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OFFICE OF U. S. CHIEF OF COUNSEL
APO 403, U.S. ARMY

13 September 1945

MEMORANDUM FOR MR. JUSTICE JACKSON.

Subject: Disposition of London Evidence Collection
and Analysis Branch.

1. On Friday, 7 September 1945, Lt. Colonel Wheeler, Major Wallis and Mrs. Brown left London for Nuremberg as an advance party to prepare for the move of the remainder of the London Evidence Collection and Analysis Section. The latter left for Nuremberg on Monday, 10 September. Both groups arrived without incident on the same day that they left. The evidence files and indices were brought along. The reference files will follow with the remaining London staff.

2. Colonel Wheeler and Major Wallis immediately conferred with Colonel Storey, Mr. Albrecht and others in regard to the Documentation Division evidence file and to the preparation of staff evidence analyses. It was found that, because of the great volume of incoming documents and the inability to obtain adequate personnel, the indexing of documents was inadequate and has become impracticable with the limited personnel available. Accordingly, the index card system set up in London has been abandoned and replaced by sets of staff analysis sheets, collected and bound together under each subject index heading, and also under the name of each major individual concerned. Duplicating documents in the London and Nuremberg files will be appropriately consolidated or correlated.

3. The Nuremberg and London procedures with respect to the preparation of staff evidence analyses differ substantially. Documents received in Nuremberg from document centers and other sources in the original German are screened by a number of German-speaking attorneys, who select documents which appear to be of value to the case. They prepare staff evidence analyses from the original documents, or copies thereof, under the same subject index headings and on the same forms as have been in use in London. Under this arrangement it is not necessary to have any further staff evidence analyses prepared after translations have been made. Furthermore, the screening and translating staffs at Nuremberg are heavily loaded. The photostat equipment has not yet been placed in operation (orders have been issued calling for installation of complete

facilities by Monday, 17 September). Accordingly, it was found not necessary or practicable to assign the London Evidence Collection and Analysis Section staff to the preparation of staff evidence analyses of Nuremberg documents.

4. The evidence files brought from London included a considerable number of documents received within a few days prior to the move, for which there had not been time to make staff evidence analyses. It was agreed that the preparation of analyses of these documents, together with the work of combining the document files of the London and Nuremberg offices, should have priority with respect to the sources of Colonel Wheeler's group. In order to save manpower at Nuremberg, Colonel Wheeler arranged by telephone with Commander Bracken in London for the latter to assume the responsibility for preparation of staff evidence analyses on Navy documents being processed there, and also arranged, through Commander Bracken, for Lieutenant Rothschild to assume responsibility for the preparation of staff evidence analyses of documents received from United States and joint sources in London, other than the Navy and Admiralty.

5. Lieutenant Barrett has been designated as the officer in charge of the Central Documents Files in Nuremberg. Lieut. Miller and Mr. Guthrie will assist him. It is contemplated that the integration of the two sets of evidence files, the indexing of the Nuremberg files, and the setting up of combined procedure will require approximately one week from 11 September; that an enlisted man will be secured to assist in the handling and recording of documents in and out; and that Lieutenant Miller will shortly be available for another assignment.

6. Mr. Albrecht, who has been in charge of the various evidence projects at Nuremberg, has been overburdened, not only with the supervision of these projects, but also with his other special duties as "trouble shooter". It was, accordingly, agreed that Major Wallis should be assigned to assist Mr. Albrecht and to share his office.

7. Colonel Storey has been carrying an increasingly heavy load and needs assistance. It is imperative that, especially during periods of his absence or absorption on particular projects, he have a deputy who can become familiar with all of his duties. Accordingly, it has been arranged that Colonel Wheeler will act as Deputy for Colonel Storey, and will share his office with him.

8. In conferences with representatives of the Interrogation Division, it was found that mutual benefit would accrue from more extensive use by that Division of the material available in the Documentation Division, particularly the indices and the collections of analyses sheets under individual subject headings and major individuals, and, conversely, from use by the Documentation Division of interrogation reports, affidavits, summaries, and other material available in the Documentation Division. Suitable arrangements to effect this objective are now under consideration by both Divisions. Lieutenant Atherton has been designated to read this material as it is received and to prepare appropriate memoranda for making it of maximum value to the Documentation Division. In particular, it is anticipated that he will extract from this material admissions by the interrogated defendants and others which identify and authenticate documents, and also those which question or deny the identity or probative value of such documents, and that he will prepare appropriate notes or memoranda thereon, which will be placed in the appropriate evidence files. It is likely that other benefits will accrue from this arrangement. For example, this will be a channel through which relevant documents and background material can be supplied to interrogators for use on their interrogations so far as the policy determined upon may permit; missing links in proof can be supplied; integration of documentary and other proof can be effected; and the over-all status of the evidence on a particular issue can be more readily determined and made available for presentation of trial briefs and use at the trial. Additional personnel will probably be necessary for this work.

