

OFFICE OF U. S. CHIEF COUNSEL  
FOR THE PROSECUTION OF AXIS CRIMINALITY

INTERROGATION DIVISION SUMMARY

Interrogation of FRICK, Wilhelm  
By: Mr. Sackett, 13 October 1945, a.m. and p.m., Nuremberg

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PERSONS AND ORGANIZATIONS IMPLICATED, AND SUBJECTS  
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1. FRICK, Wilhelm
  - a. Law for the defense of the Reich (A-10, A-23)
  - b. Reich Defense Council
    - (1) Supreme Executive Body of the Reich in matters, relating to preparation for war (A-23, B-9-10)
    - (2) Memberships (B-9, A-24)
    - (3) Relation to Ministerial Council for the Defense of the Reich (B-9-10, B-14-15)
    - (4) Relation to Plenipotentiary for Administration and Plenipotentiary for Economy (B-12, B-14-15)
  - c. Ministerial Council for the Defense of the Reich
    - (1) His creation (B-13)
    - (2) Since 1939 highest executive body (B-15)
    - (3) Membership of the Council (B-15, B-17)
    - (4) Power to issue laws and decrees and procedure of making such laws and decrees (B-16-17-18-19)
    - (5) Relation to Three Man College (B-5)
    - (6) Relation to Reich Defense Council (B-9-10)
  - d. Plenipotentiary for Administration
    - (1) Frick's appointment to his post (B-10, B-11, B-28)
    - (2) Planning and preparation for war (B-4-8-11)
    - (3) Frick controlled - as Plenipotentiary for Administration - the Ministries of Justice and Education in matters which related to preparation for war (A-32-33, A-30-31)
    - (4) Procedure for law making (A-30-31, B-2-4-5)
  - e. Plenipotentiary for Economics
    - (1) Supervision of work of ministries concerned with economy (B-8-11, A-29)
    - (2) Plans and preparation for war (B-8, B-11, A-29)
    - (3) Issue of Law for food rationing in Reich (B-5)
    - (4) Supervision by Goering as head of Four Year Plan (A-32)
    - (5) Subordinated ministries: Ministry of Labor, Ministry of Economics, Ministry of Food and Ministry of Munitions (A-34-35)
  - f. Ministries in relation to the Plenipotentiary for Administration and Plenipotentiary for Economy
    - (1) Independent were the Ministers of Propaganda, Transport and Mail (A-30)
    - (2) Partly subject to supervision of Plenipotentiary of

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- (2) Partly subject to supervision of Plenipotentiary of Economy was the Minister of Finance (A-30)
- g. Three Man College
  - (1) Members were the two Plenipotentiaries and the OKW (B-4-5)
  - (2) All laws and decrees of the Plenipotentiaries had to be enacted with agreement and approval of the OKW (B-45)
  - (3) Relationship to the office of the Four Year Plan (B-6)
  - (4) Main activities of Three Man College were: Planning and preparations of laws (B-6-7)
  - (5) The Three Man College was not empowered by Reichstag to enact laws, but they were derived from the Reichs Defense Law of 1935 (B-8)
- h. The Secret Cabinet Council
  - (1) Members: A number of ministries, including Ministries of Propaganda, Defense and Foreign Minister (B-12-13)
  - (2) No practical functions solely organized for the purpose of creating a post for von Neurath (B-12).
- 2. STUCKART
  - a. His part in framing the law for defense of the Reich (A-24)
  - b. Witness for activities of Frick, as Plenipotentiary for Administration (B-20)
- 3. HITLER
  - a. President of Reichs Defense Council (B-9, B-14)
  - b. Hitler appointed the members of Ministerial Council for Defense of the Reich (B-9, B-13-14)
  - c. Supervision and direction of Ministerial Council for the Defense of the Reich (B-15)
  - d. His approval of laws of the Ministerial Council for the Defense of the Reich (B-19-20)
  - e. He signed laws on behalf of cabinet ministers after 1938 (B-20-21)
  - f. He supervised Plenipotentiary for Administration (A-32)
- 4. GOERING
  - a. Presiding officer of Ministerial Council for Defense of the Reich
  - b. He signed laws and decrees of the Ministerial Council for Defense of the Reich (B-18)
  - c. As head of the Four Year Plan he supervised Plenipotentiary for Economy (A-32)
- 5. HIMMLER
  - a. Plenipotentiary for Administration after August, 1943. (instead of Frick) (B-20)

