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DATE: 12 March 1969

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RYBAT CALL CAPEDAL

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REFS: A. 6789

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ABSTRACT	X

File ↓

1. PER REF A PARA 2, SECRECY AGREEMENT INEFFECTIVE EXCEPT AS EVIDENCE CAPEDAL KNOWLEDGE SECURITY OBLIGATION. PROSECUTION MUST BE FOR VIOLATION GERMAN CRIMINAL LAW DERIVED FROM ~~SECRETARY'S~~ STATUS FORCES AGREEMENT.

2. FURTHER TO REF A PARA 2, CAPEDAL SIGNED RELEASE ACKNOWLEDGING RECEIPT DM 11,325 IN FULL PAYMENT ALL LNHP OBLIGATIONS TO HIM ARISING FROM EMPLOYMENT. THIS GOOD EVIDENCE OF PAYMENT BUT MAY BE BINDING ONLY IF AMOUNT PAID IN FACT MET OBLIGATIONS OF EMPLOYER UNDER GERMAN LAW.

3. REGARDLESS OF MERIT OF COMPLAINT CAPEDAL MAY HAVE RE COMPENSATION, HQS FIRMLY CONVINCED SHOULD AVOID ALL FURTHER CONFRONTATION WITH CAPEDAL AND REFUSE REVIEW HIS CLAIM UNDER DURESS HIS THREATS

NAZI WAR CRIMES DISCLOSURE ACT

(CONTINUED)

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OF PRESS DISCLOSURE. INSTEAD, FAVOR IMMEDIATE REFERRAL ENTIRE MATTER TO WHICHEVER MHRUSH AGENCY STATION MAY FEEL MOST APPROPRIATE, WITH REQUEST TO APPRISE CAPE DAL OF CONSEQUENCES HE MAY FACE UNDER GERMAN CRIMINAL LAW. FEEL THAT ANY UNILATERAL FINANCIAL ADJUSTMENT, IF INDEED SUCH IS INDICATED, MADE BETWEEN WOFIRM AND CAPE DAL WOULD PROVIDE NO GUARANTEE SUBJECT WOULD HONOR NEW QUIT CLAIM ANY MORE THAN HE DID PRESENT ONE.

4. IF IN COURSE OF MHRUSH AGENCY CONTACT WITH CAPE DAL PER ABOVE PROPOSAL, CAPE DAL AIRS COMPLAINTS RE TERMINAL COMPENSATION AND MHRUSH AGENCY RECOMMENDS TO STATION THAT ADJUSTMENT MIGHT BE CALLED FOR, THEN THIS COULD BE TAKEN UNDER ADVISEMENT.

5. IN BRIEFING MHRUSH AGENCY SELECTED, STATION CAN POINT OUT CAPE DAL EMPLOYED AS PROVOST MARSHAL INVESTIGATOR WITH ACCESS TO CLASSIFIED LN HARP INFORMATION. WAS AMICABLY TERMINATED 1963 AT WHICH TIME EXECUTED QUIT CLAIM AND SECRECY AGREEMENT. PROVIDE AGENCY AS MUCH DATA AS REQUIRED OF THAT IN REF B. COPIES QUIT CLAIM AND SECRECY AGREEMENT SIGNED 15 MARCH 63 HAVE BEEN POUCHED (EGNS-4468).

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MORE DETAILED ACCOUNT SUBJECT'S WOFIRM CAREER (SALARIES PAID, COPIES ~~IN~~ OTHER CONTRACTS, ETC) UNDER PREPARATION AND WILL BE POUCHED SOONEST AS BACKUP IN DEALINGS WITH MHBRUSH AGENCY.

6. SHOULD CAPEDAL CALL ON BASE PRIOR MHBRUSH AGENCY CONTACT OF HIM, SUGGEST STALL HIM BY CLAIMING THAT RETRIEVAL HIS FILE FROM WOLADY ARCHIVES IN REMOTE AREA MORE TIME-CONSUMING THAN FIRST ANTICIPATED IF CAPEDAL DEFIANT, MIGHT CONSIDER ALLUDING UNAUTHORIZED DISCLOSURE OF LNHP SECRETS CAN BRING HIM INTO CONFLICT GERMAN LAW.

7. HQS FEELS ABOVE PROPOSAL INVOLVING CERTAIN AMOUNT DISCLOSURE TO FRIENDLY SERVICE OF OUTDATED MOB OP ACTIVITIES PREFERABLE TO DRAW-OUT UNILATERAL SQUABBLES WITH CAPEDAL WHO FEELS HE CAN THREATEN LNHP AGENCY WHICH SENSITIVE TO PUBLICITY AND WHO MAY CONTINUE TO DO SO EVEN AFTER ACCESSION TO HIS FISCAL DEMANDS.

8. FILE:

END OF MESSAGE

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