9. It was found that there was urgent need for further personnel to evaluate and correlate proof on the various issues assigned to the four International Committees. Accordingly, it was agreed that the most effective use for the remaining members of the staff of the London Evidence Collection and Analysis Section would be, after completion of the analyses of the backlog of the London documents, to supply further assistance on the various evidence projects. Accordingly, provisional assignments have been made as follows:

Miss Fite, in addition to her duties as State Department liaison, to work with Mr. Andrews on Crimes against the Peace (Committee 1), and Conspiracy to Start an Aggressive War (Subcommittee I of Committee 4); and Lt. Harris to work with Lt. Col. Seay on Subcommittee III of Committee 4, on the Criminality of Organizations, particularly the S.D. and Gestapo, on which Lt. Harris has previously concentrated.

10. Parenthetically, it was agreed that Lt. Col. Street could for the time being carry out his mission as representative of Committees 2 and 3 by working with Colonel Hollers in the field assigned to that Committee. Because of the latter's indisposition, Colonel Street has gone to Wiesbaden to inspect the J.A.G. Document Center there and to make further arrangements for channeling valuable material promptly to Nuremberg.

11. When the remainder of the London staff moves to Nuremberg, it will obviously be necessary to integrate the personnel of the Documentation Division who are working on "projects" with the American personnel of the four International Committees. The Project Officers have been examining, analyzing, and correlating the documents collected on their respective issues; outlining the proof necessary on those issues; evaluating the documents as to their sufficiency to prove those issues and recommending additional lines on which further evidence will be required. As indicated above in paragraph 8, it is contemplated that the Project Officers, through the Projects Branch, will correlate the evidence in the files of the Documentation Division with the interrogations and other evidentiary material in the hands of the Interrogation Division. All these functions are, of course, similar to or identical with those of the London staff of the four Committees. Accordingly, the Project Officers and Committee staff should be merged. To facilitate this merger, the projects at Nuremberg have been assigned in accordance with the responsibilities of the London Committees so far as known.

12. The two attached charts, dated 13 September 1945, are designed to show (a) the organization of the Documentation Division, including the groups corresponding with the four Committees; and (b) the interrelation between the London staff, exclusive of the London Evidence Collection and Analysis Section and Lt. Col. Street, the Executive, and the Documentation and Interrogation Divisions, respectively.

13. In setting up these projects, difficulty has been experienced with respect to the definition of the functions of Committee 4 and its subcommittees as contrasted with those of Committees 1, 2, and 3. If it is expected that the major burden of proving the conspiracy in all its phases and the responsibility of the various organizations therefor will be upon Committees 1, 2, and 3, and that the responsibility of Committee 4 will be primarily one of summarization and presentation, the bulk of the personnel would naturally have to be assigned to Committees 1, 2 and 3. If on the other hand the function of Committees 1, 2 and 3 is to be primarily to assemble the evidence on what was done, and only incidentally the evidence on who did it; and if the function of Committee 4 is to assemble the evidence as to the common plan or conspiracy to do the acts, and responsibility of the various organizations for those acts, then naturally the bulk of

personnel should be assigned to work on Committee 4 fields. The division of responsibility between the American Committees may be controlled by different considerations from those governing the division between the four Powers. It may be more efficient to assign to the International Committees 1, 2 and 3 not only the preparation of the case with respect to the acts which took place, but also the evidence as to what individuals and what organizations were responsible for these acts. Such a division would, of course, tend to channel into the British, Russian and French groups a larger proportion of the case, both in preparation and in ultimate presentation to the Court. Pending decision on these questions of policy, the assignments of Project Officers at Nuremberg have been made on the basis that primary responsibility for the development of the case on the conspiracy to obtain domination of Germany and ultimately of the world, to start aggressive war, and to commit atrocities, is assigned to Committee 4.

14. Generally, in making the foregoing dispositions, the policy has been followed of integration and concentration of the various functions with corresponding centralization of control and supervision, rather than the creation of separate independent groups. The assignment of staffs to the various projects is designed to lend itself to ready amalgamation with the corresponding Committee staffs.

15. In line with these assignments, it is believed that some coordination and channeling of the product of the efforts of the various Project Officers, up to the American Committee representatives, is preferable to having the Project Officers work directly under the appropriate American Committee representative. The set-up of the Projects French is designed to effect this result. It is suggested that this coordination and channeling of the Project Officers be effected in the first instance through some such individual or group below the Committee level rather than superimposing an additional group above the Committees or leaving all such coordination to the Committee representatives themselves. The personnel shown in the attached charts are those presently assigned in Nuremberg; on the arrival of the remaining London staff, appropriate personnel from both staffs will, of course, have to be selected.

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