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6. FUNK
  - a. Member of Ministerial Council for Defense of the Reich (B-15)
  - b. Plenipotentiary for Economy (B-15)
7. SCHACHT
  - a. Member of Ministerial Council for Defense of the Reich (B-15)
8. HESS
  - a. Member of Ministerial Council for Defense of the Reich (B-17)
9. LAMMERS
  - a. His position in Ministerial Council for Defense of the Reich (B-17-20)
  - b. His role in lawmaking after 1938 (B-20-21)
10. VON NEURATH
  - a. Member of the Secret Cabinet (B-12)

An analysis and summary of the interrogation follows. Transcript references designated "A" refer to the transcription of the morning session; and transcript references designated "B" refer to the transcription of the afternoon session.

Law for the Defense of the Reich:

Law for the Defense of the Reich: On or about 21 May 1935, there was passed the law for the Defense of the Reich. This was a secret law (A-10) in the sense that it was not published, (A-23). According to Frick's recollection, the law remained in this so-called unpublished state until 1939 (A-29). Frick stated that in point of fact the secret law did not become a law until it was published (A-23).

Frick stated that he believed that Stuckart assisted in framing this law (A-24).

The law for the Defense of the Reich provided for the so-called Reich Defense Council discussed hereinafter (A-23).

Reich Defense Council: The Reich Defense Council was provided for by the law for the Defense of the Reich (A-23). Until the creation of the Ministerial Council for the Defense of the Reich (discussed hereinafter), the Reich Defense Council was the supreme executive administrative body of the Reich in matters relating to planning and preparation for warfare.



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Subject only to the supervision and direction of Hitler (B-9), who was the President of this body (B-14), the Reich Defense Council consisted of approximately forty persons (B-9), including all Cabinet Ministers, representatives of the Wehrmacht, and the Ministry of Interior in its capacity as Ministry of Defense and also the Ministry of Economy (A-24).

The purpose of the Reich Defense Council was to make plans and preparations for war and war time decrees (B-9), although such decrees were not published until the organization and activation of the Ministerial Council for Defense of the Reich (B-9-10).

The Reich Defense Council, to the best of Frick's recollection never held any meetings (A-24-27, B-9). The Reich Defense Council was too large and unwieldy for practical operation and consequently most of the war time planning was in fact done by the Plenipotentiary for Administration and the Plenipotentiary for Economy, as discussed hereinafter (B-12).

Because of the fact that the Reich Defense Council was such a large body and consequently unwieldy, the so called Ministerial Council for the Defense of the Reich was formed and it was this organization, with the Plenipotentiaries, which carried on most of the preparations for war (B-14-15).

Ministerial Council for the Defense of the Reich: The Ministerial Council for the Defense of the Reich was created on or about 3 August 1939 (B-13). This organization was "nominated" by the Reich Defense Council and the nominees were therefore "appointed" by Hitler, who was President of the Reich Defense Council (B-13-14, B-9).

The Ministerial Council for the Defense of the Reich, upon its establishment, became the highest executive body in existence, subject only to supervision and direction from Hitler (B-15). The only exception to this was that it had no jurisdiction in matters that were purely military (B-15).

At an early point of his interrogation, Frick stated that the Ministerial Council for the Defense of the Reich consisted of three persons (A-24). Later, however, he declared that it included the following: Goering as presiding officer; Frick (later Himmler) as Plenipotentiary for Administration; Funk as Plenipotentiary for Economy; a representative of the OKW; and possibly Schacht (B-15). At a later point in the testimony Frick declared that Hess also was a member of the Council, acting as the Party representative (B-17).

According to Frick, the Ministerial Council never held any meetings. All acts of the Council were performed by means of memoranda circulated to the various members (B-16).

