

CENTRAL INTELLIGENCE AGENCY

6 FEB 53

SECURITY INFORMATION

IN 35196

ROUTING	
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FROM: DIRECTOR, CIA

SR REP BONN

PRIORITY

ACTION: EB (1-2)

0026Z 7 FEB 53

INFORMATION: DCI (3), D/DCI (4), DD/P (5-6)

DECLASSIFIED AND RELEASED BY
CENTRAL INTELLIGENCE AGENCY
SOURCE METHOD EXEMPTION 3020
NAZI WAR CRIMES DISCLOSURE ACT

DATE 2007

BONN 0501

TO: DIR (ATTN: [])

INFO: SFRAN

CITE: SBONN ([])

IMMEDIATE HANDLING

1. WE WILL REQUIRE ANSWER TO THIS MESSAGE ON OR BEFORE 0700Z, 8 FEB.
2. SAW KANTOR AGAIN AT NOON TODAY, AND HE GAVE ME TWO ALTERNATE SETS OF QUESTIONS TO BE USED FOR STATEMENT SIGNED BY [] ADDRESSED TO FEDERAL PROSECUTOR, WHICH WOULD BE USED BY GOVERNMENT IN QUASHING PROCEEDINGS AGAINST BDJ AND FIVE HESSE DEFENDANTS AFTER GOVERNMENT WITHDRAWS CASE FROM HESSE.
3. I ACCEPTED SHORTER SET AS BASIS FOR DISCUSSION, SINCE QUESTIONS NOT SO DETAILED OR HARD TO ANSWER AND KANTOR SAID ANSWER OR STATEMENT BASED ON EITHER SET WOULD BE ACCEPTABLE.
4. QUESTIONS FOLLOW:
 - A. IS THE TASK WHICH WAS GIVEN BY THE AMERICAN LEADERSHIP OF THE ORGANIZATION ADEQUATELY DESCRIBED IN THE ORGANIZATION PLAN WHICH WAS FOUND IN THE HOUSE OF [] I.E. THAT THE ORGANIZATION WAS CHARGED WITH MILITARY TASKS IN CASE OF WAR AND IN PEACETIME WAS TO

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PREPARE FOR SUCH TASKS?

B. HAS THE AMERICAN LEADERSHIP OF THE ORGANIZATION IN THE PREPARATORY, THAT IS, BEFORE "D" OR "X" DAY, CONSIDERED THE ORGANIZATION AS A MILITARY OR QUASI-MILITARY ORGANIZATION?

C. DID THE MILITARY OR PARA-MILITARY PREPARATION INCLUDE THE GATHERING OF COUNTER-INTELLIGENCE ON THOSE PERSONS WHO NOW OR IN FUTURE CAN BE EXPECTED TO COOPERATE WITH THE ENEMY OR DISTURB FULFILLMENT OF THE ASSIGNED TASKS IN SOME OTHER WAY?

D. HAS THE TECHNICAL SERVICE OF THE BDJ BEEN SEPARATED ENTIRELY FROM THE BDJ ITSELF? HOW WAS THIS DONE?

5. ON BASIS OF THESE QUESTIONS, PREPARED FOLLOWING DRAFT WHICH REBER SAYS LOOKS ALL RIGHT TO HIM, BUT ASKED I CLEAR WITH WASHINGTON. IF POSSIBLE THEN, READING FROM BATTISTA'S OFFICE WOULD BE APPRECIATED. STATEMENT WOULD HAVE NO HEADING.

STATEMENT TO:

OBERBUNDESANWALT

BUNDESGERICHTHOF, KARLSRUHE

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file. It must be
retrieved in the same
manner as the original.

A. AN INVESTIGATION WHICH HAS BEEN MADE OF THE SO-CALLED TECHNICAL SERVICE OF THE BDJ, HAS REVEALED THAT IN A NUMBER OF INSTANCES \square \square , THE U.S. OFFICER WORKING WITH THE TECHNICAL

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SERVICE, EXCEEDED HIS AUTHORITY AND DISOBEYED SPECIFIC INSTRUCTIONS GIVEN TO HIM BY HIS SUPERIORS.

B. IT SHOULD BE BORNE IN MIND, HOWEVER, THAT THOSE GERMAN NATIONALS WHO WORKED WITH [REDACTED] IN THE TECHNICAL SERVICE HAD NO WAY OF ASCERTAINING WHICH OF HIS INSTRUCTIONS WERE ISSUED IN FURTHERANCE OF U.S. POLICY THEN EXTANT, AND WHICH OF HIS ORDERS WERE ISSUED ONLY ON HIS OWN AUTHORITY.

C. THE DOCUMENT PREPARED BY [REDACTED] AND DATED 4 APRIL 1951, WHICH WAS FOUND IN [REDACTED]'S HOUSE AND WHICH DESCRIBED TASKS IN WHICH THE TECHNICAL SERVICE WAS TO ENGAGE, WAS NOT AN OFFICIAL DOCUMENT IN THE SENSE THAT IT HAD EVER BEEN APPROVED BY ANY OF [REDACTED]'S SUPERIORS. IN FACT THE DOCUMENT, AFTER CONSIDERATION BY U.S. AUTHORITIES, WAS DISAPPROVED AND THE DECISION TAKEN TO DISBAND THE TECHNICAL SERVICE AND ITS FUNCTIONS. MANY OF THE PRINCIPLES STATED IN THE DOCUMENT, HOWEVER, ARE VALID PRINCIPLES UNIVERSALLY RECOGNIZED AS APPLYING TO THE CONDUCT OF THESE TYPES OF ACTIVITIES. IT ALSO IS CLEAR THAT [REDACTED] ACTUALLY APPLIED THE PRINCIPLES STATED IN HIS DRAFT FAR BEYOND THE SCOPE AUTHORIZED, WHICH WAS LIMITED TO THE ESTABLISHMENT OF AN ORGANIZATION TO BEGIN PREPARATIONS IMMEDIATELY FOR MILITARY TYPE ACTION AGAINST AN ENEMY WHICH MIGHT LAUNCH AN ARMED ATTACK AGAINST THE FEDERAL REPUBLIC OF GERMANY.

