ago. The accused **CIEMENS** was the start when in February 1950, he was introduced by his wife to and recruited by the Soviet Intelligence Service in Dresden. **CIEMENS** claims that he had himself recruited by the Soviet Intelligence Service because he hated the Americans so evil. It is surprising that this is said by the one called the 'horror of Pilschen'. The Russians' offer gave him a possibility to remain in his profession. During the six months prior to joining the Gehlen Organization, he had moved from Lendingsen to Bonn, furnished the Soviet Intelligence Service material, and established connections with former SD comrades whereby he immediately displayed activities to the prejudice of the Federal Republic, and not only worked against the Gehlen Organization. The Senate is convinced that the Gehlen Organization is a German organization.

FRITZ and **TINDEL** already knew prior to the 1st trip that **CIEMENS** went to meet the Soviet Intelligence Service. After his return and during the following period both were also kept well informed. **FRITZ** also gave **CIEMENS** material from the All-German Ministry, for instance the "Selbsteck". **FRITZ** and **TINDEL** knew that **CIEMENS**' doings were directed

BEST AVAILABLE COPY

CONFIDENTIAL

- 40 -

against the Federal Republic. It is therefore unimportant how they valued the Gehlen Organization.

For security reasons it became inevitable for the Soviet Intelligence Service to also approach FELPE and TIBBSL. In the Fall of 1950, TIBBSL was pledged, and on 3 Sep 1951 FELPE through mediation of CLEMENS.

On 31 Aug 1951 FELPE terminated his employment with the All-German Ministry and he expected to be taken over by the Federal Intelligence Service. Yet he had himself recruited by the Soviet Intelligence Service, and when a few months later, he was employed by the Gehlen Organization, the Soviet Intelligence Service had two experienced agents in this organization. The connections with the Soviet Intelligence Service were maintained without interruption until the arrest on 6 Nov 1961. All intelligence aids were available, at first somewhat primitive, later on refined. Also meetings were currently held. CLEMENS attended approximately 40, FELPE some 20.

In the Fall of 1953, FELPE was transferred to the Counterespionage Section at the Central Headquarters. In the course of the years, a great amount of material of varied, however, of considerable importance, was furnished. The following material is considered as falling under Par 99 of the Criminal Code:

1. The entirety of information furnished by both the accused persons on the organization of the Federal Intelligence Service and Federal Intelligence Service co-workers, as well as character reports on these co-workers. CLEMENS named 45, FELPE 50 co-workers. Had the Soviet Intelligence Service previously learned some of the names, they however, received now authentic confirmation through FELPE and CLEMENS and the latest information supplemented the previous one.
2. The entirety of information both accused persons made on field office intelligence aids, cooperation with other intelligence services, telephone directorates of the Federal Intelligence Service's Central Headquarters, information on schools, as well as on "Inbas" and on "Herbutenberg".
3. The entirety of card index records, including extensive material on certain persons since hereby the Soviet Intelligence Service currently received the latest information on these persons.
It need not be mentioned what importance an intelligence service's card index has.
4. The entirety of all information of the card records "Index".
5. The entirety of information of the surveillance of persons who were suspected of working for the Soviet Intelligence Service. The information on strength and methods of the surveillance teams, information on certain persons who were suspected of carrying out intelligence activities.
6. The "diagram"-works, including the Karlsruhe study.

7. The entirety of Federal Intelligence Service weekly reports. Early in 1957 at the latest, FELFB started photographing them and passing them on to the Soviet Intelligence Service. The reports gave a survey on the latest status of knowledge, on gravity centers of intelligence activities, on specific concentration on certain targets and the type of information received. Intelligence could thus be gained from the complete series of consecutive reports.
8. FELFB regularly photographed and forwarded ^{BrV} monthly reports and intelligence reports, starting from August 1959, to the Soviet Intelligence Service.
9. The entirety of the BrV's monthly agent radio control reports, which since early in 1958 were photographed without exception. They constituted a State secret of specific importance.
10. The entirety of BrV monthly Counterintelligence Reports from March 1959 on.

The following are considered important secrets, however, not within the meaning of Par 99 of the Criminal Code:

1. The series of Federal Intelligence Service Office Bulletins
2. The series of Federal Intelligence Service GB Letters
3. Information on the crash of the Czech aircraft
5. ?
6. "Mercedes" as far as it continued after 1 Apr 56 (the Federal Intelligence Service was established on 1 Apr 1956)
7. Norcaior
8. Panoptikus
9. Zahnkranz
10. Sanaas
11. List of staff of Federal Chancellor's Office.

Information on BRIPOLSKW and STACHYBOKI was of no special importance.

As far as establishments were made which deviated from the expert findings, this was done since the evidence available was insufficient.

From the Fall of 1955 on, on a total of 10 courier trips FIEDKEL took a great amount of material in the suitcase with the secret compartment to the Soviet Intelligence Service. FIEDKEL consequently placed facts into the hands of the Soviet Intelligence Service which constituted State secrets.

CLERMENS and FELFB took home office material and photographed it there or in a hotel room. Even after his arrest FELFB maintained connections with the Soviet Intelligence Service. Among other things, he furnished information which may be of importance to the Soviet Intelligence Service. The connections during this period also were treasonous.

Assessment of the facts is as follows:

All accused persons maintained connections and passed on intelligence in accordance with Par 100 e of the Criminal Code (Sec 1). The

SECRET



BEST AVAILABLE COPY

CONFIDENTIAL

- 42 -

intelligence furnished soon became voluminous.

