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W. J. C.  
FILING DEPT.

FINAL REPORT  
OF  
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TO US COMMANDS GERMANY AND AUSTRIA

HEIDELBERG, GERMANY

JANUARY 30, 1950

American Jewish  
Archives

142 Regular

Stack 13

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317930 - 318071

January 30, 1950

TO: American Jewish Committee  
American Joint Distribution Committee  
Jewish Agency for Palestine  
World Jewish Congress

In his final report of November 1, 1949 Mr. Greenstein gave you a resume of the developments in the US Zones of occupation during the period he served as Adviser on Jewish Affairs. His tour of duty ended on October 15, 1949. In this report I will indicate the developments between October 15 and December 31, 1949 (the date our office formally closed) and give you my estimate of the present situation in Germany and Austria.

I shall take up the matter in the following order:

I. Developments in Germany and Austria between October 15 and December 31, 1949.

- a. Resettlement
- b. Infiltration
- c. Removal of Pre-fabricated Houses
- d. Legislation Affecting DPs
- e. Restitution - Germany
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I. DEVELOPMENTS IN GERMANY AND AUSTRIA BETWEEN OCTOBER 15 AND DECEMBER 31, 1949.

a. Resettlement

The figures below indicate the resettlement of the Jewish DPs from

Germany and Austria between October 15 and December 31, 1949:

<u>Destination</u>	<u>Germany</u>	<u>Austria</u>	<u>Grand Total</u>
Israel	763	1038	1801
USA	5730	567	6297
Other countries	250	490	740
Total	<u>6743</u>	<u>2095</u>	<u>8838</u>

b. Infiltration from East European Countries

During the last quarter of 1949 there was still substantial infiltration from the countries within the Russian orbit. A total of 1980 reached the US sector of Vienna during this period. The following are the figures on infiltration from the eastern countries for the entire year 1949, as reflected in the registrations at the AJDC sponsored Rothschild Hospital in Vienna:

January	724
February	747
March	1,229
April	2,813
May	2,112
June	1,011
July	548
August	1,747
September	496
October	564
November	773
December	<u>644</u>
<u>TOTAL</u>	<u>13,008</u>

Approximately one-half of those who entered during the last three months came from Hungary and the remainder from Czechoslovakia, Roumania and Poland, with the preponderant number from Czechoslovakia. The invalidation of all Czechoslovakian passports on November 30, 1949, will more than likely result in even increased infiltration from that country. This is anticipated notwithstanding the fact that legal migration from Czechoslovakia to Israel is still possible.

The reasons the newcomers assign for breaking out of their countries are those which have previously been indicated in the reports of our office. To recapitulate, they are (1) the inability to adjust to Communism; (2) the desire to overcome the ban on legal migration to Israel, as in the case of Hungary; (3) the mistaken belief that regardless of their late date of arrival, they will be able to get to the United States under the DP Act, with relative ease; and (4) the feeling that inevitably the curtain will be rung down on them and they will find themselves permanently cut off from the rest of Jewry.

In Austria the infiltrees have to this date posed no special problem. The basic ration for the refugees in the Vienna installations (Rothschild, Artzberger and the AJDC Resettlement Home) is supplied by the Austrian Government. Those who, for sundry reasons, must go into the camps in the Zone, are maintained by the AJDC. As of December 31, 1949, the AJDC was providing full maintenance for only 100 of the newcomers.

It is estimated that approximately 500 of the infiltrees have entered the US Zone, Germany, and are dispersed among the camps in the Zone. Being ineligible for IRO care, they are dependent upon the camp generosity for their maintenance. Within the past few months their situation has deteriorated because the camp administrations no longer have the excess rations they had when the camps were larger and when the population was more fluid. As a result of this development these newcomers have been pressing for greater assistance from the AJDC.

#### c. Removal of Pre-fabricated Houses

On the eve of Mr. Greenstein's departure from Germany our office was informed of the decision reached by the High Commissioner's Legal Adviser, authorizing DPs leaving Germany in group movements to take with them pre-fabricated houses as their personal baggage. This interpretation of the regulations was urged by our office. Until the opinion was rendered it was generally

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believed that DPs could remove such property only pursuant to special license. Although no one to date has taken advantage of this ruling, we are informed that plans are taking shape for the removal of about 500 housing units to Israel, with funds secured from restitution.

d. Developments in Legislation Affecting DPs.

(1) Abolition of mass raids.

In view of the reduced number of Jewish DP camps in the US Zone, Germany, and the cessation of "business" ventures against which raids were generally directed, the problem of mass raids has become an academic issue. However, it is of interest to mention that on November 8, 1949, a EUCOM directive went into effect which abolished mass raids in DP camps and substituted normal procedure on search and arrest, as sanctioned by the Anglo-American legal tradition. This directive culminates 3½ years of intermittent discussions with the military authorities in which our office consistently maintained that mass raids are ineffective as a law enforcement technique and, to the extent that they are predicated on mass responsibility for unlawful conduct of one or several persons, are inconsistent with our concept of justice. The raids were used chiefly as a weapon against black market offenders who, presumably, used the DP camps as bases of operation. Experience has proven what our office repeatedly urged; namely, that not police measures but the availability of consumers goods on the legitimate market is the only antidote against the black market.

(2) Proposed grant of limited criminal jurisdiction over DPs to German courts

It will be recalled that in the Occupation Statute the occupation authorities reserved control over the military forces and over displaced persons. On November 18, 1949, the three High Commissioners adopted Allied High Commission Law 13, entitled "Judicial Powers in the Reserved Fields." The law provides, among other things, that except as expressly authorized by each

High Commissioner in his Zone, German courts will not exercise criminal jurisdiction over the occupation forces and over High Commissioner personnel.

On the strength of this law the US High Commissioner has proposed a law entitled "Judicial Powers in the Reserved Fields and Relief from Unlawful Restraint." If adopted, this law would extend the criminal jurisdiction of German courts in the US Zone to include allied nationals (exclusive of occupation forces and High Commissioner personnel) and over displaced persons, for offenses punishable by a maximum of 150 Deutschemarks or six weeks' confinement. The proposed measure carries the proviso that even in this limited jurisdictional sphere, the allied national or displaced person may, by filing a timely petition, remove his case to one of the US Districts Courts for Germany. There is every reason to believe that this regulation will, with minor modifications, ultimately be adopted.

Our office abstained from expressing our views on this issue for a number of reasons. One, we felt that we could not ask for more favorable treatment for displaced persons than the High Commissioner was prepared to extend to non-occupation allied nationals (US, French, and English nationals doing business or visiting the Zone); two, there has always been respectable opinion to the effect that Jewish DPs could fare as well in German courts as in the American tribunals; three, we did not regard the question as crucial since we thought the right of election was adequate to protect the DP who preferred to be judged by an American court; and four, we believed that it was important for the DPs who are still here to realize that if they remain in Germany they must inevitably lose their extraterritorial rights and be amenable to the local laws on parity with the general German population. Their present insularity tends to perpetuate among the Jewish DPs the belief that they will always be regarded as a special privileged class and, in this respect, has a bearing on their ultimate decision with respect to resettlement.

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e. Restitution - Germany

(1) Request for repeal of zonal laws.

It was inevitable that sooner or later the dormant hostility to the zonal restitution laws would come to the surface. The first serious sign of this hostility appeared on November 4, 1949, when the Freie Demokratische Partei introduced a resolution in the Bundestag (Parliament) requesting permission of the occupation authorities to substitute a Federal restitution law for the zonal laws and to hold all restitution cases in abeyance, pending the adoption of such a law.

In presenting the resolution the party spokesman urged that it was imperative to have uniformity throughout Western Germany in the field of restitution. Actually, uniformity has, in a large measure, already been achieved. The restitution laws in effect in the US Zone, in the British Zone and in the Western sectors of Berlin are virtually identical and the French authorities are reputed to be working on revisions of their zonal law to bring it in line with the others.

The resolution proved to be only a trial balloon and was not presented on the floor for debate. However, we felt that we could not ignore this maneuver; first, because to do so would encourage other parties to consolidate their strength in a drive to dilute the restitution laws (which is the real motive for the requested change); and, second, it was represented to us that the expectations on the part of potential restitutors that a watered-down law might pass was having a dampening effect on the amicable settlement of restitution claims.

I presented the matter to Mr. McCloy who readily agreed that the situation called for a declaration of policy on his part. On December 19 he announced through the press that no material changes in the restitution law were contemplated.

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(2) Administrative changes in restitution.

To replace the Board of Review which had been established as the court of last resort under the restitution law, and which was recently abolished, a restitution panel has been set up in the US Zone. The panel consists of one member of the present United States Court of Appeals for Germany and one former member of the Board of Review. I am reliably informed that the general attitudes of these men towards the problem of restitution are very healthy.

In line with his determination to prevent the restitution law from bogging down because of delays in litigation, Mr. McCloy appointed in December a court expediter as a member of his legal staff, whose sole function it will be to follow the progress of restitution cases through the courts and to make recommendations to speed up their final disposition.

f. Restitution - Austria

(1) Proposed amendment of the Third Restitution Law

In Austria the restitution picture has worsened. There had been mounting opposition to Austria's basic restitution law (the Third) and it was a foregone conclusion that a victory for the extreme right wing in the October elections would be followed by parliamentary action to weaken the law in favor of the present holders of Aryanized property. The victorious neo-Nazi Independent party apparently considered it politically inexpedient to take the initiative in this field. However, the right wing "boys" of the Volkspartei lost no time to propose a number of amendments which strike at the very roots of the Austrian restitution law.

In essence, the law as it stands today provides for the return of property transferred by a persecutee during the period of the Anschluss, except in those cases where the Aryanizer can affirmatively show that the transaction would have taken place in the absence of National Socialism. The proposed amendments would replace the legal presumption of confiscation by the

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rule that restitution is mandatory only in cases where the price was inadequate or where the seller was not free to select his purchaser; would require the return of the purchase price irrespective of the seller's power of disposition over the proceeds of the sale; would dispense with the provision that one of the assessors in the Restitution Chambers must be a member of a persecutee class; and would permit the review of all adjudicated cases in the light of the law as amended. Experts who work in the field of restitution in Austria maintain that the adoption of these amendments would be tantamount to a repeal of the Third Restitution Law.

In the meantime the Austrian press has thrown its full weight behind the proposed amendments. The effect of the mere introduction of the measure has already been felt by those who have reacquired their property. They complain that they find it difficult to resell it because of the existing threat that title of the property may, if the amendments are adopted, revert to the former owners.

In connection with this subject it should be noted that if the Austrian parliament passes these amendments they will become law unless the occupying powers unanimously disapprove them. The implications of this are clear. Every effort must be made that US Element in Austria exert its influence to have these amendments withdrawn. There is every reason to believe that if they are put to a vote they will be adopted and ultimately ratified.

(2) Disposition of heirless property.

No progress has been made in the creation of an heirless property fund. The most recent "wrinkle" of the Austrian authorities seems to be that since the proposed treaty with Austria deals with this subject they are compelled to wait until the treaty is adopted. Their so-called conscience would trouble them, they say, if they did anything inconsistent with the treaty provisions.

g. Equalization of War Burdens

Although there has been no recent developments on the issue presented by the Equalization of Burdens Law, I want to mention the subject in connection with my last conference with Mr. McCloy. On that occasion I submitted for his approval a draft copy of my proposed report to the Department of the Army. In it I took cognizance of the principal objection to exempting the property of persecutees from the provisions of the law; namely, that the term "persecutee" is too elastic to admit of exact definition. I suggested that this administrative obstacle could be surmounted by adopting the formula that only property which is restituted shall enjoy the exemption. I submitted that in such cases the persecutee status of the claimant is always in issue and is formally adjudicated.

While Mr. McCloy made no affirmative comment on this phase of the report, he voiced no objection. I am inclined to believe that Mr. McCloy's views on this matter are sympathetic and that given some encouragement from the States, he would settle the issue satisfactorily.

h. Adenauer and Heuss Interviews

In one of his early conferences with Mr. McCloy, Mr. Greenstein underscored a basic reality, about post-war German leadership, when he directed Mr. McCloy's attention to the fact that no German leader had apparently considered it politically profitable to openly disavow Nazism. Mr. Greenstein suggested that disappointment on this score might be communicated to the leaders of the West German Republic. This suggestion resulted in the statements (reported in Mr. Greenstein's final report) issued by Chancellor Adenauer and President Heuss on the eve of last Rosh Hashana.

The latter part of November, Karl Marx, the editor of Juedisches Gemeindeblatt Allgemeine, interviewed Chancellor Adenauer on his attitude towards the Jews. I presume that the press in the States gave the full inter-

view the prominence which it deserved. I will, therefore, not comment on it, except to indicate that one phase of the interview gave us some concern.

It will be recalled that in answer to a question on what the Federal Government intended to do about restitution, Adenauer answered, in part, the following:

The Federal Government will direct its special attention towards the equalization of the economic damages done to the Jewish people. The present legislation needs many corrections and amendments. The State of Israel is the visible collection of the Jews of all nationalities. The Federal Government intends to give to the State of Israel goods of the value of 10 million Deutschmarks as a first direct token that the injustice done to the Jews all over the world has to be made good.

When I learned that the publication of the interview would indicate that Adenauer's offer had Mr. McCloy's backing, I called Mr. McCloy and advised against having his name associated with the interview or any part of it. I made two points in this connection: one, the statement would be more effective if it appeared as the credo of the Chancellor and not as a statement inspired by the US High Commissioner; and two, the offer of any specific sum and, especially, of the token sum of 10 million Deutschmarks was, the least to say, impolitic and should not have been made in advance of definite assurance that Israel would accept it. I pointed out that Israel would be bound to reject the proposal, if only in response to its public opinion, and that if Mr. McCloy's name is identified with the proposition, the reaction from Israel would be a repudiation of an American sponsored offer. Mr. McCloy indicated that although he had on occasions spoken to the German authorities on the need for coming out in the open on the Jewish question, he at no time was consulted on Adenauer's overtures to Israel. Moreover, he agreed that his name should not be drawn into the matter. Although it was too late to delete his name from the published stories, fortunately, it was not mentioned in such a way as to embarrass him.

On November 28, 1949, immediately following the Adenauer interview, Marion Zid of the Jewish Daily Forward interviewed President Heuss. While admitting that the German people should feel collectively "ashamed" for belonging to a people who had subjected the Jews to the unprecedented slaughter, he rejected the idea of "collective guilt" of the German people. He announced that a special section on Jewish affairs would be set up within the Federal Government and welcomed "the return of every German Jew who had not severed his cultural, economic and personal ties with Germany."

On December 27th I wrote you on the situation with respect to the designation of a person to represent the Jews of Germany at Bonn. It is still my belief that the primary reason that Heuss' proposal stands little chance of immediate implementation is that there is no Jew, with intentions to remain in Germany, who has the requisite stature for the post.

In his final report Mr. Greenstein expressed his views on anti-Semitism in Germany. Nothing has developed since his departure which would warrant conclusions different from those he formulated during his tour of duty. By way of a footnote to his analysis I want merely to mention that the German press, by and large, either refrained from commenting on the Adenauer and Heuss statements or were lukewarm in their approval.

i. Publication of Records of Trial of Major Nurnberg War Crimes Cases

My attention was called to the fact that the publication in German of the records of the Nurnberg War Crimes trials (Justices, Doctors, Generals, Industrialists, Diplomats and SS cases) had been suspended and that the uncompleted portion had been turned over to the Nurnberg German archives. The publication of the original records in English also met with resistance in the States and the project was for a while abandoned on the ground that these records would serve no useful purpose. Recently, however, the State Department and the Department of the Army reconsidered this decision and determined to complete the project, at government expense.

It was my opinion, fortified by the views of Mr. Ferencz of the Jewish Restitution Successor Organization, who personally prosecuted one of the cases and who has an intimate knowledge of the wealth of material in all the cases, that these records should be made available to the German reading public. I discussed the matter with Mr. McCloy who agreed with my views and indicated that he would try to find the means to implement the recommendation. I am informed that the matter has been referred to Washington for approval.

j. Completion of the Talmud

Upon Rabbi Bernstein's recommendation, General McNarney approved a project in 1946 for the printing of the Talmud by Army, with funds to be supplied by the German economy. Aside from meeting a need for the Talmud among the DP rabbis and DP seminaries, it was felt preeminently just that an edition of the Talmud be printed on the very soil where it had only recently been regarded as anathema. The project was begun in 1947 and was delayed because of paper shortages. The original estimates called for 50 sets of 16 volumes each. The AJDC joined in the project and undertook to pay the cost of printing 600 additional sets. After 12 volumes were completed it was discovered that the sets could not be printed in less than 19 volumes each. This entailed an expenditure of 33,750 Deutschemarks in addition to the original appropriation of 180,000. On our recommendation the US authorities approved the additional sum. With this obstacle removed, the historic edition of the Talmud, dedicated by the DP Rabbinate to the US Army of Occupation, should be completed by June of this year.

k. Conferences on Oberammergau Passion Play

Some time ago the American Jewish Committee and the Anti-Defamation League asked our office to investigate reports that Military Government had approved a German request to solicit funds in the United States for the support of the Oberammergau Passion Play. Mr. Greenstein discussed the play

with the authorities and was informed that Military Government considered it a commercial enterprise and would, therefore, not approve the request.

Moreover, Military Government assured Mr. Greenstein that it would use its powers to prevent the play from being used as a vehicle to stimulate anti-Semitism in Germany.

Military Government proved its neutrality on this issue when it disapproved Oberammergau's first application for a loan, whose proceeds were to be used in improving housing in Oberammergau and in the purchase of material required in the production of the play. This ruling was in keeping with policy designed to discourage the German cities from overextending themselves financially. This policy was later changed in favor of allowing the German communities greater economic freedom, and when the city of Oberammergau filed a second request for a loan it met with immediate Military Government approval.

After Mr. Greenstein's departure we were further urged to discuss the play with the proper authorities with the view of eliminating objectionable features and of preventing the exploitation of the play for anti-Semitic purposes. At a meeting arranged for us by the Land Commissioner for Bavaria Chaplain Barish and I conferred with the mayor of Oberammergau and the director of the play, the Lang brothers. The meeting with the Germans was a friendly one. It was apparent that they were eager to avoid unfavorable publicity and would be receptive to any reasonable suggestions. We felt that there was no point in suggesting any change in the text proper and therefore dwelt on the need for an appropriate introduction to be recited at each performance, which might serve to create the proper mood for a wholesome audience reaction. At a subsequent conference, in which Rabbi Isaac Klein, the High Commissioner's liaison with German Jewish communities, also participated, such a prologue, prepared by Chaplain Barish on the basis of material furnished by the American Jewish Committee, was submitted to the sponsors of the play. The Langs

enthusiastically accepted the theme of the suggested prologue and are cooperating, even more than we had anticipated, by undertaking to amplify and to strengthen it.

