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CLASSIFIED MESSAGE

CENTRAL INTELLIGENCE AGENCY

7 FEB 53

SECRET

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SECURITY INFORMATION

ROUTING	
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TO: SR REP GERMANY (FRANKFURT)

/ak

EE

3288

FROM: DIRECTOR, CIA

PRIORITY

CONF: EE (1-2)*

2057Z 07 FEB '53

INFORMATION: DCI (3), D/DCI (4), DD/P (5-6), PP (7)

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CENTRAL INTELLIGENCE AGENCY
SOURCE METHOD EXEMPTION 3020
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2007

DIR 39808

TO: SFRAN .

INFO: SBONN

CITE: DIR

RE: BONN 0501 (IN 35196)

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IMMEDIATE HANDLING - ATTENTION

1. ANY STATEMENT GIVEN GERMANS MUST BE PREPARED ON ASSUMPTION IT WILL ULTIMATELY APPEAR IN PRESS AND BE USED FOR POLITICAL PURPOSES.
2. CERTAIN ASPECTS OF PROPOSED STATEMENT APPEARS TO US TO CONSTITUTE GRATUITOUS ADMISSIONS NOT REQUIRED BY CIRCUMSTANCES AS WE UNDERSTAND THEM. WE HAVE NO OBJECTION IMPLICATION BUT ADMISSION HE EXCEEDED AUTHORITY IMPLIES CONCESSION THAT DEFENDANTS IN FACT COMMITTED ILLEGAL ACTS. SO FAR EVIDENCE DOES NOT ESTABLISH NEED SUCH CONCESSION WHICH IF POSSIBLE SHOULD BE AVOIDED AS IT WOULD CONSTITUTE BASIS AND IRRESPONSIBILITY CHARGES NEGLIGENCE/AGAINST U.S. IN GENERAL IT IS STILL THE VIEW OF RECONFIRMED AS OF TODAY, THAT WE SHOULD NOT VOLUNTEER ANY FRESH ADMISSIONS AND THAT INSOFAR AS IS CONCEIVABLY POSSIBLE WE SHOULD CONFINE OURSELVES TO STATEMENTS WHICH WE KNOW CAN BE PROVED AGAINST US.
3. DELIVERY STATEMENT SHOULD IF POSSIBLE BE WITHHELD UNTIL ITS SUBSTANCE CAN BE DISCUSSED WITH HERE PERSONALLY. AFTER AGREEMENT IT CAN BE SIGNED IN NAME AND DELIVERED ON HIS AUTHORITY IN HIS ABSENCE. AS STATEMENT NOT

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REQUIRED TO REMOVE CASE TO FEDERAL JURISDICTION BUT MERELY QUASH CASE SEE NO NEED FOR IMMEDIATE ACTION.

4. MEANWHILE SUGGEST FOLLOWING DRAFT ^{STATEMENT} FOR YOUR COMMENT AND DISCUSSION REBER:

A. THE ORGANIZATION WAS CONSTITUTED BY THE AMERICAN LEADERSHIP TO UNDERTAKE MILITARY ACTION AGAINST AN ENEMY IN THE EVENT OF AN ARMED ATTACK AGAINST THE FEDERAL REPUBLIC OF GERMANY. IN PEACETIME IT WAS AUTHORIZED ONLY TO PREPARE FOR THIS TASK.

B. THE ORGANIZATION WAS CONSTITUTED FOR MILITARY PURPOSES AND TO FUNCTION AS A QUASI MILITARY UNIT.

C. COLLECTION OF INFORMATION TO BE PASSED ON FOR APPROPRIATE ACTION BY ALLIED MILITARY AUTHORITIES IN THE EVENT OF INVASION OF THE WEST GERMAN FEDERAL TERRITORY BY AN AGGRESSOR WAS AN AUTHORIZED ACTIVITY OF THE ORGANIZATION. SUCH INFORMATION WAS CONSIDERED RELEVANT TO THE SECURITY AND ACTIVITIES OF THE ORGANIZATION UNDER THE CIRCUMSTANCES OF ENEMY OCCUPATION. THE INFORMATION COULD CONCERN PERSONALITIES OF COUNTER INTELLIGENCE INTEREST TO THE ORGANIZATION AS WELL AS PERSONALITIES POTENTIALLY CAPABLE OF ASSISTING IT OR DESERVING ASSISTANCE OR PROTECTION FROM THE ALLIED MILITARY AUTHORITIES.