In case of CLEMENS and FELPE, the connections they maintained from 1 Sep 51 to 1 Nov 1951 are punishable. CLEMENS' actions until 1 Sep 51 were not punishable. However, already prior to this date, it was quite obvious that one day, such connections would again be punishable.

Within the scope of these connections CLEMENS and FELPE continuously betrayed State secrets. The Gehlen Organization was financed by the United States, however consisted exclusively of Germans, was active in the Federal Republic and also transmitted the results of its operations to the Federal Chancellor's Office. It consequently was also active in the interest of the Federal Republic. The transmission of its secrets therefore also comes under Par 99 of the Criminal Code.

CLEMENS and FELPE did not know this right from the very beginning, however, soon thereafter recognized the true significance.

TIBBEL had to realize that a rather important matter was concerned, since he was given so much attention, for instance the security measures of the Soviet Intelligence Service whenever he crossed the border, and the secret meeting formalities. In this case 'dolus eventualis' (indirect intention) applies. This was sufficiently proven at this court. The general imagination that there may be State secrets among the material, does not suffice, when the offender has no idea what he is conveying. In this case, however, TIBBEL knew where the material came from, since FELPE was in the target where he procured the material. TIBBEL himself also has intelligence experience. He could well imagine what type of material he was transporting. He committed treason with 'dolus eventualis' (indirect intention). He permitted that unknown persons got hold of State secrets. According to the STACHINSKIJ-verdict of the Federal High Court, an offender may have aided and abetted a crime, however, these prerequisites were not in this case.

The Senate cannot establish that the Gehlen Organization was an authority and carried out its activities under the control of the Federal Republic. The accused persons committed a specifically serious case of breach of secrecy. They also violated Par 133 of the Criminal Code, however, only after 1 Apr 1951. FELPE and CLEMENS also became guilty of grave bribery. All these stipulations were violated by one and the same continued action. There is unity of action within the meaning of Par 73 of the Criminal Code.

FELPE committed treason on a large scale. He was a Soviet Intelligence Service top agent. He was an extremely dangerous, intelligent and unscrupulous agent and caused great damage. He insidiously placed himself into the Gehlen Organization and was active in a very important position for 10 years. A reduction of his treasonable activities is out of the question. This is proven by the 14 films with treasonable material, which were found on the occasion of his arrest. All this he did for the sake of mere greed. In view of the extraordinary treason and the significance of his position, it was obvious to judge the maximum punishment. If the Senate keeps below this, it does so because FELPE is one of those persons for whom the ground opens up under his feet on

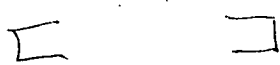
BEST AVAILABLE COPY

8 May 1945. When he could neither gain a footing with the British nor with the All-German Ministry, and did not know how to obtain his family, he decided to join the Soviet Intelligence Service. He did not hesitate long. On 31 Aug 1951 he terminated his activity with the All-German Ministry and already on 1 Sep 1951 he committed himself to work for the Soviet Intelligence Service. However, he also contributed to KUMAROV's arrest. He had identified KUMAROV long ago, however, did not report this. However, when shortly after the arrest, KUMAROV indicated that there also was an agent within the Federal Ministry of Defense, after initial hesitation, WITTE finally named KUMAROV. This was important for him because KUMAROV had only had two more days time, he would have furnished most important state secrets to the Soviet Intelligence Service. Finally, although very late, namely at the end of the main trial, WITTE stated KUMAROV's. These were the reasons why he was not given the maximum punishment of 25 years, but only 12 years imprisonment.

KUMAROV was the first and the crucial witness. He was the key figure and made the others follow. He is guilty of the fact that they were deceived. However, it did not cost him great effort to make them join in the plot. KUMAROV particularly betrayed "Stuka". He perhaps was not a top agent, but an important and dangerous agent of the Soviet Intelligence Service. He is the less-than-type, intelligent, cunning and unscrupulous. He primarily acted for profit, for his hate of the Americans could not stand for 10 years. Speaking for him, were the conditions at that time and his immediate, stark conviction. As compared with WITTE, his position with the Federal Intelligence Service was a much lower grade. He also considerably contributed to uncover KUMAROV's.

WITTE should know that even after their apprehension, they still have a good chance, when they point out other spies.

His long period of cooperation was held against WITTE. He also was along for 10 years. However, he was active for only four years. He was not so enthusiastic, but a reliable agent. He never offered resistance and never attempted to withdraw himself from the affair. However, he did not act for material or other conventional reasons. His motives are wrongly interpreted.



CONFIDENTIAL

- 44 -

Notes

The most important parts of the main trial, as far as those were public, were recorded in the protocol. As far as statements were marked by periods or question marks, the precise wording was not understood.

The reporter only attended the public sessions of the main trial, since the 1st Legal Senate of the Federal High Court only permitted one representative each of the Federal Chancellor's Office, the BIV and the Federal Intelligence Service or the authorities immediately engaged in the case, to attend the non-public sessions.

Chief Prosecutor VIECHER stated in a conversation with the reporter that he was sorry the BIV had to be excluded, however, it was difficult to decide who really had an urgent official interest in the case. Besides, the group of persons knowing details of the treason, is not to become even greater, for only the machine knew of the information betrayed. In particular, it is regretted that Colonel KREML also had to be excluded and therefore made the trip from Bonn to Karlsruhe in vain.

BEST AVAILABLE COPY