1. Developments on Establishment of Coordinating Committee Proposed at the Heidelberg Conference of July 31, 1949.

Despite the obvious merit in the proposal for coordinated effort in planning for the permanent Jewish communities in Germany, the idea of the over-all committee projected at the Heidelberg conference of July 31, 1949 did not take root. Aside from the technical and administrative difficulties inherent in any effort to establish a single planning body for a large geographical area, the local situation presented other problems, which, though foreseen, were not regarded so formidable that they could not be overcome. However, in the implementary stages the sponsors met with stiff resistance at every step and recognized the futility of pursuing the proposal.

The reasons the proposal did not meet with success suggest the present character of the Jewish community in Germany. In the first place, the community is impoverished from the standpoint of leadership. There is not one person in all of Western Germany who commands the respect and confidence of the Gemeinde people beyond the immediate group he represents. Under these circumstances the deadlock over the selection of a leader to head up the committee was inevitable. Moreover, the Jewish community in Germany has far from crystallized. It is still in its amorphous stage of development with many people not knowing exactly where they stand with regard to remaining in Germany and with the most articulate elements pulling in diametrically opposite directions. The blueprint for the coordinating committee called for the representation of both the Central Committee and the Gemeinden of Western Germany. These have proven to be irreconcilable forces. The Central Committee is committed to the policy that no Jewish community should establish itself

in Germany and that everything must be done to discourage its growth. On the other hand, the Gemeinden accept the existence of a permanent Jewish community either as an imperative or as a simple reality and consider it their mission to achieve for themselves what any Jewish settlement wants and needs to further its communal life. In any event, it has been impossible to effect the fusion of these two groups.

One unforeseen benefit which has resulted from the project is that so long as the possibility of the formation of the committee exists - and in the minds of many it still exists as a possibility - men, not of the most responsible variety, have refrained from posing as the spokesmen for the Jews of Germany.

## II. ESTIMATE OF PRESENT SITUATION IN GERMANY AND AUSTRIA

### a. DP Population as of December 31, 1949

#### (1) Geographical distribution.

The following chart reflects the in-camp and out-of-camp Jewish DP population and its distribution in Germany and Austria, as of December 31, 1949. The number of camps in these geographical areas is also indicated.

	<u>In-camp</u>	<u>Number of camps</u>	<u>Out-of-camp</u>
<b>GERMANY</b>			
US Zone	15,535	9	12,000
British Zone	1,000	1	1,000
French Zone	0	0	300
<b>AUSTRIA</b>			
US Zone	4,372	5	310
British Zone	0	0	40
French Zone	0	0	240
US Sector, Vienna	<u>1,846</u>	<u>3</u>	<u>3,000*</u>
TOTALS	<u>24,753</u>	<u>18</u>	<u>16,890</u>

\*It is estimated that there are approximately 3,000 unregistered Jewish refugees throughout Austria, with the greatest concentration in Vienna. This figure is in addition to the estimated 3,500 former DPs who are members of the Viennese Gemeinde.

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(2) Distribution of in-camp population within camps and other installations.

<u>US ZONE, GERMANY</u>	<u>Name of camp</u>	<u>Population</u>	<u>Primary function</u>
	Landsberg	1,846	Static
	Lechfeld	1,992	"
	Foehrenwald	<u>3,863</u>	"
		7,701	
	Gaberssee	1,292	Medical hard core
	Feldafing	<u>2,594</u>	" " "
		3,886	
	Geretsried	435	US resettlement
	Attel	249	" "
	Aschau	214	" "
	Wasseraufingen	<u>750</u>	" "
		1,648	
	In rehabilitation centers	247	
	In hospitals (including patients and workers)	1,029	
	In miscellaneous installations, being processed for immediate migration	<u>1,024</u>	
		15,535	
<u>BRITISH ZONE, GERMANY</u>	Bergen Belsen	1,000	Static
<u>US ZONE, AUSTRIA</u>	Ebelsberg	1,526	Static and medical hard core
	Beth Bialik	156	Israeli resettlement
	Hallein	980	Static
	Wells	690	"
	Steyer	<u>1,020</u>	"
		4,372	
<u>VIENNA, AUSTRIA</u>	Rothschild	1,051	Transient
	Artsberger	715	"
	JDC Transient Home	<u>80</u>	Immigration Center
		1,846	
	<u>TOTAL</u>	24,753	

b. Comments on the Permanent Jewish Communities in Germany

I will not deal with the permanent Jewish communities in Germany, except to mention that the estimated population of these communities as of December 31, 1949, was 15,400, distributed as follows:

US Zone	3,500
British Zone	3,500
French Zone	500
Berlin	6,700
Russian Zone	<u>1,200</u>
Total	15,400

In his final report Mr. Greenstein dealt with the essential problems facing the Kultusgemeinden in Germany. Chaplain Barish, who started a detailed analysis of these communities for use in the Heidelberg Conference of July 31, 1949, is now completing this survey. His final study should be invaluable to an understanding of the composition, economic status, outlook and resettlement intentions and of the social, cultural and religious life of the Jews who comprise the communities.

c. Comments on the Permanent Jewish Communities in Austria

The population of the Viennese Jewish community, which is virtually the only Jewish community in Austria, remains fairly constant. As of December 31, 1949, it had 12,418 members of whom approximately 3,500 were former DPs.

In the face of the reports that neo-Nazism is on the rise in Austria, and despite the October election victory of the Independents the Jews of Vienna are not agitated. They are apprehensive about the future but not to a point where it affects their determination to remain in Austria.

On the credit side of the ledger it must be said that all former civil servants and public office holders who returned to Austria were restored to their posts and that no Jewish student has been denied the opportunity to study in the Austrian universities. There are approximately 360 such students attending the universities of Vienna, Graz and Innsbruck, of whom approximately one-third are pursuing courses in medicine.

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There is little evidence of overt anti-Semitism in Austria. In reality, the Jews are no longer a factor in Austrian life. Moreover, Austria's dependence upon the United States and upon Russia and its eagerness to present the most favorable picture during the final stages of the Treaty negotiations, reduce the probability of open anti-Semitic activity in Austria.

The absence of overt anti-Semitism is, however, at best, a negative virtue. More revealing is the attitude of the Austrians towards the question of heirless property and the Third Restitution Law. In this connection it is a sad commentary on international morality that despite Austria's dependence upon other countries for its very existence, it has ignored the problem of heirless property with impunity and how the strongest party in Austria can indulge itself in the effrontery to introduce legislation which would virtually nullify the Third Restitution Law.

d. Observations on the Ultimate Solution of the DP Problem

The solution of the Jewish DP problem has only come into view. It has not by any means, as yet, been solved. Practically all of the in-camp DPs are still waiting to be resettled and a substantial part of those who live in the communities are also determined to leave. During the peak of mass resettlement, from July 1948 to July 1949, most of the movement came from the camps. It was then assumed that the out-of-camp DPs were, in the main, taking root in the communities. However, an analysis of recent emigration figures shows that the out-of-camp resettlement is closely approximating the departures of the in-camp DPs. For example, in December 1949, 1,100 in-camp and 844 out-of-camp Jewish DPs departed from Germany. Small communities which in 1945 to 1946 had sprung up in towns neighbouring the camps began to disintegrate along with the dissolution of the camps. These communities are now disappearing as a result of the bulk of the people being syphoned off by resettlement and the remaining few, for obvious reasons, filtering into the larger communities

where they can have the association of fellow DPs. This is mentioned not to give the impression that all of the out-of-camp DPs are candidates for migration but rather to indicate that in estimating the extent of the resettlement problem, the out-of-camp DPs are still an important factor.

Since, with the exception of the medical hard core, all Jewish DPs have for some time had the opportunity to leave Germany and Austria, and yet, are still in these countries in substantial numbers, it is pertinent to ask several questions which bear on the eventual solution of the Jewish DP problem.

(1) What are the resettlement intentions of the residual group? (2) What are the factors delaying resettlement? (3) What can be done to expedite resettlement?

(1) Resettlement intentions of the Jewish DPs.

People who are in daily contact with the Jewish DPs estimate that under present conditions the reservoir among them for further migration to Israel has been virtually exhausted. In both Germany and Austria the overwhelming majority of the DPs are holding out for migration to the United States. In mid-December Chaplain Barish and I took advantage of the imminent closing of our office to address mass meetings in the static camps at Landsberg, Lechfeld and Fohrenwald, which presently house the bulk of those who, from the standpoint of resettlement, have been catalogued as the "undecided." Our primary purpose was to stimulate migration in these camps. We succeeded in reaching at least one representative of every family in these centers, and were convinced that 90% or more of these people are determined to go to the United States. As long as there is any reasonable hope in that direction, they will remain in Germany and Austria until they reach their objective, provided that other countervailing conditions (the threat of war, the inability to satisfy their elementary needs) do not intervene. At this juncture I must add that this element is not unenthusiastic about Israel. I am of the opinion that given more favorable conditions in that country, many of them would elect to go there

without any delay. However, today they have before them the double spectre of unemployment and of an indefinite stay in tents, and they are little impressed by the arguments that Israel's difficulties are only temporary and that Jews who are already uprooted would be wise to help in the construction of a land of their own. Many people told us that in making their decision they were guided by advice of relatives and friends who had already resettled in Israel.

The full impact of reports emanating from Israel on the residual group can only be appreciated when one hears that the non-institutional medical hard core cases show no greater inclination than do the healthy to treat Israel as an immediate resettlement choice and that even among the institutional cases there are DFs who are holding back despite assurances that in Israel they will receive care at least equal to what is available to them in Germany and Austria. In brief, they are reluctant to trade the known for the unknown.

#### (2) Factors delaying resettlement.

No single factor has contributed more to the delay in resettlement of the Jewish DPs than the indecision on the amendment of the US DP Act. This, of course, has no application to the medical hard core who, for reasons of health, are permanently barred from entering the States. Neither does it apply to those DPs who, knowing that the amendment would establish January 1, 1949, as the new cut-off date line, elected to remain in Germany and Austria despite their entry after that date.

The resettlement of those who do claim eligibility under the current Act, has been retarded largely by the DP Commission's recent preoccupation with the processing of agricultural workers, in order to satisfy the percentage requirements of the DP Act, and by the more exacting review of applications in which the individual relies upon residence in Silesia before December 22, 1945, to qualify under the Act.

The adoption of the amendment approved by the Senate Judiciary Committee on January 25, has a double-edged aspect. While, on the one hand

it will satisfy the DPs who have been waiting for years for this action to materialize, it will, on the other hand, delay their resettlement and thus protract the Jewish DP problem. It was anticipated that if the amendment were turned down, mass migration to Israel would resume this spring, despite conditions prevailing there. It is now morally certain that only a relatively small fraction of the DPs whom the proposed amendment renders eligible will resettle in Israel. In the main, they will make no such election until after the opportunity to go to the United States has definitely been denied them. If substantial immigration of DPs to Israel takes place in the immediate future, it will come mostly from the medical hard core and from those who entered the occupation zones after January 1, 1949.

(3) Action which may expedite resettlement.

There are some, who, impatient to see the Jewish DP problem solved and who feel that the DPs exaggerate the present hardships in Israel, argue that Jewry should withdraw its material support from the DPs who are in the DP countries today. Even if this could be justified from the moral standpoint, such a decision would, in my opinion, have little effect on the ultimate solution on the Jewish DP problem. The supplementary relief which the DP receives adds to his comfort but is not, I believe, of such magnitude as to constitute the inducement to stay on in Germany or Austria. Most people who are immersed in the problem feel that the complete withdrawal of AJDC relief would not tip the scales in favor of immediate resettlement to Israel. The DPs would somehow manage, even at a reduced standard of life, and would wait until their personal plans for resettlement materialize.

The foregoing does not, however, rule out the value of a firm approach to those who will not be rendered eligible for migration to the United States by the amended Act. Assuming, as we must, that the DP existence has nothing to commend it as a way of life, and assuming further that Israel in its present

struggle for survival has the first priority on Jewry's financial support, I believe that Jewry will want to re-examine its relief program in the DP countries with the view of curtailing it generally and with the view of withdrawing all support from those who present no realizable plan for early resettlement.

It would, in my opinion, certainly be neither unreasonable nor inhumane to say to the medical hard core group that if, after Israel has indicated its readiness to receive them, they elect to remain in Germany or Austria, they must do so exclusively as wards of the German or Austrian government. Nor would it be unreasonable to give the same words of caution to the newcomers from Eastern Europe who refuse to accept a resettlement opportunity, including Israel.

In addition, I believe that the point has been reached, where serious thought should be given to the withdrawal of all support from such organizations as the Central Committees and the DP political parties which, so to speak, "keep the pot boiling." The very presence of these groups perpetuates the DP status quo and gives the DPs a sense of psychological security which, in turn, relegates thinking on their ultimate resettlement to the background. I do not personally begrudge the DP the strength which he derives from these organizations. However, when that comfort gives him an illusion of well being, appears to give substance to a pattern of living which is essentially a life in limbo, and encourages general inertia toward making a decision which would end his demoralization, I believe that his sense of security is a drug which he cannot afford and that any organization which supplies that "drug" hurts rather than helps the DP. I am aware of the fact that the committees are engaged in important welfare work. To the extent that this work is indispensable it may be absorbed by the Jewish voluntary agencies in Germany and Austria.

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Finally, in the same vein, I believe that when the IRO phases out it might be prudent to abandon the position that DPs are entitled to any special privileges because of their DP status. There is strength and comfort in being regarded as a group apart, the special wards of the occupation forces. I feel that the effect of making the DPs amenable to the laws of the land where they live would hasten their decision either to integrate into the economies of these countries or to leave for some other land where they can resume life as normal beings.

What I am suggesting, basically, is that beginnings must be made to end the entire DP complex. The special attention lavished on the DPs was once merited and served a very useful purpose. Today it is, in my opinion, interfering with the final rehabilitation and resettlement of the DPs still living in Germany and Austria.

### III. CREATION OF COORDINATING GROUP

In view of the decision reached by the major Jewish organizations not to establish a representative agency in Germany I felt that some other machinery had to be set up locally to prevent a vacuum in the area in which the Adviser's Office had functioned. After considering a number of alternatives I thought of what amounts to an offshoot of the idea born at the Heidelberg Conference. What I finally proposed was that the local directors of the AJDC and the JAFP and representatives of the Gemeinden in the US Zone and of the Central Committee constitute themselves as a coordinating group for the purpose of dealing with those problems in which there is a common interest among these groups. This coordinating committee was to be distinguished from the agency which was projected at the Heidelberg Conference of July 31, 1949 in two respects. It was contemplated that its activities would be confined to the US Zone and, instead of planning for the Jews in Germany, it would merely serve as the spokesman for the Jews in the Zone on issues in which there is a community

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of interest. I took the liberty to discuss with Mr. McCloy the formation of that group and he indicated that he would welcome some such agency to whom he could turn for counsel from time to time.

I am pleased to advise you that on January 25th the committee, called the Coordinating Council of the Jewish organizations in the US Zone, Germany, came into being. It consists of three representatives of the Gemeinden, three from the Central Committee, one from the AJDC and one from the JAFP. There is reason to believe that once the group has shown its effectiveness its pattern will be adopted in the other western zones and that on issues relating to all of western Germany coordination among the several groups may be achieved.

#### IV. APPRECIATIONS

During the 3½ years that I worked with the Jewish DP problem I not only had a chance to see it in its different stages but was able to observe at close range the extent to which the Jewish voluntary agencies and others dedicated themselves to the welfare of the Jewish DPs. In partnership with the IRO, the Jewish organizations made a contribution which forms one of the most stirring chapters in welfare history. Through its comprehensive and varied relief, welfare and rehabilitation program the AJDC translated the generous impulses of American Jewry into a concrete program of action; the JAFP brought to the DPs a zeal for Israel which was contagious, and furnished the personnel who taught the children, inspired the parents and handled all of the complex problems relating to emigration to Israel; the ORT made a conspicuous contribution by giving vocational training to the young and old who would learn; the HIAS and the AJDC achieved unparalleled success in the handling of US immigration; the Central Committee in Germany and Austria furnished leadership to the DPs and gave them a goal towards which to strive; and the Jewish Chaplains who volunteered for duty with the DPs identified themselves with their plight and in countless ways served them faithfully.

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It was a great experience to work with Rabbi Philip S. Bernstein, Judge Louis E. Levinthal, Dr. William Haber and with Mr. Harry Greenstein, the four Advisers with whom I served, and a distinct pleasure to have been associated in the work of the Adviser's Office with Rabbi Emanuel Rackman, Rabbi Herbert S. Friedman, Chaplain William Dalin and Chaplain Louis Barish.

I want to acknowledge my profound appreciation of what the US Army did to help the Jewish DPs. This Army, aided by UNRRA, by the IRO, by the Jewish Voluntary Agencies and <sup>by</sup> the US DP Commission, bore the brunt of the Jewish DP problem and, within the framework of the occupation policy, bore it exceptionally well. The Army's achievement in this field is the direct result of the inspiring leadership furnished by the men who headed up our forces in Germany and Austria, Generals Eisenhower, McNarney, Clay, Huebner, Clark and Keyes and by the present US High Commissioner for Germany. In my conferences with Mr. McCloy I discovered a man who brought warmth and understanding to every problem I presented to him and, above all, a desire to help.

Finally, I am grateful to you for proposing me to the Army for the honor of filling the post of Adviser on Jewish Affairs.

Sincerely,

ABRAHAM S. HYMAN  
Major FA  
Acting Adviser on Jewish  
Affairs

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*Reports*

27 January 1950

*encl ✓*  
Honorable Gordon Gray, Secretary  
Department of the Army  
Washington, D.C.

Dear Mr. Secretary,

I am herewith enclosing my final report as Acting Adviser on Jewish Affairs. In keeping with the practice of my predecessors I should like to have delivered the report to you personally. However, I will be on terminal leave in Europe and in Israel until the end of February and will not return to the Zone of Interior until the middle of March. I thought that you would prefer to have my impressions prior to the latter date.

The report has been cleared with Mr. McCloy and with General Keyes. Mr. McCloy made no comments. General Keyes indicated that my figure of 170,000 on the post-war influx of the Jewish refugees (page 8) was somewhat low. He felt that since approximately 150,000 had passed through Austria alone, the total figure for Germany and Austria should be higher. My calculations are approximate only and are based on estimates made by the American Joint Distribution Committee directors in Germany and Austria. Moreover, it should be pointed out that most of the Jewish DPs who eventually reached Germany came through Austria. I discussed this estimate with General Keyes' chief of the DP Division who appeared to be satisfied with my explanation.