The Ministerial Council had the power to issue decrees and laws (B-16); and also to make use of the power of the Reichstag (B-16). The Council had the power to issue laws and decrees and to make use of the power of the Reichstag (B-16). The Council had the power to issue laws and decrees and to make use of the power of the Reichstag (B-16).

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The Ministerial Council had the power to issue directives having the effect of law (B-16); and as a matter of fact, the Council issued many decree laws, in the fall of 1939, which laws were based upon plans which had previously been prepared by the Reich Defense Council (B-9-10) and the Plenipotentiaries (B-16-17). Some of the laws and decrees enacted by the Council were prepared and submitted for enactment by the so called Three Man College (B-5).

According to Frick, no laws or decrees were actually prepared by the Ministerial Council. Instead prospective laws and decrees were prepared in the office of the particular Ministry, and were then submitted for approval to the Plenipotentiary for Administration or to the Plenipotentiary for Economy. After approval, the Plenipotentiary would transmit it to Lammers, who was the secretary and business manager of the Ministerial Council. To the best of Frick's recollection, no member of the Council ever objected to a draft submitted to the Council by either of the Plenipotentiaries. The Ministerial Council upon receipt of drafts from the Plenipotentiaries and in the absence of objection, enacted or passed the bill and it thereby became a decree or law (B-17-18).

Laws or decrees enacted by the Ministerial Council were signed only by Goering and by the Plenipotentiaries (B-18).

Frick stated that the enactments of the Ministerial Council were actually called "directives" although he declared that such enactments had the effects of laws or decrees (B-19).

The directives of the Ministerial Council generally were submitted to Hitler for his approval; but it was the function of Lammers, who was secretary of the Council, to preserve a liaison between the Council and the Chancellory so that nothing would be done which might be contrary to Hitler's wishes (B-19-20).

Frick stated that at an early date, possibly as early as 1938, Hitler began the practise of signing laws and decrees "on behalf of" the various cabinet ministers, on the theory that he and Lammers were representative and had authority to sign for the various members of the cabinet. The result of this practise was by Hitler (B-20-21). Frick stated however, that to the best of his recollection the Ministerial Council retained the function of issuing directives until a late date (B-21).



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Plenipotentiary for Administration: The post of Plenipotentiary for Administration was created at or about the time of the passage of the law for the Defense of the Reich. Frick was appointed to this post at the time of its creation in 1939. At one point in his testimony he stated that he was appointed by the Reich Defense Council (B-10). Subsequently however, he stated that he was appointed by Hitler (B-11,28). The fact is that he was probably (like the Ministerial Council) "nominated" by the Reich Council for Defense and "appointed" by Hitler.

The Plenipotentiary for Administration was entitled to promulgate decree laws but never did so (B-5). The bulk of the work of this Plenipotentiary was planning and preparation for war (B-4,8,11).

The functions and powers of the Plenipotentiary for Administration consisted of coordinating and supervising certain of the cabinet posts. The Minister of Justice and the Minister of Education were among the cabinet officers which were subject to such control by the Plenipotentiary for Administration (A-32-33). This supervision, however, extended only to matters which related to preparation for war (A-32). Under this organization laws relating to preparation for war would be drafted in the particular Ministry involved and would then be submitted to the Plenipotentiary and if approved by the latter, it would then be presented to the Ministerial Council for the Defense of the Reich (A-30-31). Prior to the establishment of the Ministerial Council for the Defense of the Reich (August 1939), drafts of laws and decrees were submitted to the Plenipotentiary by the various Ministries and if approved by the Plenipotentiary were retained for subsequent passage and putting into effect. The Plenipotentiaries had power to enact decrees during this period but the Plenipotentiary for Administration never did so (B-4-5). Generally all laws and decrees originated with the various Ministries rather than with either of the Plenipotentiaries (B-2).

Frick was Plenipotentiary for Administration until August 1943. At that time Himmler became Minister of the Interior and at the same time Plenipotentiary for Administration (B-20).

Frick stated that Stuckart should be familiar with what he (Frick) did in his capacity as Plenipotentiary for Administration.

