



DEPARTMENT OF STATE 7522645

Washington, D.C. 20520

November 14, 1975

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MEMORANDUM FOR THE ASSISTANT TO THE PRESIDENT  
FOR NATIONAL SECURITY AFFAIRS  
THE WHITE HOUSE

Subject: Army Special Operations Field Office in Berlin

Since assumption by the four wartime allies of supreme authority in Berlin, the US, UK and France have maintained sensitive surveillance capabilities in their respective sectors of the city in order to meet their obligations to assure the security and public order of the Western sectors. Such activities consist essentially of

[REDACTED] In the American sector, these responsibilities are carried out by the Army's Special Operations Field Office (SOFO).

The Department of the Army has now determined that such activities are no longer an appropriate function for Army personnel. Army and Defense officials have informed us that if another agency cannot be induced to take over these functions, the Army wishes to discontinue them altogether. The future of the Special Operations Field Office has been at issue between State and Army for almost a year, but we have been unable to agree on a basis for discussing continuation of its operations. We now understand that the Department of the Army is planning unilateral action to terminate Field Office activities by the end of this year.

As with most aspects of the Berlin occupation, this activity is legally authorized under the President's Constitutional authority as Commander in Chief, which has been delegated through a series of Executive Orders. The current one, E.O. 11652, like its predecessors, did not explicitly deal with or regulate surveillance activities. The Department of State agrees that developments of recent years have made necessary a reappraisal of the basis of authority and scope of activities of the SOFO. We believe

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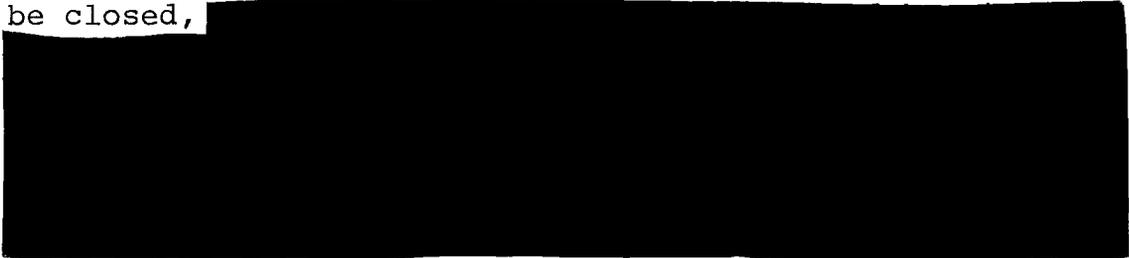
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that the Department of the Army should be provided a more explicit mandate for this activity than it has had, and should not be expected to retain sole responsibility for the activities of this office. We are ready to discuss means of assuring that its activities do not unfairly burden any single U.S. Government agency, and that they are reserved for clearly justified investigations.

However, given the importance of maintaining the capabilities of the SOFO in Berlin, the Department of State cannot agree that these activities can be terminated, especially through unilateral action by one of the agencies involved. If the Special Operations Field Office were to be closed,



Given the importance of this question to basic legal and political interests of the United States in Berlin, the Department of State requests that the future of the Special Operations Field Office be made a matter of formal National Security Council consideration. Pending inter-agency discussion and decision, the Department of State would be grateful if you could ensure that the Department of the Army takes no unilateral action adversely affecting this operation.

  
Robert S. Ingersoll  
Deputy Secretary