General Keyes made one additional comment. In the original draft that I submitted to him I made no reference to his concern about the restitution situation in Austria and to his determination to prevent the injustice that I pointed out (pages 4-5). In the draft I am submitting I corrected the next to the last paragraph on page 5 to bring it in line with the General's comments, which I believe to be justified.

Obviously, I will be at your disposal should you wish to have me call at your office when I return to the States.

Respectfully yours,

ABRAHAM S. HYMAN  
MAJOR FA  
Acting Adviser on Jewish  
Affairs

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27 January 1950

SUBJECT: Report of Major Abraham S. Hyman, Acting Adviser on  
Jewish Affairs to the US Commands, Germany and Austria

TO: Honorable Gordon Gray, Secretary  
Department of the Army  
Washington, D.C.

Pursuant to plan, the Office of Adviser on Jewish Affairs was discontinued on 31 December 1949. This, therefore, will be the last report of the Office and will cover the period from 15 October to 31 December 1949.

#### A. Solution of DP Problem

Progress in the solution of the DP problem can be measured only in terms of resettlement. Although the emigration pace set during the first nine and a half months of 1949 was not maintained during the balance of the year, there continued to be substantial resettlement of Jewish DPs from the US Zones of occupation between 15 October and 31 December 1949.

During this period 6,743 Jewish DPs were resettled from Germany and 2,095 from Austria. Of these 1,801 migrated to Israel, 6,297 to the United States and 740 to all other countries. It is estimated that as of 31 December 1949 there were 27,500 Jewish DPs in the U.S. Zone, Germany, and 9,200 in the U.S. Zone, Austria and in the U.S. Sector of Vienna. These estimates on the residual Jewish DP population include approximately 12,000 out-of-camp Jewish DPs in the U.S. Zone, Germany and 3,000 in the U.S. Zone, Austria and in the U.S. sector of Vienna. The total number of Jewish DPs resettled from the DP countries (Germany, Austria and Italy) from the end of hostilities to 31 December 1949 was 200,000, of whom 145,000 migrated to Israel, 46,000 to the United States and 9,000 to other countries.

The chief obstacle which has stood in the way of the final solution of the Jewish DP problem has been the delay in Congressional action on the proposed amendment to the United States DP Act. Migration to Israel continues. However, there are many Jewish DPs who had planned to settle in Israel who have been discouraged from going there by reports of the grim conditions facing the new arrival in that country. When it is considered that approximately 90,000 newcomers, including women and infants are bivouaced in tents in Israel and that the prospects for adequate housing to absorb the new immigrants are for the time being rather bleak, it is not difficult to understand why people who themselves have been homeless for the past decade have ruled out Israel as a present resettlement possibility. These people and those who had originally resolved to go to the United States and who are ineligible because they arrived in the areas to which the Act is applicable after the cut-off date of 22 December 1945, have been waiting for definitive action on the pending amendment. Now that it is morally certain that the amendment will pass the early solution of the Jewish DP problem is assured.

#### B. Handling of Specific Issues

##### 1. Ruling on the removal of pre-fabricated houses:

In his report of 1 November 1949 Mr. Greenstein urged a liberal

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interpretation of the EUCOM directive of 27 July 1949, dealing with the removal of personal belongings by DPs leaving in group movements. The High Commissioner's disposition to implement this directive in that spirit was reflected in a recent ruling that DPs may take with them pre-fabricated houses, provided they meet the requirements of the directive; namely, are able to prove that the houses were legally acquired with funds legitimately acquired. This ruling is of particular value to the Jewish DPs leaving for Israel. It is anticipated that most of the DPs who will avail themselves of this decision will employ funds they acquire under the General Claims Law to purchase their houses.

2. Abolition of Search and Seizure Operations as Method of Law Enforcement:

On 9 November 1949 a forward step was taken when EUCOM outlawed the use of search and seizure operations in DP camps as a law enforcement device, and substituted for it the normal procedure on search and arrest as sanctioned by the Anglo-American legal tradition. The mass raids were used chiefly as a weapon against the black market offenders. Actually, no group of people in Germany were ever exempt from the temptations of the black market. Aside from this fact and the fact that the law infractions uncovered in a DP camp in the course of a mass search would have been revealed by a similar operation in any German community of comparable size, events have proven that not the employment of law enforcing agents nor the threat of their use, but the availability of consumers goods on the legitimate market is the only effective antidote against the black market.

3. Publication in German of Records of Major Nurnberg War Crimes Trials:

A project which has been abandoned and which, in my opinion, should be revived is the publication in German of the records of the major War Crimes Trials conducted at Nurnberg. I refer to the Doctors, Justices, Generals, Industrialists, Diplomats and SS cases. Our attempt to bring Germany within the democratic orbit will remain nothing more than a noble experiment unless the German people are first convinced that the losses which they lament, and for which they presently hold the Allies responsible, are the harvest of the seeds sown and cultivated by the Nazi regime. The Germans may be more readily disposed to repudiate that regime, if it were engraved on their minds that even before a single shot was fired the architects and patron saints of National Socialism had engaged in a conspiracy against civilization and that the crowning achievement of the Third Reich was the systematic and ruthless extermination of millions of innocent people, German and non-German, alike. While there may be general apathy towards this story today, the material in the Nurnberg records of trial must be readily available to such leaders in Germany who are resolved to discredit the Nazi tradition and are determined to prepare the soil in which the democratic way of life can grow in Germany.

As compared with the amount expended on the project before it was abandoned, relatively little is necessary to complete it. I have shared my views on this matter with Mr. McCloy who acknowledged the merit of the project and directed that the matter be studied.

4. Restitution - Germany:

It is with satisfaction that I report the determination of the US

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High Commissioner to prevent the restitution law in effect in the US Zone, Germany, from being defeated through interminable delays in the restitution courts. In December Mr. McCloy appointed a court expeditor whose sole function it will be to follow the progress of the restitution cases through the legal apparatus provided for their trial and review and to recommend procedural changes for speeding up their ultimate disposition.

Another development in the field of restitution in Germany is worth noting. On 4 November 1949 the Frei Demokratische Partei introduced a resolution in the Bundestag requesting permission of the occupation authorities to substitute a Federal restitution law for the zonal laws and to hold all restitution cases in abeyance, pending the adoption of such a law. In presenting the resolution the party spokesman urged that it was imperative to have uniformity throughout Western Germany in the field of restitution. Granted that the argument has merit, the obvious answer is that uniformity in internal restitution has, in a large measure, been achieved. The restitution laws in effect in the US Zone, in the British Zone and in the Western Sectors of Berlin are virtually identical and the French authorities are at the present time working on revisions of their zonal law to bring it in line with the others. In view of the history of our Military Government Law 59, it is reasonably certain that the Frei Demokratische Partei advanced the resolution in response to popular demand for a diluted restitution law. To disabuse those who had been relying on the prospects of a watered-down Federal law, Mr. McCloy announced on 19 December that no material change in the US restitution law was contemplated.

#### C. Observations on and Recommendations with Reference to Specific Issues

##### 1. Restitution - Austria:

The basic legislation on internal restitution in Austria is the Third Restitution Law. It provides for the return of property transferred by a persecutee during the period of the Anschluss, except in those cases where the Aryanizer can affirmatively show that the transaction would have taken place in the absence of National Socialism. Following the October elections the extreme rightists of the Volkspartei introduced a measure in parliament which strikes at the very roots of the Third Restitution Law. The proposed amendments would replace the legal presumption of confiscation by the rule that restitution is mandatory only in cases where the price was inadequate or where the seller was not free to select his purchaser; would require the return of the purchase price irrespective of the seller's power of disposition over the proceeds of sale; would dispense with the provision that one of the assessors in the Restitution Chambers must be a member of a persecutee class; and would permit the review of all adjudicated cases in the light of the law as amended. The Austrian press is reputed to have thrown its full weight behind the proposed amendments.

It is, I believe, fair to state that these proposed amendments are a clear-cut attempt at the emasculation of the Third Restitution Law and that if adopted, internal restitution in Austria will become a farce. Granted there are hardships created by the law now in force. It is, however, relevant to mention that the hardships on the part of the original owners of the property escape the notice of those who advocate the changes for the reason that most of the original transferers have either emigrated or are dead; in either case, the victims of the evil which the Third Restitution Law was designed, in part, to undo. The fundamental issue is not the hardships of the person who is asked to part with property he acquired but, rather, how do the equities of that person

compare with those of the person who was victimized, or with those of his survivors. It is elementary justice that no transfer of property effected under duress should be permitted to stand. And it is crystal clear that at the time the transfers falling within the purview of the Third Restitution Law were made, there was duress, panic and terror in the very air the persecutee breathed. Transfers made under such pressure, though superficially free, cannot be deemed to be voluntary regardless of the adequacy of the consideration. This thinking is instinct in the restitution laws in force in Western Germany and in the law now in force in Austria. The adoption of the proposed amendments would be tantamount to Austria's ratification of part of the mischief the Nazis introduced into Austria. It would be most difficult to reconcile this ratification with Austria's contention that she herself was the victim of Nazi aggression.

General Keyss and his staff are keenly aware of the restitution situation in Austria and will, I am confident, in line with our basic mission in Austria, do what they can to awaken the conscience of the Austrian leaders to the implications inherent in the adoption of the proposed amendments.

It is, of course, not possible to refer to internal restitution in Austria without inviting attention to Austria's failure to this date to provide for the disposition of heirless and unclaimed property subject to restitution. This property must be made available for the use of the victims of National Socialism, under the same formula as it is disposed of in the zonal laws in Germany.

## 2. Equalization of War Burdens:

I share Mr. Greenstein's views that the property of those who were victimized by the Nazis should be relieved of the burdens of the Equalization of Burdens law, present and future. This is particularly applicable to the property of those who left Germany and who have not returned. These people, understandably, are unable to reconcile what happened to them, with their present liability for part of the losses sustained by those who, directly or indirectly, participated in their expropriation and expulsion.

To meet the objection that the administration of a law providing for that exemption would present insurmountable difficulties on the ground that the term "persecutees" is incapable of exact definition, the rule might be adopted that property which is subject to restitution under Military Government Law 59 (and similar laws in the other zones) should enjoy that exemption. In such cases proof of persecutee status of the owner is a necessary prerequisite to recovery and is an issue which must be formally adjudicated.

## 3. Anti-Semitism:

The latter part of November President Heuss and Chancellor Adenauer made elaborate statements on the question of anti-Semitism. On the eve of the Jewish New Years in September 1949 they had extended greetings to the Jews of Germany. However, for all practical purposes, their November statements represented the first uttered on the subject since the end of the war by men prominent in German political life. The statements were forthright and represent an excellent beginning. The President and Chancellor deplored the brutalities of the Nazi regime, promised to make restitution to the victims to the extent that restitution is possible, admitted that the Germans had reason to feel collectively "ashamed" for belonging to a people who had subjected the Jews to unprecedented slaughter (though rejecting the concept of "collective guilt")

and invited the German Jews to return to Germany to help in its reconstruction and to reintegrate into its economic and cultural life.

I am reasonably certain that the appeal for the return of the Jews who had migrated from Germany was genuine. Yet, assuming that this sentiment was shared by Jews everywhere, it is safe to conjecture that the appeal will fall on deaf ears. The reason is obvious. Virtually the only Jews who have been returning to Germany, and they in trickles, are the aged. They are the people who were unable to make an adjustment in the country of asylum and were drawn back to the land with which their memories are associated and where they feel at home. The Jews who were forced to flee have, in the main, nursed a deep resentment and profound disappointment that their friends and neighbors were indifferent to their plight, during the period when Hitler succeeded in mobilizing the country's sentiments against them. It would be impossible to plumb the depths of their feelings towards those who actively participated in their expulsion and in the extermination of their loved ones. Moreover, the men of ability have taken root elsewhere and it is hardly thinkable that they would return to resume their lives in an environment which is still hostile to the people of their faith. The permanent Jewish community in Germany is presently in an amorphous stage, yet to be crystallized. At best, for the Jews who left Germany this country today represents a social vacuum in which life would have little meaning.

Probably the most significant aspect of the Heuss and Adenauer statements is the press reaction to them. In the main, the press reported the statements without comment or with comments which were lukewarm. This would justify the conclusion that the issue the German leaders raised is still taboo or, what is more likely, that what they said represents their personal philosophy and not the convictions of the German people. This bears out my personal experience. In the course of my four and a half years tour of duty in Germany I met Germans who had the courage to reject anti-Semitism during the Nazi regime and Germans who, today, are outspoken protagonists for a world in which all groups, including Jews, can live in security. At this stage, however, I feel that these people are a pitifully small minority and are hardly a factor in the national psychology of the German people.

I am in complete agreement with Mr. Greenstein's observations on anti-Semitism, expressed in his report of 1 November 1949, and would merely underscore the need for our own understanding that active anti-Semitism is not only a symptom of moral rot but is a sure sign that the other evils of the Nazi regime still persist in Germany. At a conference in Heidelberg, convened on 31 July 1949 to discuss the future of German Jewry, Mr. McCloy stated that Germany's treatment of its Jews will be a barometer of its regeneration as a democratic force. I believe that this view is unassailable. In our approach to the German people we should stress the fact that it is at least as much if not more, in their own interest as it is in the interest of the Jewish people that they forsake their anti-Semitism.

### C. Summary

The welfare of the Jewish DPs in Germany and Austria was the primary concern of the Adviser's Office during the four years of its existence. Having been associated with that office for the past three and a half years, I was in the position to observe the Jewish DP problem develop in the various stages through which it passed.

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When the war ended it was found that only about 30,000 Jews had survived the concentration camps in Germany and Austria. The repatriation or resettlement of these would have been no major task. The real Jewish DP problem was created by the post-war influx of approximately 170,000 Jews from Poland, Rumania, Hungary, and Czechoslovakia, who fled either because of pogroms, because of fear of physical violence, because of their rejection of Communism as a way of life, and, to use their own words, because they could not live in the "graveyards" of their families and friends. It is an ironic twist of history that these people, running away from actual or potential persecution, should have come to the very country which unloosed the forces that led up to their plight. Inherent in this situation, however, was the greatest tribute to the American people. The refugees did not come to Germany; they came to receive the protection of the armed forces of the country in which they instinctively had a consummate faith. Their instincts served them well, for in the US Zones of occupation they received the care and treatment that enabled them not only to regain their health but restored in them a positive faith in themselves and in their own future.

To me it was constant source of amazement that men trained to fight could, when catapulted into positions requiring skills totally unrelated to their previous experiences, show the social vision they displayed in the handling of the many complex problems the Jewish DPs presented. Sometimes it appeared to the men on the operational level that the DPs were too great a burden and that they interfered with functions which they regarded more germane to the Army's mission in Germany and Austria. However, the men responsible for shaping and implementing American policy in Germany and Austria, Generals Eisenhower, McNarney, Clay, Huebner, Clark and Keyes and Mr. McCloy, and their immediate staffs, generated a spirit through their commands in the presence of which the impatience with the DPs was dissipated. It is to the everlasting credit of these men that they recognized that the Jewish segment of the general DP population had been Hitler's chief victims and gave these people preferential treatment when and so long as justice warranted it.

During the past three and a half years our office made many recommendations on behalf of the Jewish DPs. Almost with no exception, every request which could, within the framework of our occupation policy, be met, was readily met. Aided by UNRRA, the IRO and by the Jewish voluntary agencies, notably the American Joint Distribution Committee and the Jewish Agency for Palestine, the Army pursued a course which led to the rehabilitation of several hundred thousand lives who had all but lost faith in humanity. In so doing the US Army in Germany and Austria, in my opinion, raised its own stature as an instrument of a living democracy.

Equally deserving of praise are the Jewish DPs themselves. What happened to these people collectively has, to my knowledge, no parallel in the history of civilized men. All of them were uprooted from their homes, many were the sole survivors of their immediate families, and nearly all will, as long as they live, be tortured by the gnawing memories of children, wives, husbands, parents and other kin breathing their last before a Nazi firing squad or expiring in a sealed freight car, in a gas chamber, in a crematorium, or in a living grave. In the light of these shattering losses, which were sufficient to unbalance the most sturdy, their record in Germany and Austria, especially for the resilience they displayed, for the self-restraint they exercised, and for the will to live they demonstrated, deserves a special place of honor in the story of mankind.

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I am most grateful to the Army for permitting me to serve in the Adviser's Office and for the singular privilege of ending my tour of duty with the armed forces in a post which enabled me to experience the warmth and understanding which Mr. McCloy brought to every problem I presented to him.

ABRAHAM S. HYMAN  
Major FA  
Acting Adviser on Jewish Affairs

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HEADQUARTERS  
EUROPEAN COMMAND  
Office of the Adviser on Jewish Affairs  
APO 403, U. S. Army

November 1, 1949

SUBJECT: Report of Mr. Harry Greenstein, Adviser on Jewish Affairs  
to the US Commands, Germany and Austria.

TO : Honorable Gordon Gray, Secretary,  
Department of the Army,  
Washington, D. C.

*Carus*

In this report I shall (a) indicate the progress which has been made in the solution of the Jewish DP problem during the period of 1 January to 15 October 1949, (b) refer to specific problems which have been handled during this period and (c) present my observations on a number of issues which still merit the interest and attention of the US authorities in Germany and Austria.

My tour of duty extended from 15 February to 31 October 1949. I am including the period between 1 January and 15 February because my predecessor, Dr. William Haber, who vacated the post of Adviser on 15 January 1949, reported to you for the period up to 31 December 1948.

A. Solution of the DP Problem.

The mass resettlement of the Jewish DPs, which started with the emergence of the State of Israel and with the implementation of the U.S. DP Act, continued throughout the period covered by this report. Between 1 January 1949 and 15 October 1949, 54,700 were resettled from Germany and 12,500 from Austria. Of these 40,300 migrated to Israel, 23,500 to the United States and 3,400 to all other countries. It is estimated that as of 15 October 1949 there were 33,000 Jewish DPs in the U.S. Zone, Germany and 10,000 in the U. S. Zone, Austria. These estimates on the residual Jewish DP population include approximately 18,000 out of camp Jewish DPs in the U.S. Zone, Germany and 3,000 in the U. S. Zone, Austria.

The progress in the solution of the Jewish DP problem, measured in terms of resettlement, has been a source of great satisfaction to every one who has worked with this problem. Every person resettled represents a human being reclaimed from a life which, at best, was little more than an aimless existence. Some DPs will have problems of adjustment in Israel, in the United States and in other countries where they have been resettled. However, my observation of their absorption in and acclimatization to Israel and the United States convinces me that the effort expended

vidends in terms of the present and future well being of these people. I am also confident that these DPs will make a real contribution to the countries of their resettlement.