Plenipotentiary for Economy: The post of Plenipotentiary for Economy was similar to that of Plenipotentiary for Administration except that it supervised and coordinated the work of Ministries which were concerned with economy, rather than administration. The authority for the two Plenipotentiaries arose from the same law, the posts were created at the same time, and the functions were the same, i.e., to plan and prepare for war (B-8,11 and A-29).

The Plenipotentiary for Economy issued at least one decree law, establishing a food rationing system in the Reich (B-5).

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There was one distinction between the powers and functions of the two Plenipotentiaries. The Plenipotentiary for Administration, as indicated above, acted without supervision other than that from Hitler and the Chancellery. The Plenipotentiary for Economy, however, acted under the supervision and direction of the Four Year Plan, and everything done by the Plenipotentiary for Economy had to be done with the approval and agreement of Goering, as head of the Four Year Plan (A-32).

Under the Plenipotentiary for Economy were the following: Ministry of Labor; Ministry of Economy; Ministry of Food, and, to a certain extent, Ministry of Munitions (A-34-35).

Ministeries independent of either the Plenipotentiary for Administration or the Plenipotentiary for Economy: There were certain Ministeries which were independent of either of the Plenipotentiaries. The Ministry of Finance was only partly subject to the supervision of the Plenipotentiary for Economy. The Ministry of Propaganda was entirely excepted from the supervision of Plenipotentiary for Administration and Plenipotentiary for Economy as were the Ministry of Transport and Ministry of Mail (A-30).

Three Man College: As indicated above, the Plenipotentiary for Administration and the Plenipotentiary for Economy had the right to enact laws and decrees. However, this power was subject to the provision that such laws and decrees would have to be enacted with the agreement and approval of the OKW. This body (i.e., the two Plenipotentiaries and the OKW) came to be known as the "Three Man College" (B-4-5).

The office of the Four Year Plan always had a certain degree of influence in connection with the acts of the Three Man College due to the fact that the office of the Four Year Plan supervised and directed to a certain extent the activities of the Plenipotentiary for Economy (B-6)

Most of the activities of the Three Man College consisted of planning and preparation rather than the actual enactment of laws and decrees. Upon the establishment of the Ministerial Council for the Defense of the Reich, many of the drafts of laws and decrees which had been prepared by the Three Man College were put into effect (B-6-7).

The Three Man College was never empowered by the Reichstag to enact laws or decrees (B-8). However, the decrees of the Three Man College were derived from the Reich Defense law of 1935 (B-8).

The Secret Cabinet Council: The Secret Cabinet Council was established in 1938 and consisted of a number of Ministries, including the Ministry of Propoganda, the Ministry of Defense and the Foreign Ministry (B-12-13). This Council was organized solely for the purpose of creating a post for von Neurath, who had been removed and replaced as Foreign Minister, and von Neurath was given the post of presiding officer of the Secret Council (B-12). Actually this Secret Council performed no practical function whatsoever (B-12).



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This memorandum consists of a summary of the testimony of Frick taken by Mr. Sackett in the course of two sessions, the first held during the morning of 13 October 1945, and the second held during the afternoon of the same day.

The testimony of Frick during these two interrogations relate to various measures and administrative bodies created for the purpose of planning and carrying on preparations for war in the Reich. In the course of the interrogations, Mr. Sackett was able to clear up certain problems in connection with the organization and functions of the following administrative offices and bodies: the Reich Defense Council (sometimes referred to as the Reich Council for Defense); the Ministerial Council for Defense of the Reich; the Three Man College; the Secret Council; the Four Year Plan; the Plenipotentiary for Administration; and the Plenipotentiary for Economy.

On the basis of documentary and other evidence which has been examined subsequent to the interrogations summarized above, it appears that many of the statements made by Frick are inaccurate or inconsistent. Consequently, it is intended that further interrogations of Frick and others should be conducted with a view toward correcting such inaccuracies. Further, a careful examination of all documentary evidence should be made, in the light of Frick's interrogations, with a view to explaining and further defining the information given by Frick.