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*not sent*

17 October 1958

MEMORANDUM FOR: [ ] Executive Officer

SUBJECT: Former Waffen-SS General Karl Wolff

1. This memorandum is for information only.
2. Background. The former Waffen-SS General Karl Wolff helped arrange the surrender of German and Fascist forces in North Italy through negotiations with the Director in 1945. The Director prepared an affidavit to this effect dated 21 May 1949. Charges that Wolff had committed war crimes punishable by the Allied War Crimes Commission were raised but eventually dropped; no proceedings against him were instituted by this tribunal. Further information on Wolff is available in files on him in the Director's office.
3. As described in a memorandum to you from EE Division dated 25 August 1958, Wolff has a daughter and son residing in the United States. They have invited him to visit them late this summer, which he desires to do. Before requesting a visa for the trip, however, he contacted an officer of this organization located in the American Embassy in Bonn on 20 May 1958 to seek assurance that his background would not result in an embarrassing rejection of his request. Our officer consulted the Bonn Embassy Consular Section, which advised that the visa would be granted if Wolff had not been convicted of war crimes. Our officer so advised Wolff. Wolff indicated he had not been convicted and requested a visa from the Duesseldorf Consulate on 22 May 1958.
4. The Duesseldorf Consulate referred the matter to State Department Headquarters. EE Division monitored the progress of the application through State channels. The question of possible commission of war crimes caused some delay. However, State informed its Duesseldorf Consulate on 9 September that Wolff was not ineligible for a visa and informed our organization on the same date that a visa would be granted.
5. On 19 September State informed our organization that the Duesseldorf Consulate had returned the case to State Department

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2

Headquarters for reconsideration, along with new information on Wolff recently received from the Local British Regional Intelligence Office. This information challenged the basis upon which State Department Headquarters had formulated its positive recommendations.

6. New Development. State Department Headquarters provided our organization on 15 October with the new information. This confirms that Wolff was not convicted of war crimes by an Allied war crimes tribunal. It adds, however, that he was tried on November 1948 by the Spruchgericht (a German staffed court) at Bergedorf for "war crimes" (specifically, for "criminal membership"). He was convicted and sentenced to five years imprisonment. The court took into consideration certain mitigating circumstances, including the role Wolff played in bringing about the surrender of Axis troops. Wolff appealed successfully and was retried, receiving a reduction in sentence to four years. Since his long interment was reckonable, the sentence amounted in effect to only a few additional weeks. The result, however, has been to bog Wolff's visa application down in State Department machinery.

7. The Spruchgerichte and Spruchkammern were post war tribunals established as part of the denazification process under Control Council Law No. 10 of 1945 entitled "Punishment of Persons Guilty of War Crimes, Crimes against Peace, and against Humanity" and a Military Government Ordinance (British) of 1946. Unlike the Allied War Crimes Commission, the Spruchgerichte were administered and staffed by German personnel, although their work was reviewable by Allied authorities. They often handled cases involving Nazi officials of lesser importance.

8. The Duesseldorf Consulate has raised the question whether Wolff's conviction does not constitute "conviction" of a crime involving moral turpitude, as defined in the 1952 Immigration and Nationality Act. If so, his visa request must be denied. Oddly, the Consulate does not consider the Spruchgericht a "regularly constituted court." Nevertheless, it concludes that a conviction by the Spruchgerichte and Spruchkammern constitutes conviction within the terms of the Act. The Legal Section of the Bonn Embassy and the Visa Office of the Frankfurt Consulate General concur in this opinion. The case will be referred to the Legal Advisor's office of State Department Headquarters. That office will presumably not act until it receives the court record of Wolff's case, which the Duesseldorf Consulate hopes to obtain.

9. New Biographic Information. The British information also notes that Wolff appeared to be an advertising agent for the "Duesseldorfer Nachrichten" in 1955 and that he has been active in right wing politics since his release from prison. In 1953 he was instrumental in an attempt to establish the Reichsreferat, an extreme right wing party, and offered himself as candidate for election to public office. In

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3

March 1956 he attempted, together with former SS Generals Gille and Steiner, to establish a working group on behalf of former members of the Waffen SS. The Duesseldorf Consulate recommends that the Department consider whether Wolff's continuing postwar interest in ideals and institutions associated with National Socialism does not bar the granting of a visa as constituting "entering the United States...to engage in activities...prejudicial to the public interest (Section 212 [a] [2] of the Act). The Consulate states its opinion, however, that Wolff's postwar activities do not bar the granting of a visa within the terms of this section.

10. It thus appears doubtful that Wolff will visit the United States this year.

JAMES H. CRITCHFIELD  
Chief  
Eastern European Division

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