## B. Handling of Specific Problems

### 1. Camp Consolidation

On 1 January 1949 there were 48 Jewish DP camps in the U. S. Zone, Germany and 13 in the U. S. Zone, Austria. By 15 October these had shrunk to 10 and 7 respectively. It is my judgment that as the population of existing camps decreases through future resettlement, further consolidation will be possible, even before the IRO phases out.

The consolidation of the Jewish DP camps was achieved in record time and with a minimum of inconvenience to the Jewish DPs, as a direct result of the active cooperation between the Army authorities, the IRO, the DP leadership and the representatives of the voluntary agencies working with the Jewish DPs. It is to the credit of the Army and the IRO that they permitted the initiative in this field to be taken by those who worked exclusively with the Jewish DPs and that they progressively abided by their recommendations.

The camp consolidation program, revised only as conditions warranted, took into account the comforts of the people, sought to keep to a minimum the number of moves for each family, and synchronized the camp closings with the existing resettlement opportunities for the people involved in the moves. As the camps in the U. S. Zone, Germany, closed, the inhabitants were segregated into four categories: the medical hard core, the U.S.-bound, the Israel-bound and those who, having indicated no practical settlement choice, were labeled as the "undecided". The people moved into the camps housing exclusively those of their own category. This was done in the interest of efficiency in the future handling of the problems unique to each group.

A personal inspection of nearly all the existing Jewish DP installations in the U. S. Zone, Germany, and of some of the camps in the U. S. Zone, Austria, convinced me that gauged by accepted standards for refugee care, the Jewish DPs are adequately housed.

### 2. Removal of Personal Belongings:

One source of irritation to the Jewish DPs was the restriction on the removal of their personal belongings to their ultimate place of resettlement. Until 27 July 1949 the DPs were permitted to take to the countries of destination only household goods and small hand tools which craftsmen might use in self-employment. The removal of any other property required special licenses which Military Government was reluctant to grant. The DPs resented these restrictions since they felt that having lost, been deprived and robbed of nearly all of their property, they should be permitted to remove everything that they legitimately acquired in Germany, which, in turn, they needed to become self-sustaining.

settled in group movements may take with them all property provided they are able to prove that they acquired the property legally with funds legitimately acquired. This directive has had, and in my opinion, will continue to have a salutary effect on the resettlement of the Jewish DPs. The regulations should be given most liberal interpretation to permit the DPs who have been enterprising, to take with them material goods they need in recreating their lives in the countries where they re-settle.

## 2. General Claims Law:

Another issue which was satisfactorily resolved within the past nine months is the General Claims Law. Under this law the Laender comprising the U.S. Zone, Germany, have undertaken to compensate those who under National Socialism suffered the loss of liberty through incarceration in concentration camps and ghettos, those who sustained injury to person or damage to property, and the dependents of those who were killed at the instigation of an agency of the Third Reich. It was in harmony with the American concept of justice that General Clay refused to put his stamp of approval on a draft of this law which excluded in-camp DPs from the class of beneficiaries, and it is to the everlasting credit of Mr. McCloy, the U.S. High Commissioner, that he did not permit a revised draft of the law to be referred to the west German State, where more than likely, it would have been indefinitely shelved. The law which Mr. McCloy approved on 4 August 1949 meant not only that the victims of National Socialism would, in some degree, be compensated for their losses but what is perhaps equally important, is the moral principle involved in having the present German government accept responsibility for the crimes committed by its predecessor. No regeneration of the German people is, in my opinion, possible until the Germans acknowledge this responsibility and until they take steps to disavow the entire complex of the Nazi regime.

## 4. Disposition of Non-identifiable Cultural Property:

The U. S. authorities played an important role in effecting the reclamation of a vast collection of Jewish cultural material which the Nazis had looted in Germany and in the countries they overran. The Nazis had planned to use this Judaica, by distorting it, to prove that their policy, calling for the total extinction of the Jewish people, was justified. Under U. S. Military Government jurisdiction, the Archival Depot at Offenbach spent several years in assorting this material and in segregating the identifiable from the unidentifiable property. On 15 February 1949 all of this cultural property, not identifiable as to source and ownership, was turned over to the Jewish Cultural Reconstruction, Inc., as Trustee for the Jewish people, under an agreement which charged this organization with the distribution of the property to "such public or quasi-public religious, cultural and educational institutions as it sees fit to be used in the interest of perpetuating Jewish art and culture". This property, consisting of about 130,000 items included books, Torah scrolls, synagogue paraphernalia, ritual objects and Jewish paintings and furnishings. Subsequent to this agreement, a staff of experts, representing Jewish Cultural Reconstruction, was permitted to enter the U. S. Zone, where it allocated and shipped the material to Jewish libraries and communities throughout the world.

#### 4. Anti-Semitism

During my tour of duty I found relatively little in Germany of what might be termed overt forms of anti-Semitism. In an occupied country, where basic attitudes are necessarily repressed, this fact is no gauge of the intensity of the anti-Semitism that still exists. No one can work in Germany for even a brief period without being conscious of the deep, underlying hatred and hostility against the Jews. It will take years, perhaps generations, before the virulent form of anti-Semitism will have spent itself.

All competent observers agree that militant nationalism in one form or another has been on the rise in Germany since early 1948. There is a reason to believe that with the creation of the Federal Republic of Germany, it will, in all likelihood, increase. This nationalism which expressed itself without restraint in the speeches of the political candidates of all parties in the recent German elections, is a danger signal which no one can afford to ignore. It is true that the Bonn constitution is democratic in concept and provides for many safeguards for the protection of the basic rights of man. However, constitutions are not self-executing. From the standpoint of the future what counts is the spirit in which Germany will be governed.

It is highly significant that in the recent elections no party, competing for the votes of the German electorate, found it politically expedient to denounce Hitlerism and its vicious anti-Jewish complex. The generation which grew up during Hitler's regime has been schooled in the leader principle and unless there is decisive rejection of Hitlerism by those elected to high public office, the German masses will continue to nurture the hatreds planted in them by their former leaders.

Chancellor Adenauer and President Heuss took a step in the right direction when, in extending New Year's greetings to the Jews of Western Germany and in inviting them to take part in the intellectual, social and political reconstruction of Germany, they said, "The Jews will not forget - the loyal Germans must not - but together we must overcome our evil inheritance." While these sentiments will be appreciated by people with democratic instincts, wherever they may reside, they will remain hollow words unless the new German Republic takes positive steps to combat anti-Semitism and to disassociate itself from its "evil inheritance" by a concrete program of action.

On the basis of my observations and work in Germany, I have formed the following conclusions:

1. It is imperative that the occupying powers recognize in anti-Semitism the rejection of the democratic principle and as the unmistakable sign of the resurgence of German nationalism in its most vicious form.

2. It is imperative that those entrusted with authority in Germany be ever vigilant against any manifestations of anti-Semitism and that they deal with it in vigorous and militant fashion.

3. It is imperative that the powers reserved by the authorities in the Occupation Statute be so exercised as to guide the press and other media of communication in bringing about a genuine regeneration of the German people.

4. From a long range point of view it is of the utmost importance to develop a positive, democratic program which will reach into the governmental circles, into the church, the family, the schools and into the daily lives of the German people.

There is no single cure for anti-Semitism. This is true of any country where the disease thrives. It is doubly true of Germany, where, sanctioned by law and dinned into the ears of the old and the young, it had become a national fetish whose validity few people questioned, and fewer had the courage to challenge. It will take at least as much time and effort to destroy the virus of hate as it took the Nazis to implant it in the hearts of the German people. It will be a long and uphill fight to which all the liberal and enlightened elements, in and out of Germany, will have to apply themselves if any perceptible dent is to be made in meeting this problem.

#### D. Summary

What has been achieved on behalf of the Jewish displaced persons is the result of the magnificent team work between the Army, the IRO and the Jewish Voluntary Agencies. The Army's contribution to this cause constitutes, in my judgment, one of the most inspiring chapters of our occupation history. Both in Germany and Austria, the U.S. Army has been and is regarded by the Jewish DPs as their guaranty that as long as they are required to remain in these countries, their physical security will be assured and their moral rights respected.

The Army, the IRO and the Jewish Voluntary Agencies have shared in an outstanding job in the care, rehabilitation and resettlement of the Jewish DPs. There was no precedent for the huge relief and welfare program in which the three groups participated and it is a tribute to their humanitarianism and resourcefulness that the DPs are emerging from their experience in a good state of health and in a frame of mind that promises their successful readjustment to normal life in the countries where they resettle.

There are problems to which I have referred which still require the close attention of the U. S. authorities in Germany and Austria. I have discussed each of these problems with Mr. McCloy and with General Keyes, as they relate to their respective areas of jurisdiction. I am confident that they will continue to exert their influence in the just solution of these problems.

*Camps-Reports*

CROSS-REFERENCE SHEET

DATE: 8/9/1949

NAME OR SUBJECT      **Letter**

FROM:              **Greenstein**

TO:                 **El Rook**

REGARDING:      **the attached PROPOSAL TO CREATE AN OFFICE REPRESENTATIVE OF THE  
FOUR ORGANIZATIONS**

SEE:                 **CAMP'S GREENSTEIN**

317969

June 29, 1949

TO: American Jewish Committee  
 American Joint Distribution Committee  
 Jewish Agency for Palestine  
 World Jewish Congress

This report covers my visit to Austria on June 12, 13 and 15, my visit to Budapest June 14 to 16 and my visit to Prague June 18 and 19.

### 1. Infiltration from Hungary to Austria

The situation with regard to emigration of Jews from Hungary to Austria remains unchanged. The controls imposed by both Hungary and Czechoslovakia continue to be effective and it is estimated that not more than 1200 to 1500 will manage to get out of Hungary during June. The negotiations which have been going on with the Hungarian government have reached an impasse, but even if concluded, will not improve large scale legal movements out of the country. It is estimated that from July on from 700 to 1000 persons a month may cross the borders illegally and of this number only approximately 50% will go to Israel. The rest will represent persons with some resources who will either remain in Vienna or will emigrate to other countries.

### 2. Problem of Rehabilitation in Austria

While in Vienna I was informed that the Austrian government had agreed to advance the sum of 5 million Schillings to the Jewish Community of Vienna. I discussed this development with Dr. Shapiro, President of the Jewish Community and urged him to review the situation with the coordinating committee recently set up, to make certain that no conditions would be attached to the loan which might jeopardize the efforts now being made to secure the maximum sum from the Austrian government.

### 3. Difficulties Between the Austrian Government and IRO

Discussions are still going on between the representatives of the US authorities, the IRO and the Austrian government, with regard to the support of the EP camps, but no progress has been made. The Austrian government insists that the administrative costs of the IRO are excessive and has served notice that it will withdraw further support unless these costs are brought down and a substantial additional contribution to the program is made by the IRO. The IRO has taken the position that its budget does not permit any larger appropriation and that it cannot continue responsibility for the administration of the EP camps unless the Austrian government changes its attitude. General Byro is making every possible effort to reach some satisfactory compromise.

### 4. Jewish EP Population in US Zone, Austria

As of June 24, 1949 there was a total of 9,100 Jewish EPs in the US Zone, Austria, exclusive of Vienna, divided as follows:

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5,500 - in DP camps  
604 - out of camp

This compares with a total of 6,000 as of May 20, 1949. The US authorities in Salzburg are quite pleased at the steady decrease which is taking place in the Jewish DP population in the US Zone, Austria. If there is no sizeable infiltration from Hungary, we can expect a constantly diminishing Jewish DP population in Austria.

#### 4. The Situation in Hungary

During my four days in Hungary I had the opportunity of reviewing the AJDC program and visiting some of the AJDC institutions. I also held two conferences with Mr. William P. Cochran, temporarily in charge of the American location, and Mr. Datto, US Consul General.

There were approximately 600,000 Jews in Hungary prior to the war. While no recent census has been taken, it is estimated that there are even 100,000 to 150,000 Jews in Hungary today. Most of the business and industrial enterprises have been nationalized. This has affected the Jews more than any other group as the majority of the Jews were engaged in trade and commerce.

All of the hospitals in Budapest have been nationalized with the exception of the two Jewish hospitals, one with a 700 bed capacity and the other with 400 beds, both financed by the AJDC. These two Jewish hospitals are the best in Budapest and maintain the highest medical standards.

The AJDC is doing an excellent job, through its reconstruction credit co-operatives. These Jewish co-operatives, financed by the AJDC, were organized on March 1, 1948. From March 1, 1948 to May 31, 1949, 4,000 individual reconstruction loans were granted and 88 producer co-operatives were established. A new cooperative is started each week and it is expected that by the end of the year there will be sixty producer co-operatives, all approved by the government. Most of the co-operatives are in the needle trade and are providing training and employment for men and women who otherwise might find difficulty in earning a livelihood.

I also met with some of the rabbis, and with members of the Jewish Relief Committee of Budapest, and discussed with them the situation of the Jews in Hungary. I was told that synagogues are open, the Hebrew schools are functioning and that religious worship and practices are not prohibited. The Zionist organization has been dissolved and Zionist meetings are suppressed on the ground that they carry on political activities in the interest of a foreign government. There is practically no legal emigration from Hungary at present, but the point was made that this applies not only to Jews but to all other groups. The Hungarian government insists that it needs its manpower for its own economy, especially the younger age group. I was informed that prior to the present regime not more than 5% of the total enrollment in the universities was Jewish. This restriction has now been removed.

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and of the 3000 university students in Budapest, I understand that 1200 are Jewish.

Despite the fact that Jews are not being singled out for discrimination, there is a widespread feeling of insecurity and if the opportunity permitted, I am convinced there would be a mass exodus of Jews out of Hungary. They want to get out, not because of any mounting anti-Semitism in the country but because of their fear that if the present regime is overthrown, the Jews will be the scapegoats. It is this fear of possible reprisals which is an ever present nightmare and which is impelling Jews to seek every avenue of escape, legal or illegal.

### 9. Czechoslovakia

I spent two days in Czechoslovakia. The situation with regard to emigration, particularly to Israel, is much more favorable than in Hungary. There are approximately 10,000 to 20,000 Jews in Czechoslovakia and it is expected that 8,000 will officially emigrate to Israel by the end of the year. From January 1, 1949 to June 1, 1949, 2400 persons emigrated to countries other than Israel, most of them to Australia, with the help of the AUSA. It is anticipated that there will remain in Czechoslovakia a permanent population of 10,000 to 15,000 Jews.

The economic situation of the Jews in Czechoslovakia is the same as in Hungary. Most of the business establishments have been nationalized and this has resulted in economic displacement of many Jews.

At the present time Jewish communal activities are being carried on without any interference by the government, but as the present regime consolidates its power, this situation may change. Slovakia has always been traditionally anti-Semitic. There has been no change in the basic attitude of the Slovaks towards Jews, but the government has taken a vigorous stand against anti-Semitism and is meting out severe punishment to those who engage in any overt anti-Semitic acts.

Harry Bronstein  
Advisor on Jewish Affairs

*Camps - Reports  
Jewish Movement*  
June 23, 1949

TO: American Jewish Committee  
American Joint Distribution Committee  
Jewish Agency for Palestine  
World Jewish Congress

This report covers the period from May 1 to June 15, 1949 for the US Zone, Germany.

1. Camp Consolidation

During the period May 11 to June 15, 10 Jewish DP camps were closed, leaving 16 camps still open in the US Zone Germany as of June 15th. The consolidation and movements were effected without much difficulty. In several instances the people involved in the transfer refused to detrain at their destination on the ground that the accommodations in the receiving camps were not of their choice. However, when they realized that their protests were of no avail they entered their new quarters, where, so far as I have been able to determine, they live under conditions comparable to those they enjoyed in the camps they left.

On June 7 a meeting on camp consolidation was held in Bad Kissingen. It was attended by representatives of the Army, IRO, AJDC, JAFF, Central Committee and by my office. At this meeting it was estimated that there are 18 to 20 thousand DPs living out of camps and that the in-camp DP population in the US Zone, Germany, was approximately 26,000, consisting of the following categories:

7000 With EC numbers for immigration to the U.S.  
5000 Medical hard core  
7000 Estimated will go to Israel in June and July  
7000 Social hard core  
26000

The EC group, which may increase to 8000, includes only those who have EC numbers and qualify under the current DP act. The "medical hard core" includes the immediate relatives of those who have physical disabilities and who are ineligible for immigration. The 5000 figure may prove to be excessive since there are cases where those listed as "medical hard core", have, in fact, left the zone and instances of families emigrating without their sick.

The group labeled as the "social hard core" includes (1) people who have decided to remain in Germany so long as they can exploit the German economy; (2) those who, presently ineligible for immigration to the US, are determined to wait until legislation makes them eligible; and, (3) those who desire to go to Israel, but prefer to remain in Germany as long as living conditions here are superior to those in Israel.

It is inevitable that as time passes, camp consolidation will become in-

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creasingly difficult to carry out. Most of the people involved in the moves have been shifted from one camp to another at least once before. However, further consolidation is in my opinion, imperative. The program must continue no matter how inconvenient it becomes to the individuals involved. The following factors should be taken into account:

a. By stepping or slowing down the consolidation program, we would automatically stop or slow down the movement to Israel. At this stage virtually no one from any camp sets a definite date for going to Israel until the date of the camp closing is fixed.

b. The announcement of camp closing has also influenced those who are not interested in Israel to take immediate steps to prove eligibility for immigration to the United States.

Despite the feeling in some quarters that the tempo of camp closings is too rapid, at the June 7 meeting it was decided to close 4 installations in the second half of June and 6 in the month of July. There is every reason to believe that the schedule will be met and that by the end of July there will be only 6 camps in the US Zone of Germany.

2. Resettlement from US Zone of Germany during 1949

Destination:	Jan	Feb	Mar	Apr	May	June 1-15	Total
Israel	5142	2623	8451	8735	4041	2352	25344
USA	758	1959	1847	1804	2249	1723	10340
Canada	92	75	226	126	228	55	802
Australia	55	80	59	71	8	-	273
France	4	16	4	-	3	-	27
Cuba	-	7	-	-	-	-	7
Honduras	2	-	-	-	-	-	2
Mexico	1	-	-	-	-	-	1
New Zealand	2	-	1	-	1	-	4
Ecuador	-	4	-	-	4	-	8
Bolivia	-	5	-	-	7	-	12
S. Africa	-	1	4	-	-	-	5
UK	3	-	1	-	11	-	15
Chile	-	-	2	1	-	-	3
Guatemala	-	-	-	-	3	-	3
Barbados	-	-	-	-	2	-	2
	6059	4770	10595	4737	6557	4130	36848

The above chart recapitulates emigration figures for the period from Jan 1 to June 15, 1949. This table does not include figures for those, sponsored by AJDC and HIAS, who want to countries other than the US and Israel. Thus, the resettlement figure for the period covered by this report is at least 11,000.

