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MEMORANDUM FOR: Deputy Director (Plans)

SUBJECT : Further Developments in the West German Police Investigation  
of the Paramilitary Adjunct of the League of German Youth

REFERENCE : Secret Memorandum to DD(P), Same Subject, dated 15 October 1952

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1. The German Mission reports the following developments in connection with the West German Police investigation of the League of German Youth (Bund Deutsche Jugend (BDJ):

Investigations

a. / As the result of a disagreement concerning protocol during the October Investigating Commission session of the German-American Investigating Commission ~~in Hesse investigating illegal and subversive activities~~, it was suggested by Hesse Minister-President August Zinn to suspend the investigation pending the conclusion of the Federal inquiry, on the basis of great difficulty <sup>in</sup> examining witnesses in Federal custody in Karlsruhe, and impossibility in obtaining objective testimony without Commission power to arrest witnesses and keep them from comparing ~~xxx~~ stories. At High Commissioner Donnelly's insistence, however, the Commission will meet to consider corrections in protocols and recall past witnesses if agreement in their testimony ~~xxx~~ cannot be reached. ~~Through~~ <sup>Donnelly</sup> considers this is the end of the investigation, and believes that Zinn will never seek its revival. Zinn admitted that no "liquidation" list had been found - that press exaggerations must have distorted his statements. Up to this time Zinn had been agreeable to the U.S. proposed terms for the committee with one exception: he demanded that  (Field case officer for the BDJ Apparat) appear before the joint committee. Donnelly ~~xxx~~ insisted that the German Mission produce  but was told by General Truscott on 19 October, and by General Smith on 22 October, that they would not agree to any American officer appearing as a witness.

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his own personal political ambitions. ~~Zinn~~, in the opinion of General Gruscott, has also been severely ~~criticized~~ <sup>reprimanded</sup> by Erich Ollenhauer, <sup>FEDERAL CHAIRMAN</sup> of the SPD. <sup>on 23 Oct</sup> ~~with~~ <sup>ASST. HIGH COMMISSIONER</sup> Debevoise and <sup>(ASST CHIEF OF THE GERMAN MISSION)</sup> Zinn appeared friendly, subdued, and almost apologetic; he made no request for <sup>the</sup> ~~his~~ appearance, and suggested <sup>admitted that no "liquidation" list had been</sup> ~~that the~~ <sup>and</sup> ~~letter~~ be suppressed. ~~On 31 October he~~ <sup>suggested</sup>

that the German-American Investigation Committee be suspended. (see a.)

<sup>Federal Prosecutor.</sup>  
c. / ~~Max Guede, Federal~~ Public Prosecutor for the Federal High Court in Karlsruhe has been extremely cooperative with the German Mission and HICOG concerning the entire BDJ matter. He has made all evidence available to us; <sup>He has</sup> ~~and~~ told <sup>us</sup> ~~that~~ all the testimony he has taken points to the fact that an intelligence organization operated within the ~~apparatus~~ <sup>apparatus</sup> for the purpose of preparing action to protect itself on X-day. He suggested that on the basis of evidence now in his hands he could make a ruling of "lack of evidence to justify any conclusion or indictment," and, if agreeable, he would officially ~~submit~~ submit a question on this matter to HICOG. If we replied that within the Apparatus concept and for internal ~~security~~ security reasons, and small intelligence and CI/CE section were necessary, he could and would make a ruling declaring that the activities were legal, ~~no prosecution was justified~~, and the case should be closed. On 30 October Guede stated officially to a HICOG legal representative that the examination of the documents in his possession did not indicate basis for any prosecution, and that the "lists" confiscated disclosed no purpose of "Liquidation", and contained no names of any SPD leaders. He <sup>is</sup> ~~is~~ concerned about the ~~function of the~~ Joint Commission ~~investigation~~, and <sup>feels</sup> ~~feels~~ that it <sup>is</sup> ~~is~~ an extra-legal body; that his office has the only legal right to investigate. He feels that any conclusion reached by the Commission would ~~be~~ differ from his own ruling, and not <sup>be</sup> based upon law, ~~but~~ rather on political motives. The U.S. position is that we will not urge raising the investigation to federal level, but if the Germans agree on this move, we will go along willingly.