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D. MEMBERS OF THE ORGANIZATION WERE RECRUITED FROM VARIOUS SOURCES INCLUDING THE EDJ. U.S. AUTHORITIES CONCERNED WITH THE ORGANIZATION DID NOT WISH ITS MEMBERSHIP OR ACTIVITIES INVOLVED OR CONNECTED WITH GERMAN ORGANIZATIONS PERFORMING NORMAL SOCIAL OR POLITICAL ACTIVITIES. ACCORDINGLY AN ORDER WAS ISSUED TO THOSE MEMBERS OF THE SERVICE WHO ALSO HAPPENED TO BE MEMBERS OF THE EDJ TO DIVORCE THEMSELVES COMPLETELY FROM THE EDJ. I HAVE BEEN INFORMED THIS WAS ACCOMPLISHED IN EVERY CASE EXCEPT THAT OF PETERS WHO DID NOT SEVER HIS TIES WITH THE EDJ UNTIL (BLANK DATE).

E. I THINK IT APPROPRIATE TO CONFIRM THE FACT THAT DISSOLUTION OF THE ORGANIZATION WAS ORDERED IN MAY OF 1952. THE DECISION TO DISSOLVE THE ORGANIZATION WAS MADE BECAUSE OF CONVICTION ON THE PART OF THE U.S. AUTHORITIES THAT BECAUSE OF THE GREATLY IMPROVED MILITARY POSITION OF THE WESTERN POWERS THE MAINTENANCE OF A PARAMILITARY ORGANIZATION PRIMARILY DESIGNED TO ASSIST GERMAN NATIONALS IN DEFENDING THEMSELVES AGAINST THE CONTINGENCY OF OCCUPATION OF THEIR COUNTRY BY AN ARMED AGGRESSOR WAS NO LONGER ESSENTIAL. MOREOVER THE U.S. AUTHORITIES BELIEVED THAT CONTINUED SUPPORT OF SUCH AN ORGANIZATION IN WEST GERMANY WAS NO LONGER CONSISTENT WITH U.S. POLICY OF RECOGNIZING THE SOVEREIGN RESPONSIBILITIES OF THE FEDERAL REPUBLIC.

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F. DESPITE REPORTS IN THE PRESS TO THE CONTRARY, I HAVE SO FAR SEEN NO EVIDENCE, AS A RESULT OF THE DELIBERATIONS OF THE JOINT GERMAN AMERICAN COMMISSION CONSTITUTED TO INVESTIGATE THIS CASE OR OTHERWISE, IMPLICATING THE DEFENDANTS INVOLVED OR THE ORGANIZATION OF WHICH THEY WERE MEMBERS IN ANY CRIMINAL OR ILLEGAL ACTS OR ACTIVITIES AIMED AGAINST THE GOVERNMENT OF THE WEST GERMAN FEDERAL REPUBLIC OR THE PERSONS OR SECURITY OF ITS CITIZENS. IF ANY EVIDENCE

~~IS UNCOVERED OF SUCH CRIMINAL OR POLITICAL ACTIVITY, THIS WOULD OF COURSE BE A MOST SERIOUS MATTER WHICH SHOULD BE GONE INTO THOROUGHLY.~~

5. YOU SHOULD INFORM REBER THAT WE HAVE NOT YET HAD OPPORTUNITY DISCUSS OUR PROPOSED SUBSTITUTE DRAFT WITH STATE BUT WILL DO MONDAY AND ADVISE. HOWEVER REBER SHOULD KNOW THAT □ □ AND □ □ HAVE REVIEWED THIS MATTER PERSONALLY AND GREATLY PREFER SUBSTITUTE DRAFT.

END OF MESSAGE

* MESSAGE CENTER COMMENT: TREATED AS RYBAT.

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