### 3. Farewell Ceremony for General Clay

In my last report I indicated that I was planning with the Jewish voluntary agencies and the Central Committee to present to General Clay a special copy of the Talmud edition which is being printed in Heidelberg.

At a most impressive and inspiring ceremony in the General's office in Berlin, two days prior to the General's departure, a member of the DF Rabbinate presented the General with a copy of the Talmud, beautifully inscribed and dedicated to him; the chairman of the Central Committee presented a gift from the Committee, and I delivered to the General a scroll on which was inscribed a citation signed by the local directors of all the Jewish voluntary agencies, all of whom were present at the ceremony.

General Clay was deeply moved and in his very warm response indicated his personal appreciation of the contribution made by the Jewish groups in the care and rehabilitation of the Jewish DPs. He paid a glowing tribute to the DPs themselves and assured us that in his private capacity, after leaving his post, he would on every occasion that would present itself, lift his voice on behalf of these people.

### 4. Baggage Problem

In my last report I referred to the formulation of a new directive governing the removal of DP baggage from the zone. I indicated that this directive would be at least as liberal as the one currently in effect. Actually it offers far more than we had hoped for.

I pointed out that because of or in spite of the directives the people were finding ways of removing all of their belongings. In the last few weeks the situation has become considerably worse. The German customs officials, under the supervision of the Military Customs Unit, have begun to inspect DP baggage at the JAFF warehouses and loading points. They have found what they report as "discrepancies." My position has been that pending the final approval and distribution of the new directives baggage must continue to be inspected solely by the JAFF. The army authorities are in agreement and several days ago issued instructions that the JAFF will continue to be the sole agency authorized to inspect baggage of Jewish DPs going to Israel. This should result in the resumption of baggage shipment to Israel. The new regulation about to be issued will, I hope, permanently resolve the problems involved in this important aspect of group movement to Israel.

### 5. German General Claims Law

The German General Claims Law, in which the Laender in the US Zone undertake, inter alia, to provide some compensation for those who were incarcerated in concentration camps and ghettos, has not as yet been ratified by the US military authorities. The revised draft has been approved by the Legislation Review Board in Berlin. Its staff study recommending the ratification of the law is being circulated, for concurrence, among the interested

divisions in the Office of Military Government. I am advised that the delay is to some degree adversely affecting the emigration picture. Although the law provides for the payment of only 150 Deutsche Marks per month for each completed month of detention, there are DPs to whom the amount due them is attractive enough to cause them to defer their emigration. They feel that any amount deposited to their account after they have left Germany will be valueless and therefore are waiting to receive the sum which they may convert into things they can take along.

It is impossible to accelerate the approval of the law. There are certain channels through which important legislation must pass and nothing can be done to influence the authorities to deviate from established procedure. I am informed that there is general agreement in Berlin that the proposed law should be approved. However, in view of the financial burden that the law imposes, I hesitate to make any definite prediction as to its ultimate approval.

#### 6. The Equalization of Burdens Law

There is now pending before the High Economic Council, the German body that legislates for the US and British Zones, a proposed law entitled the "First Ordinance on the Equalization of War Burdens". This is the first of a series of laws whose purpose it will be to equalize the losses sustained by the Germans as a result of the war. The First Ordinance provides for immediate relief to certain indigent groups who suffered as a result of the war. The funds to meet this burden are to be supplied by a 5% tax on all property owners, as of the end of hostilities, with the proviso that United Nations nationals who had that status on May 8, 1945 are exempt from the tax.

As soon as I learned that the persecutees were not included in the exempted group, I called General Hayns, discussed the matter with him and reduced my views in writing, in a memorandum that I submitted to him. I am enclosing a copy of the memorandum. The General indicated that my views would be studied by his staff and that he would keep me informed of the developments on this issue. On June 11 I received a letter from him in which he indicated that he was referring the matter to the Government. I am enclosing a copy of that letter. I have not had the opportunity to discuss the matter with the General, beyond my initial conversation with him on this subject. However, I construe his letter to mean that he has asked the State Department for advice. Having learned that the exemption in favor of United Nations nationals was insisted upon by the US and UK Military Governors only as a result of considerable pressure on the part of some of the large US corporations having substantial holdings in Germany, I believe that the chances are very slight that anything can be accomplished at this end in broadening the exemption to include persecutees. In my opinion, a favorable decision on this issue can only be achieved by exerting pressure on the State Department.

## 7. The Problem of Mohl Strasse

For some time a situation has been developing in Munich that has reached the point where it now presents a serious problem of law enforcement. The area involved is the section of the city in which the offices of the Jewish Agency, the Israeli Consul, the AJDC and the Central Committee are located. From 1945 on this area served as the center of Jewish DP activity in the Zone and very rapidly became a trading post where the Jewish DPs engaged in trade and barter, some legitimate and some otherwise. At first the business activities were confined in a fenced in yard of the Jewish Committee of Munich, but when this limited space proved inadequate to contain the growing numbers that this "trade" attracted, the people spilled over into Mohl Strasse. Today Mohl Strasse presents the following picture: Extending over a distance of about five blocks there are about 60 shops, built, owned and operated by Jewish DPs. New shops are going up at a feverish pace. The stores range from temporary wooden shacks, where religious items are sold, to first rate shops where bolts of cloth, silverware and leather goods may be bought at prices below the prevailing cost in the German shops. In addition, the stores are pretty well stocked with items which come from American Post Exchange sources. It is, of course, prohibited to traffic in these items. As unsightly as these permanent and semi-permanent establishments are to those of us who find it grotesque, if not ugly, to see concentration camp survivors in the role of merchants in Germany, they would present no problem if Mohl Strasse were normal in all other respects. The authorities would, I feel, not even be exercised over the fact that prohibited items are sold in the stores. However, the fact is that Mohl Strasse and the streets adjacent to the stores are generally jammed with people who traffic in PX cigarettes and chocolates and in currency, in full public view. In addition, there are a number of Jewish owned cafes in the neighborhood that furnish a facade to a Jewish DP element that has a very unseemly reputation. The total impression created by Mohl Strasse is that it is one of the most active black market centers in Germany. If, from the point of fact, it does not deserve that reputation, it certainly is the most conspicuous black market center in the country.

Obviously, from the public relations standpoint, Mohl Strasse is an eye sore. It would be that if the mart were located in any other section in Germany. The fact that it flourishes right at the doorstep of the Jewish organizations makes the spectacle infinitely worse. The situation has been the subject of much discussion among the DP leadership, the Jewish organizations and the military authorities. It has reached the stage where in the immediate future drastic measures are going to be taken by the military to "crack down" on the illegal activities of this street. In my conference with the authorities, I have urged that the German police be kept out of the picture and that the problem be handled exclusively by US military personnel. The authorities take the position that since German streets are involved, the basic responsibility for policing them is that of the Germans. Accordingly, the plan that has been evolved calls for the use of German police to handle the situation. I have, however, succeeded in convincing the authorities to employ some military patrols

to insure the minimum of unpleasant incidents in the operation. Moreover, the contemplated action will not take place without the people having ample warning as to what will take place. It is my hope that as a result of a concerted campaign on the part of the Central Committee, using its press and mass meetings, the situation will be brought under control before the police move in. Past efforts in this direction have proven abortive for the reason, I am told, that the people have managed to "get to" the German police. This time there is a unanimous agreement in all quarters that Mohl Strasse must be cleaned up and remain clean.

I have described this matter in detail because there is a possibility that the ultimate action that may be taken will invite some unfavorable publicity and I wanted you to have the background of this situation. The use of German police will not represent any change of policy on the part of the authorities. DPs engaged in any form of activity outside of the DP assembly centers have always been subject to the jurisdiction of the German police. I should also add that the action that may have to be taken will not be an expression of anti-Semitism on the part of the German authorities. We are in no position to defend the brazenness with which some of the DPs disregard the law in this particular pocket.

*Harry Greenstein*  
 HARRY GREENSTEIN  
 Advisor on Jewish Affairs

C O P Y

HEADQUARTERS  
EUROPEAN COMMAND

June 7, 1949

Dear Phil:

Enclosed find copy of my most recent report on Austria which I hope will be of interest to you.

Answering your letter of May 13th my present thinking is to return home during September at which time if we can maintain our present rate of immigration, most of the camps will be closed, with the exception of a few which must be retained for the medically hard core and for those waiting to go to the United States.

I subscribe completely to your high opinion of Abe and nothing would please me more than to have him succeed me when I leave.

With warmest personal regards, I am

Cordially,

/s/ Harry Greenstein  
Adviser on Jewish Affairs

Rabbi Philip S. Bernstein  
Temple B'rith Kodesh  
117 Gibbs Street  
Rochester 5, N. Y.

317979

Camp - Reports  
Jews Adv.

June 4, 1949

G.B.

2  
TO: American Jewish Committee  
American Joint Distribution Committee  
Jewish Agency for Palestine  
World Jewish Congress

I want to report to you on my visit to Vienna from May 23 to May 31, and on the developments in Austria since my letter of May 11.

1. INFILTRATION FROM HUNGARY.

The situation with regard to emigration from Hungary through Czechoslovakia has changed considerably. The tightening of the border controls, both by Hungary and Czechoslovakia, seems to have effectively reduced the large scale movements. Only approximately 200 persons a week are now coming in, and the general opinion is that there is little likelihood of any substantial increase in the immediate future. Two weeks ago there were approximately 4200 persons in the Rothschild Hospital and the Arzberger School in Vienna. As of May 23, the number had been reduced to 3000.

It is my understanding that the negotiations which have been going on with the Hungarian Government call for only 5000 legal emigres, and the restrictions imposed will close the door to many. I am also informed that those who will go out of Hungary legally will move via the port of Constanza to Israel and will not be coming through Austria.

In reviewing the problem of the recent infiltration with the military authorities, I found that there is complete satisfaction with the present situation. In previous conferences, General Keyes and members of his staff were deeply concerned that the new movements would be a repetition of what took place in 1947 and that this would indefinitely postpone the ultimate solution of the Jewish IP problem in Austria. Their fears on this score have, apparently, been allayed by the rate at which the newcomers are moving out and by the fact that the new infiltration has not retarded the movement of the people out of the camps. It has been suggested in some quarters that we urge the Army to set up an additional camp in Vienna to accommodate the infiltrates. It is my judgment that, as long as the present rate of flow is not substantially exceeded, it would be imprudent to make this request. Not only would it be denied, but it might even upset the present arrangements under which the basic rations for the infiltrates is supplied by the Austrian authorities.

2. AUSTRIA'S REFUSAL TO CONTINUE PRESENT SUPPORT OF IP CAMPS.

A critical situation has developed in the operation of the IP camps in Austria as a result of the Austrian Government's refusal to continue to maintain present financial arrangements. For some time the Austrian Government has been complaining that the overhead expenses of the IHO for running the IP camps is excessive and recently served notice that no further maintenance and care would be provided in the camps unless the administrative costs were brought down. The US military advised the Austrian Government that it had an obligation to pay for basic care and maintenance and that this obligation would have to be continued. The US authorities agreed, however, that the question of overhead should be reviewed. Accordingly, a

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joint committee, consisting of representatives of the Austrian Government, the US military and of the American embassy, was appointed to review the reciprocal responsibility of the Austrian Government, the occupying forces, and the IRO in relationship to care and maintenance and to the administration of the DP camps. A comprehensive memorandum was drawn up, which, for the first time, defined in writing the respective areas of responsibility of the parties concerned. Prior to this, the support of the DPs in Austria rested upon an informal exchange of letters between these parties.

Within the course of the past week, Mr. Fock, Director General of the IRO, and General Hood met with military in Vienna to review the situation and to try to work out some compromise arrangements with the Austrian Government, which would involve a reduction in overhead costs. The US authorities are now exploring this matter further with the Austrian Government, in order to arrive at some solution. IRO has taken the position that, if the Austrian Government insists in making excessive demands upon it, IRO may have to withdraw from the picture and refuse to accept any further responsibility for the DP camps. It is impossible at this writing to predict, with any degree of certainty, the ultimate outcome of this controversy. I was given to understand that the final decision will have to be made by both Washington and Geneva.

### 3. CLOSING OF DP CAMPS.

The picture on camp closings in Austria has not changed substantially since my last report. The camp at Bindersmühl, an installation that the Army needed to accommodate its own personnel, was finally vacated. Within the past few weeks, a number of conferences have been held on the closing of new Palestine in Salzburg. This installation, housing approximately 300 people, is unique in one respect. The buildings that comprise the camp were constructed by the people themselves with funds derived from questionable sources when the former camp, bearing the same name, was closed out about a year ago. Most of the camp residents are reputed to be interested in migrating to the States. The economic structure of the camp is reflected in the fact that only ten percent of the people who live there receive AFBO supplementation.

Aside from the usual reasons for urging that the DP camps be closed as rapidly as possible, it has been my feeling that there is no reason for maintaining this particular installation as an IRO center, most of whose occupants seem to be self-sufficient. When I started to explore the matter, I found that my views were shared by the Central Committee of Austria, the Army, the IRO, and by the representatives of the Jewish voluntary agencies in Austria. The camp is scheduled to be closed on July 1. I want to caution you against any pressure that might be used to prolong its life. Every responsible person working in the local scene agrees that the ultimate welfare of the people dictates that the camp be closed.

### 4. COORDINATION OF AGENCIES WORKING ON RESTITUTION.

The projected meeting on restitution, to which I referred in my previous report on Austria, was held in Vienna on May 31. The conference was attended by representatives of the Kultusgemeinde, the International Committee

for Jewish Refugees, the AJDC, the American Jewish Committee, the Jewish Agency for Palestine, the World Jewish Congress, by the Israeli Consul in Austria, and by my office. It was concluded that what had been achieved in Austria in the way of restitution left much to be desired, and the discussion centered about the advisability of establishing some working machinery through which the efforts of the various organizations concerned with the problem could be coordinated. At the conclusion of a thorough debate of the matter, it was agreed that there was a need to coordinate the activities of the organizations interested in restitution and related matters. An informal committee, with the AJDC serving as the secretariat, was set up, consisting of members of each of the organizations and groups represented at the meeting. In agreeing upon this coordinating committee, two reservations were made: one, that, unless specifically authorized, the committee would not speak on behalf of all or any of the organizations represented; and, two, that the organizations would be responsible only to their respective headquarters.

In my opinion, what we achieved at this conference was a step forward in dealing with the problem of restitution in Austria. Immediately following the conference, the new committee met and, in a relatively short time, agreed upon a memorandum to be addressed to the Austrian and US authorities, sharply criticizing the most recent draft of the Law on the disposition of heirless property.

Relative to the general question of restitution, I am convinced, from my discussions with people who attended the meeting and with General Balmer (Deputy High Commissioner of US Zone, Austria), that little will be accomplished in Austria until after the Fall elections. I fully endorse the steps that the cooperating organizations are taking to exert pressure in Washington with respect to the 25,000,000 shilling loan to the Austrian Jewish community. The same may eventually have to be done with the issue of the heirless property. In this connection, I believe that the new committee that will function in Austria may serve a very useful purpose. Heretofore, the Vienna Kulturgemeinde has, at least to a limited extent, served as the clearing house for the thinking on the restitution problem. Aside from the present internal struggle for power between the right and the left wing groups in the Gemeinde that may, if unfavorably resolved, immobilize the Gemeinde in dealing either with the Austrian or US authorities, I am of the opinion that on the issue of heirless property we may find the Gemeinde taking a position inconsistent with that of the world Jewish community. Consequently, it is best that the individual efforts of the organizations dealing with the problem be coordinated through a committee that will, undoubtedly, be more representative of the local and international Jewish interests than the Gemeinde.

HARRY GREENSTEIN  
 Adviser on Jewish Affairs

HEIDELBERG

Reports - Jew Agency  
3

May 11, 1949

TO: American Jewish Committee  
American Joint Distribution Committee  
Jewish Agency for Palestine  
World Jewish Congress

REPORT ON AUSTRIA

I just returned from a three day trip to Austria where I conferred with the US military authorities, the IRO Director, the Israeli Consul and with leaders of the Jewish community in Vienna. Prior to my departure for Vienna I received a letter from General Keyes' office in which the General raised the following questions:

- a. What are the possibilities of an influx of Jewish refugees into Austria from Poland, Czechoslovakia, Hungary and Rumania?
- b. Is there any evidence of increasing anti-Semitism in any of the above countries?
- c. What Jewish agencies are working in these countries, what are their activities and functions and how close is their contact with similar agencies in Austria?
- d. What are the indications of official approval or disapproval of the outward movement of Jews from these countries, either directly to Palestine or via other countries, particularly Austria?
- e. What is the present status of negotiations between the Hungarian government and Dr. Ariel, the Israeli Representative, with reference to authorizing movement directly to Palestine?

General Keyes was absent from Vienna. I, therefore, had my principal conference with General Balmer, US Deputy Commander in Austria and discussed each of the above items with him at length.

Since the first of the year there has been a steady infiltration of Jews into Austria from Hungary. During the latter part of April and, especially the early part of May, this movement has taken on much larger proportions. In the course of the past <sup>two</sup> week, alone over 3,000 Jews arrived in Vienna from Hungary by way of Czechoslovakia. Most of them are being temporarily housed in the

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Rothschild Hospital and at Arsberger, two AJDC supported installations.

Many of these recent arrivals are young people, on their way to Israel, to settle in kibbutzim. Among them are also a number of persons in the older age group. Conditions in the Rothschild Hospital are reminiscent of the scenes of a few years ago, when the Rumanian Jews poured across the borders. Every available inch of space is being utilized and the corridors are crowded and overcrowded, with people sleeping on the floor and wherever they can find a resting place. The US military authorities and the IRO are quite concerned with the present situation, which is delaying the early closing of the Jewish DP camps in Austria. I was asked to do what I could to stop, or at least to curb this movement. I replied that any assurance that I might give along these lines would be meaningless.

Within the past few days Hungary lodged a vigorous protest with Czechoslovakia and is now insisting that Czechoslovakia no longer permit this illegal movement across its borders, and that it force the immigrants to return to Hungary. I spoke to a few key people about the probable effect of this development and was informed that this policy, if implemented by Czechoslovakia, would undoubtedly sharply reduce the present illegal movement.

In my previous report on Israel I mentioned that negotiations were taking place to permit 20,000 Jews to go from Hungary to Israel. It is my present understanding that this figure has been reduced to 10,000 and that only those 50 years of age or over will be eligible for this emigration. There is increasing conviction on the part of thousands of Jews that Hungary holds no future for them. It is, therefore, anticipated that they will continue their efforts to find avenues of escape, legally or illegally.