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D. BECAUSE OF THE EXIGENCIES OF THE SITUATION AT THAT TIME, THIS TECHNICAL SERVICE WAS BROUGHT INTO BEING AS AN INTEGRAL PART OF THE AMERICAN DEFENSE MECHANISM WHICH WOULD BE AVAILABLE TO RESIST ANY SUCH ATTACK AGAINST THE FEDERAL REPUBLIC, OR TAKE RETALIATORY MEASURES. DURING ITS ENTIRE EXISTENCE THE ORGANIZATION FUNCTIONED AS A QUASI-MILITARY UNIT UNDER AMERICAN ORDERS ONLY.

E. TO PROVIDE PROTECTION FOR ITS CONTINUED EXISTENCE, () AND THE ORGANIZATION WERE AUTHORIZED TO DEVELOP CERTAIN LIMITED SECURITY FACILITIES, INCLUDING THE GATHERING OF COUNTER-INTELLIGENCE TYPE INFORMATION ON PERSONS ATTEMPTING TO PENETRATE THE ORGANIZATION FOR HOSTILE PURPOSES.

() HOWEVER, WENT BEYOND THE SCOPE OF THIS AUTHORIZATION AND PROVIDED FOR A LIMITED COLLECTION OF INFORMATION ON PERSONS WHO COULD BE EXPECTED TO AID AND FOLLOW THE OBJECTIVES OF AN ENEMY ATTACKING THE FEDERAL REPUBLIC.

F. WHEN THE TECHNICAL SERVICE WAS ORGANIZED, IT WAS THE DESIRE OF RESPONSIBLE U.S. AUTHORITIES THAT THE SERVICE SHOULD HAVE NO CONNECTION - LEGAL OR OTHERWISE - WITH THE BDJ ITSELF. ACCORDINGLY, AN ORDER WAS ISSUED TO THOSE GERMAN MEMBERS OF THE SERVICE WHO ALSO HAPPENED TO BE MEMBERS OF THE BDJ, THROUGH (), TO DIVORCE THEMSELVES COMPLETELY FROM THE BDJ. SO FAR AS I HAVE BEEN INFORMED THIS WAS ACCOMPLISHED IN EVERY

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CASE EXCEPT THAT OF PETERS, WHO DID NOT SEVER HIS TIES WITH THE BDJ UNTIL
BLANK. THIS EXTENDED CONNECTION OF PETERS WITH THE BDJ WAS COMPLETELY
UNAUTHORIZED. END STATEMENT.

6. YOU WILL RECALL FROM PART II OF PRE-TELECON MATERIAL FRANKFURT, JAN
31, THE GOVERNMENT HAS PROMISED NOT TO MAKE THIS STATEMENT PUBLIC OR SHOW
TO ZINN, BUT PROBABLY WILL REFER TO IT IN GENERAL TERMS WHEN GOVERNMENT
MAKES FINAL REPORT ON BDJ TO BUNDESTAG.

7. ~~E~~ I AGREE IN PRINCIPLE, BUT IS DEPARTING FRANKFURT 1300Z,
FEB 8 AND SHOULD SIGN BEFORE THEN. I HAVE NEXT APPOINTMENT WITH KANTOR
ON FEB 9 AND WOULD LIKE TO GIVE HIM STATEMENT AT THAT TIME. KANTOR,
SCHMIDT AND FEDERAL PROSECUTOR SEEING ZINN ON 12 FEB TO DISCUSS WITH-
DRAWING CASE. TRUST ANY ROUGH SPOTS IN DRAFT STATEMENT CAN BE SMOOTHED
AND YOUR COMMENTS RETURN CABLE.

8. NEW ASPECT, SAME SUBJECT, RICHARD TOPP, TO LEADER* HAMBURG/
SCHLESWIG HOLSTEIN HAS WRITTEN LETTER TO () RENOUNCING QUIT-CLAIM
AND ASKING DM 15,000 SETTLEMENT. LETTER CLEVERLY DISGUISED CASE FOR
BLACKMAIL AND CITES "EVIDENCE" HE HAS TRANSFERRED TO SWITZERLAND, AM SEEING
TOPP IN FRANKFURT ON 11 FEB AND BELIEVE CAN REACH REASONABLE AGREEMENT.
HOWEVER, IF NOT, WILL BE ARMED WITH HICOG WARRANT SPECIFYING PAR. 2, ^{ART}1 AND
PARAS 5 AND 6, ART 3 OF LAW 14 AND SECTION 253 GERMAN CRIMINAL CODE, WOULD
USE WARRANT ONLY AS LAST RESORT. REBER INFORMED. END OF MESSAGE
* MSG/CTR COMMENT: AS RCVD.

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revised