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d. SPD. As the result of ~~an~~ <sup>both</sup> investigations made at the Home Office, and in the German Mission, ~~was published on 21 October that~~ <sup>it is believed that</sup> there is a strong possibility that the present BDJ situation is the result of an organized SPD effort to embarrass US agencies in Germany. There is also a possibility that the evidence concerning the "liquidation" SPD/list may be fabricated with Rademacher as a possible SPD penetration of the Apparat. During the 23 October Bundestag debate on the BDJ, the SPD was completely unable to substantiate its ~~sensational~~ <sup>more</sup> charge that SPD leaders were to be liquidated in case of a Russian invasion. ~~It was clearly~~ <sup>It was clearly</sup> ~~apparent that the SPD was trying to sensationalize the whole affair.~~ In fact, on 31 October, Zinn denied saying that such a "liquidation" list ever existed. It was clearly apparent that the SPD was trying to sensationalize the whole affair. On 29 October Debevoise and ~~C~~ <sup>D</sup> had a pleasant and constructive meeting with Erich Ollenhauer, SPD Federal Chairman, and Fritz Heine, SPD press chief. Both Ollenhauer and Heine welcomed Debevoise's statement that the US had decided to withdraw all support of the BDJ. In reply to Ollenhauer's questions on the future of US cold war activities in Germany, ~~C~~ <sup>D</sup> assured Ollenhauer that our only target is the Communists, and that we plan to work through legitimate German organs and coordinate with Federal Republic authorities. He also stated that we do not intend to interfere in internal German political affairs, and recommended discussions on current projects in the process of liquidation, in order to ensure against a repetition of the Zinn-style public denunciations. Ollenhauer reacted favorably to this ~~plan~~ plan and had only two comments: ~~He said~~ that Americans should support only those organizations with "have their roots in Germany", and that the various US-supported organizations (such as political parties) should be permitted to fight Communism each in its own way.

e. West German government. Throughout the 23 October Bundestag debate of the BDJ affair the ~~XXXXX~~ West German government and coalition were completely objective, and warned against premature conclusions and exaggerations. However, they

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condemned the establishment of secret organizations in the Federal Republic with American aid without the knowledge of the Federal Government. It was unanimously agreed (except by the KPD) that HICOG was not involved with the matter. Chancellor Adenauer made <sup>a</sup> ~~the~~ statement (drafted by Sam Reber, Deputy High Commissioner, and

[ ]: ~~The American High Commissioner has information that the American authorities had given their support to the particular organization solely for defense and security purposes; he also stated that the American authorities had no knowledge of the political activities of the resistance group, which would never have been condoned; he likewise stated that the US authorities had previously withdrawn their support of this organization; and that he (Adenauer) would receive information about any future activities.~~

~~general question of US activities and I have received satisfactory assurance cooperation and receipt of information in the future.~~ The German Mission will inform Dr. Otto Lenz, State Secretary for Internal Affairs, that we will gradually withdraw our financial support possibly over a three-month period, and after cessation of our support we will accept no further responsibilities vis-a-vis this organization. The Chancellor and Federal Republic Security Services have been informed of the existence of our caches, and have expressed no desire that we should remove them.

f. State Department. On 17 October The State Dept. advised Donnelly that the Federal Government should take the line that the BDJ matter emphasized the need for approval of the contractual agreements; that after the ratification ~~of~~ ~~the~~ ~~contractual~~ ~~agreements~~ the occupation powers will neither wish to, nor have the power to undertake such clandestine programs. On 21 Oct., Donnelly gave a detailed story concerning the Apparat to an AP representative, as [ ] had requested him to do at the outset of the BDJ affair. Donnelly told Adenauer On 23 October that the US would withdraw support of the BDJ, (Adenauer replied "I am not interested in the BDJ"), and approved the statement for Adenauer to make in the 23 Oct. Bundestag ~~delegate~~. Donnelly also showed him a draft of a letter containing the terms of

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reference for the joint investigating committee, and agreed not to send it to Zinn until after the Bundestag debate. On 31 October, Donnelly requested to General Truscott, that CIA begin the phaseout of the BDJ at once.

g. McCloy statement. On 17 October, John J. McCloy, ex-High Commissioner for Germany, in-formed the State Dept. (Riddleberger) that Kurt Schumacher, ex-SPD head, had approached him personally months ago, charging that the BDJ was working against the SPD. McCloy claimed that this was not so, but if there were anything to Schumacher's charges, he promised to take appropriate action re any US connection with the BDJ. McCloy subsequently talked to General Truscott and impressed upon him the importance of avoiding any interference with internal German politics. He later told Schumacher what he had done. McCloy offered, on 17 October, to make any statement necessary to help the present situation. On 24 October, because of comments in the German press implicating McCloy and his assistants in the affair, McCloy decided to make a statement to the German press representative, and send a cable to Ollenhauer: that neither he nor his staff were aware, or would have tolerated, such activities by the BDJ; and that the list ("Liquidation" list) was actually the names of outstanding democratic Germans of all parties and professions whom we would have offered to transport out of Germany or otherwise give protection to in case of Communist aggression. The statement was well received by ~~the~~ Ollenhauer, who stated that it would have been better if the list had never been revealed. Donnelly in a cable to the State Department, complained ~~about~~ about the fact that the list was mentioned by McCloy at all; that it was a) Top Secret, b) tripartite, c) will cause considerable speculation & inquiries among the Germans for information on the list, and d) it provides the Communists with new focus for propaganda.

h. DEFENCE and security. Uncontaminated projects will be removed as soon as possible, and established in a new location. A detailed reassessment of all German operations is now being made, and the results will determine the disposition of personnel, new locations, and new cover.

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