Displaced Persons in the US Zone, Austria

The following figures were supplied to me by the US authorities in Austria, for the period March 25 to April 25, 1949:

Jewish DPs in camp US Zone Austria, exclusive of Vienna as of March 25, 1949 .....	8,280
Arrivals during the month .....	<u>1,162</u>
	9,442
Departures during the month .....	<u>2,002</u>
	7,440
DPs out of camp as of April 25, 1949 .....	<u>602</u>
Grand total of DPs in and out of camp as of April 25, 1949, exclusive of Vienna .....	<u>8,042</u>

Camp Population as of April 25, 1949

<u>Camp</u>	<u>Location</u>	<u>Population</u>
Bialik	Salzburg	730
New Palestine	"	292
Saalfelden	Saalfelden	192
BinderMichel	BinderMichel	1085
Steyer	Steyer	1046
Wegscheidt	Linz	602
Wells	Wells	614
Hallein	Hallein	1211
Ebelsberg	Ebelsberg	1613
		<u>7385</u>
	Miscellaneous	<u>55</u>
		<u>7440</u>

Israeli's Consul's Analysis of Ultimate Liquidation of DP Problem in Austria

I am enclosing a memorandum from the Israeli Consul to the Austrian Command which reflects the Consul's evaluation of the present DP situation in Austria and his forecast with regard to emigration and the closing of the DP camps.

Present Status of Restitution Laws

During my stay in Vienna I looked into the problem of restitution. There is real concern on the part of all the Jewish organizations over the failure of the Austrian government, (1) to pass the necessary additional laws, and (2) to effectively implement those laws already adopted.

Unlike the US Zone, Germany, where we have one comprehensive law dealing with the entire field of internal restitution, Austria dealt with the problem of restitution on a piecemeal basis. Since the cessation of hostilities Austria has passed six measures dealing with internal restitution. They are the following:

a. Law No. 10 (1945), which required the owners of "aryanized" of confiscated property to register this property with the Austrian authorities.

b. Law No. 156 (26 July 1946), First Restitution Law - provided for the restitution of property that the German Reich had confiscated during the Anschluss and to which the Austrian Republic had succeeded

and has held and administered as trustee for the benefit of the persecutees

c. Law No. 53 (27 March 1947) Second Restitution Law - provides for the restitution of property that members of the NSDP and of other outlawed Nazi organizations had taken under duress from persecutees. The Austrian Republic declared this property confiscated and substituted itself as the title holder.

d. Law No. 54 (27 March 1947) Third Restitution Law - provides for the restitution of real and personal property in those cases where the legal title was transferred to private individuals or corporations under duress or under conditions that are held to be confiscatory.

e. Law No. 55 (27 March 1947), Property Restoration Law - provides for the restitution of the property of democratic organizations which were either dissolved or driven underground during the Anschluss.

f. Law No. 143 (8 August 1947), Fourth Restitution Law - provides for the re-registration of business firm names which had been deleted or changed under Nazi pressure.

Austria has to this date failed to adopt any measure calling for the restoration of confiscated leasehold interests and has shown an incredible indifference to the problem involving heirless and unclaimed property. Proposed legislation in these fields has been pending for the past several years. The general feeling is that in view of the political situation in Austria, it is not likely that anything further will emerge in the field of restitution until at least after the next general elections, scheduled to be held in October of this year.

The major political parties in Austria are the Volksparty (Catholic) the Socialist and Communist parties. Of the 165 parliamentary seats the Volksparty has only about six or eight more than the Socialists. The Communists control four seats. The parties are now vying with each other for the support of the some 500,000 lesser implicated Nazis who, on June 6, 1948, were extended a general amnesty, and who, for the first time since the end of the war, will have the right to vote. None of the parties is willing to take the risk of defeat by sponsoring any further restitution laws which obviously will be unpopular with the masses of the people.

In reviewing the problem on the spot, I found that until now each of the various organizations working in the field of restitution

in Austria have been making independent approaches to the problem. It is not at all certain that we can, even under the most favorable circumstances, influence the situation from this end. I am, however, convinced that we stand even less chance unless we coordinate our efforts and present a single viewpoint to the US military authorities, and to the Austrian government. Accordingly, I intend to call a meeting, in the course of the next few weeks, of those agencies that have been concerned with this problem. It is my hope that at this conference we will be able to draw up a common program and that we may succeed in agreeing upon the most effective next steps to be taken.

---

HARRY GREENSTEIN  
Adviser on Jewish Affairs

Memorandum to be attached to report on Austria dated May 11, 1949.

9th May, 1949

FROM: Dr. Kurt Lewin, Representative of the State of Israel, Austria

I take the liberty of sending on to you the following breakdown on Jewish refugees and Displaced Persons, together with our future plans for the movement of said people.

1) Our original plan for the closing of the Jewish DP camps in Austria were as follows:

March 1949 - Riedenburg, Bindermichel, Saalfelden and 1/2 of  
Ebelsberg  
April 1949 - Beth Bialik, Wegscheid and the rest of Ebelsberg  
May 1949 - Hallein, Wels, and Steyr.

During March we had to alter this plan a little. We postponed the closing of Saalfelden and Bindermichel because of reasons, known to you, and changed the deadline for half of Ebelsberg to April, with the rest to follow in May. From Wegscheid also, we sent firstly only candidates who desired to go to Israel during this month.

For Parsch we did not decide on any deadline at all, as we do not consider this camp Zionist at all, and have only to deal with individual cases there.

Our above mentioned plan for the liquidation of the camp was realized as follows:

Riedenburg - closed at the end of March 1949  
Saalfelden and Beth Bialik - closed at the end of April

Riedenburg and Saalfelden were taken over by the Military, while Beth Bialik was designated as transient camp instead of Saalfelden.

2) The situation now is as follows:

Bindermichel accommodates 100 candidates for Israel amongst 750 camp residents.

Wegscheid 250 amongst 500 residents

Steyr 400 " 900 "

Wels 350 " 700 "

Ebelsberg 200 " 1000 "

Hallein 400 " 800 "

Beth Bialik

100 " 500 " (on the day of closing)

Parsch 100 " 250 "

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We have not decided on a deadline for the above named camps yet, but according to our plans, all candidates should leave for Israel either at the end of May, or during June at the latest.

I should like to emphasize the fact, that where our deadline for liquidation of a camp coincided with the deadline given by IRO and the Army authorities, as was the case with Riedenburg, Saalfelden and Beth Bialik, the closing took place on the exact dates given, and all the candidates left at the proper time, vacating the camp for its future use.

Only in camps where the dates set for liquidation by other authorities were different to our deadline, as in the case of Bindernichel, the closing of the camp was postponed.

2) At the moment the situation is rather complicated due to the fact that a new stream of refugees have arrived in Vienna during the last three months. In March there have been 1910 new Jewish refugees in Vienna with 1524 candidates for Israel, in April 2519 with 1722 registrations for Israel and in May up to date 1400 Jewish newcomers. For this month we have not finished our registration yet.

During the three months in question, the following have left Austria with the destination Israel:

15.3.1949	-	883	immigrants
25.3.	-	476	"
5.4	-	969	"
22.4	-	752	"
3.5	-	301	"
8.5	-	374	"

3) The following immigrants left Vienna during the same time:

March 1949	-	1000
April	-	350
May up to date		274

4) For the month of May, we have planned the following transports:

15.5.1949	-	600	immigrants
25.5	-	800	"
30.5	-	500	"

For all these transports we have boats waiting in Italy to leave for Israel.

5) There was some delay in immigration to Israel from Austria during the month of April, due to two facts: Firstly, the Passover holidays, which lasted for 7 days, and secondly: the difficulties with the Russian permits, which obstacle has been removed in the meantime.

Page 3 of Memorandum to be attached to report on Austria dated May 11, 1949

6) In future all transports from Vienna will consist of 360 immigrants for each transport up to the 12th of May, whereas between the 15th and 31st of May, we hope to send from 200 to 300 persons every second day.

7) The exact number of candidates left in Ebelsberg for medical reasons I cannot give you at this time.

I hope that these figures will help you to arrive at a clear picture of our movements during the last months and for the near future.

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*Camp Reports Jan.*  
*072*

May 3, 1949

TO: American Jewish Committee  
American Joint Distribution Committee  
Jewish Agency for Palestine  
World Jewish Congress

This report covers the period from March 15 to April 30, 1949 for the US Zone, Germany.

In General:

The tempo of emigration set during the first half of March continued unabated during the balance of that month but sloughed off considerably during the month of April. The principal reason for this slowdown was the Passover holiday, during which no movement was scheduled. I utilized part of this period (April 4 to April 21) to visit Israel, with a view of determining the soundness of a camp consolidation schedule tentatively agreed upon in my office, and with the further view of exploring the possibility of transferring the "medical hard core" to Israel. My observations on this trip are contained in a separate report that I have sent you.

On April 27 I had the signal pleasure of accompanying former Governor Lehman on a field trip in the US Zone, Germany. The trip included a visit of one of our camps in the Kassel area and of the all-Jewish Labor Company.

Because of a series of indispensable conferences in Germany and my trip to Israel, I was unable to call upon the authorities in Vienna. I propose to visit the Austrian command on May 9 and will report to you on the situation there when I return from that zone.

Resettlement from the US Zone, Germany:

March showed the greatest monthly reduction in the Jewish DP population in the US Zone, Germany. A total of 10,596 left the zone during that month. As indicated, the intervention of the Passover holiday accounted for the radical reduction in the emigration figures for the month of April. During that month an aggregate of 4,737 left the US Zone, Germany.

The following chart reflects the countries of destination and the numbers resettled from the zone during the two month period covered:

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<u>Destination</u>	<u>March 1949</u>	<u>April 1949</u>
Israel	8,451	2,735
USA	1,847	1,804
Canada	226	126
Australia	59	71
France	4	
New Zealand	1	
Bolivia	1	
South Africa	4	
United Kingdom	1	
Chile	2	1

Camp Consolidation:

Closely related to the resettlement of the DPs is the question of camp consolidation. During the period covered by this report, 9 camps in the US Zone, Germany, with an aggregate population of about 5,700, closed. As of May 1 there were 26 camps operating in the US Zone, Germany and 8 in the US Zone, Austria.

On March 29 a meeting took place at my office that was attended by representatives of the Army, the IRO, the AJDC, the JAFP, the Central Committee of Liberated Jews and by the members of my staff. The purpose of this meeting was to agree upon a tentative program for the closing of Jewish DP installations in the US Zone, Germany. It was felt that because of the rate of emigration it would be possible to telescope and accelerate the ultimate liquidation of these camps. We all agreed that in view of the anticipated rate of flow to Israel and of what may reasonably be expected in terms of migration to the States, all but 9 camps could be closed in the Zone by the end of June and all but about two camps can be closed by September. Due to army requirements for one of the larger installations, the agreed schedule has already undergone some revision and it is now expected that by July there will be eleven camps that will be operating. Obviously, the ability to follow through on the revised schedule is contingent upon the rate of departure of the people. Although there has been no relaxation in principle that the agreed schedule should be implemented, in view of conditions in Israel and what may develop as a result of new infiltration from Rumania and Hungary, it is quite likely that our present plans for the early closing of the camps may be somewhat too ambitious.

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Presentation of the Talmud to General Clay:

As you know, while General McNarney was in command, he approved a project submitted to him by Rabbi Bernstein that called for the publication of an edition of the Talmud in occupied Germany. You are familiar with the plan for the presentation of this edition to President Truman, President Weizmann and to General Clay. In my conference with the General on April 30, I mentioned this matter to him. He indicated that his departure from the Zone was imminent and that more than likely I would have to make the presentation at the airport within the forthcoming two weeks.

Removal of Personal Belongings - Baggage Inspection:

The problem of baggage inspection and the removal of personal belongings is still under study in the US Zone, Germany. In the meantime, the practice described in previous reports of the office is pursued, and so far as I am informed, the people are finding ways to remove all of their belongings.

The current thinking on the matter, shared by General Clay, is that the baggage of all DPs leaving the zone, either for repatriation or resettlement should be inspected by the German customs' authorities. I discussed this question with the General in my conference with him on March 17 and, as I intimated in my first report to you, he took the position that the directive on customs inspection should apply to the DPs as well as it does to all American and allied personnel leaving the zone.

My office has participated in the discussions related to the new directive which is being drafted. On the basis of these conferences, it is my judgment that the directive that will emerge from these discussions, will, from the standpoint of the Israel-bound DPs, be at least as liberal as the one now in effect.

In this connection, I gave General Clay a realistic picture of the present situation in Israel, stressed the acute housing shortage in the country, and indicated that the solution of the DP problem in Germany could be greatly accelerated if the emigrating DPs were permitted to take with them prefabricated housing as their personal belongings. The General stated that there was no great production of prefabricated houses in Germany and that in fact, the US Army needs for prefabricated housing were being met from the outside of Germany. This is contrary to the impression that I was given by many people who have been working in the local scene, including the

JAPP representatives and the DP leaders. I shall explore this matter further and raise it with the General or his successor at the earliest possible date. In any event, when the General expressed his views on the prefabricated housing, I suggested the possibility of having the DPs purchase tents in Germany and of removing them as their personal belongings. He replied that so far as he knew there was no supply of surplus tents in Germany which could be made available to the DPs and that what purchases could be made would have to be handled through negotiations in Washington.

#### German General Claims Law:

In my conference with General Clay on March 17, he informed me that he had returned the proposed law to the German authorities and that he had made it clear to them that he would not approve a law which discriminated against the DPs. For six weeks the German Laenderret deliberated over this law and, I am informed, finally agreed upon a draft which meets the major objections that we raised. When I spoke to the General on April 30, he had no knowledge of this new draft. I am told that it will be submitted to the US authorities in the next few days.

#### Individual Claims Agency:

Because General Clay felt that a separate Claims Agency, that might be set up to assist living claimants in the processing of their claims, under the restitution law, would inevitably be in competition with JRSO, and because of his fear, that I was unable to dissipate, that the agency might exploit the local situation to the disadvantage of the claimants, he refused to reverse his previous decision on this issue. He did however indicate that JRSO could perform the service of the proposed agency. I communicated this decision to Mr. Ferencs about a week ago. He wrote General Clay and requested approval for JRSO to represent individual claimants. As of today JRSO has received no reply on this request.

#### Correction of Error in Previous Report:

After rereading my first report I noticed that in my observations on the formal lifting of the ban on the migration of men of military age, I stated that one of the effects of this development is that

the JAPP will be able to get reimbursement from the IRO for all Israel-bound movements. It is the AJDC that has, of course, been financing the shipment of the DPs to Israel, and it is that organization that will be in the position to ask for reimbursement for its outlays on this migration.

HARRY GREENSTEIN  
Adviser on Jewish Affairs

Heidelberg

317995

HEADQUARTERS  
EUROPEAN COMMAND  
Office of the Adviser on Jewish Affairs  
APO 403, U.S. Army

6 May 1949

Dear Mr. Grossman:

At Mr. Easterman's request I am sending you several copies of our minutes of the conference in Heidelberg held on March 13 and 14.

With best wishes, and kindest regards, I am

Sincerely yours,

*Abraham S. Hyman*

ABRAHAM S. HYMAN  
Major JAGC  
Assistant to the  
Adviser on Jewish Affairs

ASH/rs

Mr. Kurt R. Grossman  
World Jewish Congress  
1834 Broadway  
New York 23, N.Y.

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COPY

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HEADQUARTERS  
EUROPEAN COMMAND  
OFFICE OF THE COMMANDER IN CHIEF

26 April 1949

Mr. Eli Rook  
American Joint Distribution Committee  
270 Madison Avenue  
New York 16, New York

Dear Eli:

I have just returned from a two-week visit to Israel where I conferred with members of the Israeli Government and the Jewish Agency on certain important problems connected with the closing of the DP camps in Germany and Austria. Prior to my departure I held a series of conferences with the Army authorities, the IRO, the AJDC, the Jewish Agency and the Central Committee for Liberated Jews on the basis of which was worked out a program looking towards the closing of practically all the DP camps by September or October at the latest.

Two days after I got back from Israel, I was visited by a delegation from the Jewish Agency of Munich, very much disturbed that there might be a substantial reduction in the emigration quotas for the next few months. They urged me to send a cable immediately to Israel which I did and am also enclosing for your information a copy of a letter which I sent today to Mr. Berl Locker and Dr. Israel Goldstein.

With kind regards, I am

Sincerely,

HARRY GREENSTEIN

Encl.

317997

copy

27 April 1949

Mr. Berl Locker  
Dr. Israel Goldstein, Treasurer  
Jewish Agency for Palestine  
Jerusalem, Israel

Gentlemen:

On the day of my return from Israel, General Harrold, Director of Civil Affairs Division European Command, came to see me to get a report on my trip. I reviewed with him quite frankly the difficulties of reception, shortage of housing and the possibility that Israel might have to modify its present immigration schedule. He was very much concerned and expressed himself quite strongly that the schedule which had been agreed upon by the Army authorities and IRO and which called for the closing of most of the DP camps in the US Zone of Germany by September should not be curtailed.

On Saturday, a delegation from the Jewish Agency of Munich came to see me and advised me that they had just heard of the possible curtailment in the emigration quotas for the next few months, which, if applied to Germany, would make it impossible to carry out the program previously decided upon with the Army and IRO.

In view of the commitments already made and fully aware of the attitude of the Army authorities and the IRO, I dispatched the following cable to you on Saturday, April 23rd:

Jewish Agency Munich just informed me proposed cut emigration quota Germany. Camp liquidation schedule Army and IRO makes imperative emigration 8000 next month. Any change at this time involves serious consequences Army authorities. Urge confirmation immediately large-scale movement May

Harry Greenstein

I feel that you should know why any change in the program agreed upon would involve "serious consequences":

1. The Army is insistent upon closing the camps at the earliest possible date. They are in need of the installations and plans have already been made for the use of some of the camps for military purposes. Any change would involve serious dislocations in Army planning and would be strongly resented.
2. The IRO has already made commitments for some of the Jewish camps which were to be closed in the next few months for other DPs and any modification of this program will likewise cause serious difficulties.

317998

As a result of my recent trip to Israel, I am, of course, quite conscious of and fully appreciate the tremendous difficulties under which Israel is struggling in trying to absorb 25-30,000 immigrants a month. On the other hand it does seem to me that the DP camps in Germany and Austria call for special consideration. The Jews in the DP camps who want to go to Israel will find it difficult to understand why they are not given top priority in view of the fact that they have waited longer and suffered more than any other group of Jews.

I am sure you are equally aware of these facts and the only reason I am writing is because the military authorities and the IRO are insistent that the continuance of the camps in Germany and Austria one day longer than absolutely necessary will create a real problem.

I would appreciate if you would let me have your assurance by return mail that we can proceed with the original schedule of large-scale movements from Germany and Austria with a view of closing the DP camps in Germany not later than September 1949 and in Austria even sooner.

With kind personal regards, I am,

Sincerely,

HARRY GREENSTEIN  
Advisor on Jewish Affairs  
to the Commander in Chief

317999

*Camps Reports New Adv*

CROSS-REFERENCE SHEET

DATE: 4/12/1949

NAME OR SUBJECT      Memorandum

FROM:              Eli Rock, AJDC  
TO:                  Benkstein, Grossman, Hevesi

REGARDING:        attached Minutes of Meeting in Harry Greensteins Office 3/29/49,  
on Camps Consolidation and Camps Closing

SEE:                Camps Greenstein

318000

3

3/22/49

Report No. 429  
Stencilled 4/7/49  
At: A. J. J. D. C.  
270 Madison Ave.  
New York 16, N.Y.

Date of Reports: 2/28/49 and  
3/22/49  
Date Received: 3/28/49

CONFIDENTIAL

Source: Advisor on Jewish Affairs, EUCOM  
Content: Country - Germany - Austria  
Subject - Report

M.J.J. and E.R.

HEADQUARTERS  
EUROPEAN COMMAND  
Office of the Adviser on Jewish Affairs  
APO 403, U. S. Army

March 22, 1949

TO: American Jewish Committee  
American Joint Distribution Committee  
Jewish Agency for Palestine  
World Jewish Congress

Gentlemen:

Enclosed find two reports, one from Major Hyman and Chaplain Barish covering the period from Dr. Haber's departure to my arrival and my first report from date of my arrival February 15 to March 15.

Sincerely,

/s/ HARRY GREENSTEIN  
Adviser on Jewish Affairs

enc.

318001

HEADQUARTERS  
EUROPEAN COMMAND  
Office of the Adviser on Jewish Affairs  
APO 403, U.S. Army

March 22, 1949

TO: American Jewish Committee  
American Joint Distribution Committee  
Jewish Agency for Palestine  
World Jewish Congress

Gentlemen:

This is my first report and covers the period from February 15 to March 15, 1949:

Conference with General Clay

On February 15 I arrived in Heidelberg. Two hours later I held my first conference with General Clay in Frankfurt. In the hour we were together, he outlined the following problems with which he felt I should be concerned:

1. In the liquidation and consolidation of the Jewish camps, there may be problems with those who wish to remain in their quarters until they can go to countries of their ultimate destination. The General expressed the hope that these problems might be solved without too much difficulty, bearing in mind the requirements of the Army as well as the best interests of the Jewish DPs.
2. He recommended that I work closely with JRSQ on problems of restitution.
3. From time to time anti-Semitic incidents will undoubtedly occur. The General urged me not to hesitate to bring these situations to his attention and promised to deal with them in a vigorous and militant fashion.
4. He discussed at great length the question of Jews remaining in Germany and the extent and character of the permanent Jewish community. It is his conviction that it is possible for Jews to build a future for themselves and their families in Germany and felt it would be a tragic mistake on the part of the Jews to make Germany "Judenrein". In his opinion, at least 30,000 Jews will remain in Germany and he asked me to do everything I could to cooperate with the Kultusgemeinden and to help them in every possible way.
5. During the course of the conference I asked the General whether it was still his conviction that German police should be kept out of the Jewish camps. He replied that he feels as strongly as ever on the subject and that his policy has been completely endorsed by the United States authorities in Washington.

Conference with General Keyes

On February 22 I went to Vienna to see General Keyes. The General is eager to liquidate the Jewish DP camps in Austria at the earliest possible moment, and would like to have the Austrian quota to Israel increased, even if necessary, at the expense of the German quota. He suggested that all of the Jewish DPs should now be moved to the US Zone, Germany, where he felt there was adequate space to accommodate them. Obviously this cannot be done. There is no reason to suggest it to the authorities in Germany and they would undoubtedly reject the recommendation if it were made. On the basis of present plans I assured General Keyes that it should be possible to close most of the Jewish DP camps in Austria in the course of the next five months.

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Resettlement from US Zone, Germany

During the month of February emigration from the US Zone, Germany was substantially curtailed. Only 2,623 departed for Israel. The reduction during the first part of the month was due to the diversion of shipping for the evacuation of Cyprus. During the second part the ships were tied up in the harbor for maintenance and repair. The Geretsried resettlement center near Munich and the debarkation centers in Marseille were over crowded. The ships have been repaired and the flow of emigrants is moving swiftly. The resettlement figures for March will be very high. It may even reach a total of 10,000. The chart below will give you a picture of resettlement during February and a review of the January figures:

Sponsor	Destination	No. DPs Dep.	No. DPs Dep.	T o t a l
		Jan. 1949	Feb. 1949	Jan-Feb 1949
JAFP	Israel	5,142	2,623	7,765
IRO	USA	758	1,959	2,717
(AJDC-	Canada	95	75	170
HIAS	Australia	56	80	136
et.)	France	4	16	20
	Cuba	-	7	7
	Honduras	2	-	2
	Mexico	1	-	1
	New Zealand	2	-	2
	Ecuador	-	4	4
	Bolivia	2	5	7
	So. Africa	-	1	1
	U. K.	3	-	3
	Tunisia	1	-	1
	Argentina	3	-	3
	Belgium	6	-	6
	Brazil	49	-	49
	Chile	16	-	16
	Fr. Morocco	13	-	13
	Holland	4	-	4
	Italy	1	-	1
	Norway	3	-	3
	Sweden	6	-	6
TOTAL:		6,167	4,770	10,937

Reduction in Size of the Problem

We estimated that there were about 60,000 DPs in and out of camp on February 1, 1949. 4,770 left during February and we expect about 9,000 departures in March. This will bring our in and out-of-camp DP population in the US Zone, Germany to a maximum of 50,000 by April 1, 1949.

Camp Consolidation

The camp consolidation program is proceeding at its scheduled pace. From February 15 to March 15 eight installations were merged with other camps. At a meeting in Bad Kissingen, attended by representatives of IRO, the Army, JAFP and the Central Committee, agreement was reached with respect to the closing of eleven installations

from March 24 to May 24. The aggregate population of these camps is 12,181. Before these camps are closed, the people will be given priority on emigration to Israel and some will have emigrated to other countries. The DPs have accepted the principle of consolidation. Although they invariably send delegations to our office with the view of enlisting our aid to postpone the closing of the camps for one reason or another, (now the reason is related to the approaching Passover) they move without much protest.

It has been and it will continue to be imperative to adhere strictly to the consolidation program once the plan of action is agreed upon. This will, in some instances, mean the reduction in the quality of accommodations, and other inconveniences to the DPs. However, these inconveniences are more than offset by the atmosphere of movement that camp consolidation creates.

#### Lifting of Ban on Migration of Men of Military Age.

On the day I arrived in Germany, the local authorities received a cable from Washington advising them that on February 11 the State Department had notified the Acting Mediator that effective February 18, the United States was removing all restrictions on the migration to Israel of men of military age. This change in policy will not, I am informed, have any perceptible effect on movement to Israel. Even under the restrictive provisions the people who wanted to leave found ways of either accompanying the legal emigrants or of joining them at some points beyond the German and Austrian borders. Obviously, the Army knew that the restrictions were being circumvented and that, considering the age distribution of the Jewish DPs, it would have been impossible to syphon off 5,000 DPs monthly from the US Zone, Germany, without drawing upon men of military age. The Army was merely discreet in accepting at face value the assurance of the JAFP that they were not sponsoring the migration of men of military age. Despite the fact that lifting of the ban will have little effect on our problem in terms of the number of people who will be leaving it does represent a substantial gain. Of primary consideration is the fact that the JAFP will now be in the position to ask for reimbursement from IRO for the cost of resettling the people on whom the ban was lifted. Secondly, in the past the JAFP had to bear the cost of transporting the people from the far flung Military Posts to the resettlement center in and about Munich. The Army is now providing the necessary transportation on mere requisition of named representatives of JAFP. Finally, there is real value in being able to conduct an operation free of all hazards.

#### Removal of Personal Belongings - Baggage Inspection.

The one problem that is the source of greatest concern to every one interested in the movement of DPs to Israel is the removal of personal belongings. It was a major issue on the agenda of the Central Committee Council, and is a problem that people discuss with me wherever I turn. In their report Major Hyman and Chaplain Barish have described the existing practice in the handling of the baggage of Israel-bound DPs. The present interim military directive on what may be removed, is theoretically very limiting. I am informed however, that the ingenuity of the DPs did not desert them. The DPs may be on solid ground when they criticized the letter of the current directive on what may be removed. They have far less reason to complain in terms of the actual practice.

In any event, I am of the opinion that the directive should be brought in line with reason and am unable to justify a provision that prevents a DP from taking his professional equipment, such as a dentist chair or an X-ray machine. The entire matter has been under study and as a result of conferences with members of my staff, the

prospects are very good that a far more liberal directive on what be removed will soon replace the one now in force. We have been assured that the new regulation will permit the unrestricted removal of household and personal effects and hand tools and instruments required by the DPs for their personal use in the practice of their profession or craft.

With the removal of this obstacle, there remains one problem in connection with the shipment of baggage out of Germany; namely, the matter of inspection. As a result of the disclosure of an active smuggling ring that has been operating in the US Zone, the authorities here are determined to tighten all border controls. To assist him in meeting this problem, General Clay has invited General Schwartzkopf. On March 11 General Clay ordered that all persons, including US and allied personnel, crossing international frontiers of the US Control area should submit to inspection by German customs authorities. The inspections will have to be conducted in the presence of US Provost Marshal personnel and the seizure, if any, of unauthorized articles will be made by US personnel. It is my understanding that the same rule will apply to the DPs. I am prepared to recommend to General Clay that the German customs officials be kept out of the baggage picture, though my tentative thinking is that I can hardly ask for a more liberal provision for the DPs than the Army is willing to extend to its own and allied personnel. In my opinion, the liberalization of the directive on what may be removed, coupled with the protection afforded by the personal Army supervision of the activities of the German customs officials, are fairly adequate protection for the Israel-bound DPs.

#### General Claims Law

Within the past month very little progress has been made on the German General Claims Law. It was not until March 5 that the Staff Study, containing the recommendations agreed upon at the meeting of the Legislative Review Board, was presented to General Clay. I propose to discuss this matter with him at our next conference, tentatively set for March 17 in Berlin. At the same time I shall take up the question of the licensing of the Claims Agency whose application the General had previously turned down.

#### Discussions with IRO-Geneva

On February 28 I went to Geneva. In the absence of Mr. Tuck, Director General of the IRO, I discussed with Sir Arthur Rucker, Deputy Director, the present position of the IRO with regard to Israeli immigration. Mr. Tuck was in Palestine, meeting with the Conciliation Commission, to remove the last hurdles that stand in the way of IRO's support of Jewish migration. It is the hope of IRO to throw its entire resources, including the use of its own ships, in the movement of Jewish DPs to Israel. Sir Arthur stressed the importance of securing appropriate documentation on the eligibility of DPs going to Israel, to avoid any possible difficulties in securing reimbursements of transportation costs.

While in Geneva, I also met with Miss Marjory Bradford, Chief of the Division of the IRO dealing with Voluntary agencies. She discussed with me some of the problems which are disturbing the IRO in its relationship with Voluntary agencies and the difficulties inherent in the present United States DP law which are retarding the flow of DPs to the United States.

I also reviewed the following problems with Mr. James P. Rice, Liaison Officer for the American Joint Distribution Committee with the IRO in Geneva:

- (1) How could AJDC secure adequate reimbursement from IRO for its outlays on Israeli immigration;
- (2) IRO's failure to assume responsibility for eligible Jewish DPs in western Europe and Italy;
- and (3) the attitude of the top IRO personnel.

towards the Jewish Voluntary agencies serving in Europe.

IRO Conference, US Zone, Germany

On March 11 I attended a conference in Bad Kissingen, IRO headquarters US Zone, Germany. I took this occasion to discuss privately with Director General Tuck, his meetings in Israel with the Conciliation Commission. He revealed to me the following information:

- a. IRO has complete authority to make its own decisions with regard to the support of Jewish DP resettlement in Israel.
- b. Because of the delicate discussion now going on between the Conciliation Commission and the Arab and Jewish States he has been asked not to make or announce any decision on support of migration to Israel until March 25.
- c. He intends to present the matter to the IRO General Council at its next meeting in Geneva on March 25 and feels that in all likelihood the Council will decide to give full support to the resettlement of DPs in Israel.

At this conference Mr. Tuck announced the preliminary recommendations which he intends to present to the General Council, IRO and which have a direct bearing on the Jewish DP problem:

- a. No additional application for DP status will be accepted after December 31, 1949.
- b. The care and welfare program will be discontinued on June 30, 1950.
- c. Resettlement and repatriation program will be discontinued on June 30, 1951.

With regard to the above recommendations, it is my opinion that these cut-off dates should give us little concern as most of the Jewish DPs will, barring unforeseen circumstances, be resettled before the IRO program is terminated.

Mr. Tuck also recommended the following four possible methods of providing for the so-called medical "hard core":

1. Various governments could accept a number of these refugees into their countries and provide the necessary care.
2. Various governments could assume financial responsibility for care of a stated number in the country of present residence.
3. An arrangement could be made between IRO, authorities of countries where the refugees now reside, and other interested agencies or governments to provide for continued maintenance in countries of present residence.
4. The refugees could become the complete responsibility of the local authorities in the countries where they now reside.

Concerning these recommendations, it is my opinion that the Jewish medical "hard core" should be transferred to Israel and that IRO should make a grant to Israel to cover the expense for the proper care and maintenance of the group in this category. There are, of course, many different aspects of this important residual problem which will need to be carefully studied before any final decision is reached.

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Meeting with the DP Leadership

The Council (Rat) of the Central Committee of Liberated Jews, US Zone, Germany, consisting of about eighty members and representing every Zionist faction that has any following among the DPs, met in Munich on February 21 and 22. This body, in theory at least, shapes the basic policy for the Central Committee. I attended the opening session of this conference and found the local DP leaders in full agreement that every effort must be made to resettle the DPs as soon as possible. In keeping with this general view, the meeting adopted resolutions favoring camp consolidation and reduction in staff in all organizations serving the DPs. They also concluded that it was no longer necessary to hold an annual Congress, such as they conducted during the previous three years. These annual congresses were used as sounding boards for the DPs, to voice their elementary demands upon the world. The measure of progress that has been made in the Jewish DP problem can be gauged by the fact that the DPs themselves have few demands.

While in Salzburg I met with the Central Committee of the US Zone, Austria. This group posed no problem whatsoever to me. As indicated in Major Hyman's and Chaplain Barish's report, this Committee has a very ambitious program that looks to the closing of all but two of the camps in the Zone by the end of May. They appear to be quite optimistic that this plan will materialize. Obviously, whether the estimated 5,000 who are registered for migration to Israel will be removed by the deadline set by the Committee, and concurred in by the Israeli Consul in Austria, depends upon circumstances that are not altogether within the control of the DPs. It was however, encouraging to me to find in my conversations with the children in the ORT Central School in Salzburg and with the people in camp Beth-Bialik that they are at least psychologically prepared for immediate migration to Israel. I visited the same installations during my trip last summer and find a noticeable difference in the present mood of the people. By and large, the people seem to have a sense of direction. They no longer seem to be drifting and are in a perceptibly happier frame of mind.

Meeting with Kultusgemeinde Representatives in Germany and Austria

Not only did General Clay stress the importance of giving some consideration to the needs of the permanent Jewish community in Germany, but in the press conference that was arranged for me immediately following my introductory meeting with the General, the newspapermen were principally concerned with the same problem. In the course of this press interview I indicated that on the basis of information given to me, I would estimate that after the DPs had left, approximately 25,000 people would remain to form the nucleus of a new German Jewish community. The DP press took sharp exception to this bit of prophecy. However, when I met with some of the DP representatives who re-echoed these doubts, I found that their own estimates of 2,500 were based on hope rather than an analysis. Subsequently, well informed representatives of the German Jewish community and others who are reputed to know the local situation, told me that, if anything, I had erred on the conservative side.

Regardless of the size of the permanent Jewish communities in Germany and Austria, it is my opinion that in the forthcoming months some opinion should crystallize on the approach that Jewry should take towards these communities. You will observe that this problem will be considered at the conference I am calling.

In line with General Clay's suggestion, I met with the Kultusgemeinde representatives, both in Germany and Austria. At the outset, I might say that in the ranks of these very men there is a conflict as to whether any community should be established in either Germany or Austria. On the one hand, there are those who say that neither of these countries deserve Jews and therefore should be made "Judenrein", while on the other hand, others maintain that Jews must take the position that they have the right to live everywhere. I think it is clear that the Jews about whom this discussion

is centered are not going to be governed in their decision by any broad ideological principles. Given reasonable economic opportunities and a feeling of physical security, a substantial number of Jews are going to sink roots in Germany and Austria, regardless of what Jews outside these countries think or debate on academic or even on practical levels.

#### Camp Visits - Germany

From March 9 to March 11 I visited nine camps in the Stuttgart area, the second largest concentration of Jewish DPs in Germany, and conferred with the military authorities in charge of this area. On the whole, I found the military authorities on the operational level quite favorably disposed to the Jewish DPs. They are all impressed with the speed with which the Jewish DP problem is being solved. From discussions with the leaders of the camps I visited, with the people themselves, with the IRO, AJDC and JAFF personnel in the field, I formed the following impressions:

- a. Interest in emigration to Israel is still very strong.
- b. The camps are rapidly losing their experienced DP administrative personnel. In spite of this, the camps are in fairly good condition and are managed with a reasonable degree of efficiency.
- c. The morale of the people is high. The only people who present a real problem are those who because of medical disabilities, are unable to emigrate.

#### Conference with Organization, DP and Gemeinde Representatives

Because it definitely appears that the remaining months of this year are crucial and can if properly utilized, see the virtual solution of the Jewish DP problem, I called a conference of the local and European heads of the major Jewish organizations, for the purpose of reviewing the problems that lie ahead. In addition, I invited the representatives of the DPs and the Gemeinden. This conference took place in Heidelberg on the 13th and 14th of this month. The response was quite enthusiastic. There was an attendance of about forty people including representatives from Paris, London and Vienna.

It is my hope that as a result of this meeting, we can evolve something in the way of a common and consistent approach to the problems that we are to face in the immediate future.

Respectfully submitted,

/s/ HARRY GREENSTEIN  
Adviser on Jewish Affairs

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/s/ HARRY GREENSTEIN  
Adviser on Jewish Affairs

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HEADQUARTERS  
EUROPEAN COMMAND  
Office of the Adviser on Jewish Affairs  
APO 403 c/o PM US Army

February 28, 1949

TO: American Jewish Committee  
American Joint Distribution Committee  
Jewish Agency for Palestine  
World Jewish Congress

This report covers the period from Dr. Haber's departure, January 15, 1949 to Mr. Greenstein's arrival, February 15, 1949.

In General

Except for a sudden flare-up in the form of a succession of three raids on Jewish camps, the period presented no special problems. Migration to Israel and to other countries was maintained at the expected rate and satisfactory progress was made in the consolidation of the existing camps. Our office was called upon to act only in one matter that had to be handled on the Clay level. Because the problem was not of extreme urgency we concluded that the matter could wait until Mr. Greenstein's arrival. We have reference to the surprise decision of the authorities in refusing to license the Claims Agency that the American Joint Distribution Committee, the Jewish Agency for Palestine and the Council for the Protection of Jews from Germany had proposed to Military Government.

RESETTLEMENT FROM US ZONE, GERMANY

The following chart reflects the emigration of Jewish DPs from the US Zone, Germany, during the month of January, and the countries in which the DPs were resettled:

Argentina	.....	3
Australia	.....	56
Belgium	.....	6
Bolivia	.....	2
Brazil	.....	49
Canada	.....	95
Chile	.....	16
France	.....	4
French Morocco	.....	13
Holland	.....	4
Honduras	.....	2
Israel	.....	5,142
Italy	.....	1
Mexico	.....	1
New Zealand	.....	2
Norway	.....	3
Sweden	.....	6
Tunisia	.....	1
UK	.....	12
USA	.....	758

6,176

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In his last report Dr. Haber stated that the total in and out of camp DP population in the US Zone, Germany, was approximately 75,000. Deducting the total number of people who departed from the zone during January, and taking into consideration the fact that the exaggeration of the official figures were higher than we calculated, we estimate that as of February 1, 1949 there were not more than 60,000 Jewish DPs in and out of camps in the entire zone.

ANALYSIS OF EMIGRATION TO ISRAEL FROM US ZONE, GERMANY

The following chart represents a statistical break-down of the movements to Israel from the US Zone, Germany for the period January 1 to January 31, 1949:

Date of Move	Type of Move	Origin - Temp.	Dest.	Number Departed	Male	Fem.	Accum. Total
Jan. 2	Air #42	Munich-Haifa		53	23	30	53
4	42	" "		52	24	28	105
4	Rail 31	" Marseille		770	352	428	875
8	Air 44	" Haifa		51	22	29	926
10	Rail 32	" Marseille		802	414	388	1728
11	Air 45	" Haifa		43	17	26	1771
13	" 46	" Haifa		50	25	25	1821
17	Rail 33	" Marseille		998	474	524	2819
17	Air 47	" Haifa		50	27	23	2869
18	" 48	" Haifa		52	25	27	2921
20	" 49	" Haifa		52	22	30	2973
21	Rail 34	" Marseille		910	452	458	3883
23	Air 50	" Haifa		51	24	27	3934
24	" 51	" Haifa		50	23	27	3984
26	Rail 35	" Marseille		426	209	217	4410
28	Air 52	" Haifa		50	24	26	4460
31	Rail 36	" Marseille		682	321	361	5142

During the month of January, 95% of the resettlement to Israel came from the in-camp DPs and only 5% from the communities, despite the fact that the communities account for approximately 30% of the total Jewish DP population.

The JAFP informs us that the quota for US Zone Germany, in February will be reduced to 4000 or less because of the evacuation of Cyprus and the diversion of shipping to that area. The quotas in March, April and May will be approximately 6000 to 7000 per month.

The British authorities in the British Zone of Germany have approached the US authorities with the proposal that the ban on resettlement to Israel of men of military age be discontinued. EUCOM has dispatched a cable to the War Department, asking for authority to revoke the ban, thus legitimatizing the resettlement of Jewish DPs of military age to Israel.

RESUME OF THE DP SITUATION IN US ZONE, AUSTRIA

Although the official DP population in the US Zone, Austria, is 9478 as of January 31, men in the field estimate that the actual figure is not in excess of 8000 DPs. This constitutes a significant reduction from the 9500 indicated in Dr. Haber's final report. This decrease cannot be accounted for completely in terms of resettlement.

Only 670 Jewish DPs actually departed from Austria during January 1949, of whom 550 went to Israel and 119 to other countries. The difference between 1500 (9500 minus 8000) and 670 is the extent to which the 9500 figure was inflated.

The DPs are housed in ten camps, one of which, Bindermichel, is now in the process of closing. On 27 January, the Jewish Telegraphic Agency carried a story to the effect that the people refused to move from this camp. This news account is inaccurate. The camp is being closed without difficulty, on a staggered schedule.

Since the population of all the camps is decreasing, the Army would like to carry out a consolidation program similar to the one that is in progress in the US Zone, Germany. The Central Committee of Liberated Jews in Austria has, however, offered the Army a substitute plan. It is urging the Army to keep all the camps open until May 31. By then the 5000 to 6000 people who are interested in migrating to Israel will have departed from Austria. The Committee has estimated that by the end of May there will remain in Austria about 2000 Jewish DPs who will be either awaiting migration to other countries or be held back because of failure to meet physical requirements. The Committee's proposal to the Army calls for the accommodation of these people in a maximum of two camps.

We do not know the Army's reaction to this plan. The proposal is predicated on a rate of flow to Israel that we are inclined to regard as perhaps too optimistic. In any event, if the Committee's predictions show any promise of materialization, we are convinced that the Army authorities will go along with the Committee's proposal.

We have referred in previous reports to infiltration into Austria from countries behind the Iron Curtain. During the month of January, there was an increase in this tendency. 768 Jews arrived in Vienna. This means that more people have come into the zone than departed for resettlement to other countries. The final Jewish population figures in all of Austria, as of January 31, are as follows:

Vienna	.....	11,522 (of whom 10,500 belong to the Gemeinde)
US Zone	.....	8,000
Br Zone	.....	700
Fr Zone	.....	<u>300</u>
Total	....	<u>20,522</u>

RESUME OF THE DP SITUATION IN THE BRITISH ZONE, GERMANY

It is estimated that the total Jewish population in the British Zone, Germany, is approximately 10,500, of whom 4000 live in DP camps, (Belsen, Neustadt, Kaunitz and Winnhorst) and approximately 6500 live on the German economy. It is anticipated that the four camps will be emptied early in summer and that only the "free living" Jews are in Hamburg, Hanover, Duesseldorf and Cologne). Of the estimated 6500 in this category, 3500 are native German Jews and 3000 are of east European origin.

Except for a trickle to Israel from the British Zone during the month of January, there was very little emigration. The immediate emigration outlook for the British Zone is not very promising. There are about 3500 people registered with the Jewish Agency for Palestine for emigration to Israel and about 4000 who are registered with HIAS and AJDC for emigration to other countries. We calculate that there are at least 3000 who by their failure to register, are not interested in emigration to any country. 90% of these are Germans, 10% are DPs.

RESUME OF THE DP SITUATION IN THE FRENCH ZONE, GERMANY

The Zone is divided into a Southern District and a Northern District which have a

Jewish population of 634 and 379 respectively. In the Southern District most of the Jews are DPs, of Polish or Lithuanian origin; they live in private lodgings, in various small communities. Recently two small DP camps, at Lindau and Kesslegd were established to accommodate the Jewish DPs who were evacuated from the French sector of Berlin. The DPs are represented by the Central Committee which has its office in Constance. In the Northern zone almost all of the Jews are German Jews who belong to the Landesverband der Juedischen Gemeinden von Rheinland-Pfalz, located in Koblenz. There has been practically no emigration for the French Zone.

#### CAMP CONSOLIDATION

The consolidation of camps in January followed fairly closely the schedule that Dr. Haber announced in his final report. Goldcup (Kassel Area) closed according to plan. Herzog and Fritzlar (Kassel Area) which were also scheduled to be consolidated in December, were finally closed in January. The camp at Pocking and six small installations in the Regensburg area were also closed during January.

As predicted in several instances, the people offered verbal resistance to the closing of the camps, and made the usual threats that "even if troops are used with tanks and machine guns, we will not move". In every instance however, where trouble was threatened, the resistance was dissipated by the time the move had to be accomplished.

We expect less trouble in connection with future camp closings. The people throughout the Zone are beginning to recognize that there is a planned consolidation program, that the Army, IRO and the Jewish Agencies are determined to carry it out, and that the program is completely justifiable.

It should be noted that every possible measure is taken to protect the health and comfort of the DPs during transfer from one camp to another. We have pointed out to the Army and the IRO the need for good transportation, proper reception of the people at the camps to which they are moved, and special care and treatment for the sick, the aged and the children. As a general rule, the comforts of the people involved in a move are given high priority.

We have computed that about 65% of a camp population leaves the Zone when a camp closes. About 35% of the population is moved to other camps. We have also observed that some of those who move to other camps subsequently leave for Israel. This is significant because it indicates that at least some of the people who choose to move to another camp rather than to accept immediate resettlement in Israel, intend eventually to accept Israeli resettlement.

#### US IMMIGRATION LAW

Recent discussion on the proposed amendment to the DP Immigration bill may have a harmful effect on the solution of the Jewish Displaced Persons problem. As inadequate and discriminatory as the present law is, one thing may be said in its favor. Its passage had the effect of making unmistakably clear who was eligible and exactly how long it would take for the eligible candidates to achieve their resettlement. The present discussion of an amendment which would allow 400,000 DPs to enter the US and extend eligibility to those who entered the zone after December 22, 1945 is creating confusion in the mind of a segment of the Jewish DP population and encourages reluctance to accept available resettlement opportunities, principally emigration to Israel.

The fact is that, although most of the people who were ardently interested in resettlement in Israel have already departed for their new home, there still is a significant segment of the population which will choose to go to Israel no matter what other opportunities are available. There is also a small section of the present

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population that will probably choose to remain in Germany to take advantage of rather attractive business opportunities. There is another group which is interested in resettlement to countries other than the US and Israel, in order to rejoin relatives who have already emigrated to these countries. Then there is a substantial number of people who preferred emigration to the US but made up their minds to go to Israel after the passage of the disappointing US DP Act. These people are beginning to hold back in the hope that a change will be made in the law and are today again confused as to what their future will be.

Our point is that, if the Israeli resettlement program continues unhampered, before the end of 1949, the bulk of the people will be in Israel and a smaller group going to US and other countries will complete their resettlement by the end of 1949, thus bringing to an end the Jewish DP problem. However, if the proposed amendment is passed; the complete solution of the problem will be postponed for at least another two years. Our responsibility to the DPs has been to deliver them from their homelessness and to restore them to normal living at the earliest possible moment. That responsibility is now being met. The state of Israel is accepting the DPs en masse and is prepared to absorb all the Jews in the DP countries. While the struggle for a US DP Immigration bill was urgently needed when White Papers, political chicanery and war held the people trapped in Germany, the struggle for an improved bill has much less to commend it today.

The alleged arguments advanced in favor of amending the DP act is presumably "to erase a prejudice against 78,000 Jews". It is clear that if and when the law is amended there will not be 78,000 Jews who will wish to emigrate to the US. If we deduct from the Jewish DP population those who are already eligible under the present law, those who are definitely going to Israel, those who propose to stay in Germany, those who are going to other countries, and those who are physically ineligible under any law, we have practically 10,000 Jews against whom the law may be said to be discriminating. It is highly questionable whether the Jewish organizations should press for the admission of an additional 200,000 DPs in order to make possible the admission of 10,000 Jews. It must be remembered that the non-Jewish DPs are, at very best, a potentially anti-Semitic element and are certainly not worthy of even an ounce of Jewish effort on their behalf. We are of the opinion that American Jewry is courting trouble when it urges the admission of 190,000 non-Jewish DPs in order to accommodate 10,000 Jews.

If the Jewish organizations in the US want to press for a more liberal bill, let them do so, not in the name of the "78,000" who will not be available to profit from the law, but rather in the name of the Protestant and Catholic DPs who will really benefit from the proposed liberalization.

#### INSPECTION OF ISRAEL-BOUND BAGGAGE

The Jewish Agency for Palestine has found it convenient to ship Israel-bound baggage through three different channels:

a. The accompanied baggage, which goes along with the DPs to Marseille, consists of small items which the individual can carry with him on the train. This baggage offers no special problem. Under prevailing regulations it is subject to inspections only by the JAFP.

b. Some baggage, mostly household goods, has been going through the German customs officials. Now that EUCOM and OMGUS have put out a directive construing the term "household goods" to include a refrigerator, sewing machine, a gas or electric stove, there is no problem with this baggage either. The Germans check it and allow it to

pass through.

c. The overwhelming bulk of the DP baggage is leaving the Zone under a special arrangement worked out by our office, the JAFP and EUCOM. The baggage is shipped under Army consignment to Trieste and from there by boat to Israel. Although this baggage is unaccompanied and is technically subject to inspection by the German custom official, it has not been inspected because it travels under Army consignment, in box cars, attached to trains carrying baggage for the Army.

In his last report, Dr. Haber pointed out that the entire matter is under study and that the problem is going to give us considerable trouble. As a matter of fact, the problem has become even more serious since Dr. Haber's departure. You have probably read in the press about the efforts now being made by Military Government to stop the smuggling out of the Zone, annually, of an estimated 200 million dollars' worth of German manufactured products. General Schwartzkopf, who has been assigned the task of studying the smuggling problem, is reported to be of the opinion that some of the leakage is accounted for by the DP transports leaving the zone.

While JAFP has not permitted the DPs to take anything out of the Zone which they would probably use for resale purposes in Israel, the DPs have been allowed some equipment, tools, and machines of their trade or profession, and some articles which would tend to make life a little more comfortable. If the German custom controls are instituted, many of the articles now going would be subject to confiscation.

It is our view that the DP transports do not constitute a serious source of leakage, and that it is unreasonable to link them with the smuggling problem. We are, therefore, advancing the argument that the further extension of German police power, which is implied in the proposal that the German customs officials be authorized to search DP baggage, is unnecessary and ill advised. Meanwhile, until a decision is made, we have urged the JAFP to be strict in its inspection of DP baggage, in order that it may not be accused of collusion or dereliction of duty in case one of the transports should be inspected by the military authorities.

#### RAIDS ON DP CAMPS

There was every indication that the authorities had reached the conclusion that mass raids served no useful purpose, and that pending the decision on the Staff Study which recommends that they be discontinued, raids would not be resorted to as a law enforcement measure. Although we still feel that the authorities have been cured of their "let's raid them" complex, it appears that in isolated cases, raids will be used until they are outlawed by specific directives.

After a long lull in this field, three camps were raided within the brief period of three days (9-12 February). The raid at Neue Friemann was by way of retaliation for the rough treatment an inspecting officer received when he tried to make an arrest in the camp; the one at Stuttgart was held when a German woman, found in the possession of a quantity of gold, revealed to the Military Authorities that she had made the purchase of the gold in the camp; and the raid in Lampertheim was a result of an unfounded report that counterfeit currency was being produced in that camp.

The last of these raids was resented by the people not only because, in retrospect, the Army action seemed unjustified, but because the raid was conducted on the Sabbath. We communicated this reaction to the authorities, and recommended that in the future no check and search operation should be conducted on a day that has any particular religious significance for the group in question, unless a problem of security is presented. General Harrold agreed with our position and issued instructions to this effect.

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Raids on Jewish camps always bring to the fore the problem of the black market. In this connection it is important to bear in mind two conclusions that we believe are unassailable; one, that Jewish DPs are among the most conspicuous black market offenders and two, that the brazen form of their operations has had a substantial bearing on the growth of anti-Semitism both among Germans and the occupational personnel. All the apologies we make on behalf of our DPs can do little to neutralize the effect of news that clearly indicates (without specifically so stating) that the most prominent element behind the recently uncovered smuggling ring and the gift package racket were Jewish DPs. Unfortunately, the liquidation of the camps will make no substantial dent on the problem, since the biggest operators are established in the large cities and by far the most ugly form of their trading is exposed to public view on the streets of these cities; notably, Munich, Frankfurt, and Stuttgart. It is discouraging that these people, who have built up their little empires on the fringe of the German economy, delude themselves that they are in fact, living in the German economy and are postponing plans for their ultimate resettlement. In our opinion this element will constitute a large part of the non-medical hard core that is mentioned in Dr. Haber's final report.

#### INDEMNIFICATION LAW

Beyond the unexpectedly favorable conclusions reached at the session of the Legislation Review Board, at which our office represented the composite view of the interested Jewish groups, no further progress was made during this period on the General Indemnification Law proposed by the three Laender in the US Zone, Germany. A copy of Major Hyman's memorandum, indicating the action taken at this session, held January 18 and 19, is attached. At the present time we are awaiting the staff study of the Legislation Review Board which, presumably, will make the recommendation set forth in the memorandum. In anticipation that the law as it may ultimately be passed will treat out-of-camp DPs on the par with those living in the German economy, the Central Committee of Liberated Jews is taking steps to document the claims of all the Jewish DPs in the Zone who may be eligible to compensation for time spent in concentration of labor camps. At this stage it is still too early to predict the ultimate course of this piece of legislation. In the meantime, Dr. Auerbach informs us that it is accepted as axiomatic in many German circles that it is the Jews who are preventing the law from going into effect, thus robbing many needy Germans of the benefits that would accrue to them under the law in its present form.

#### INDIVIDUAL CLAIMS AGENCY

Shortly before Dr. Haber's departure for the States, Military Government notified the representatives of the Jewish Agency for Palestine, who had been negotiating with Military Government on the recognition of a Claims Agency, that the application to license this agency has been turned down. The agency was to handle restitution claims of living claimants. The rejection came as a complete surprise to those who had followed the progress on the application. The point had even been reached where Military Government had authorized one of its staff to deliver to the Claims Agency representatives an interim certificate of authorization. The report as it reached us is that some technicality had to be straightened out in connection with this temporary grant of authority, that the matter was referred back to Military Government, that it then came to the attention of the Deputy Military Governor and that he summarily recommended that General Clay turn down the application on the ground that German lawyers could handle the restitution claims and that no agency was necessary to represent overseas claimants. The local representatives of the prospective Claims Agency were thrown into a veritable tail spin by this decision, since on the strength of the encouragement they were receiving from the several

branches of Military Government, with whom they conducted their negotiations, they accepted about 1800 claims and purported to act on behalf of their clients by filing the claims with the Central Filing Agency.

Since it was impossible for Dr. Haber to take this matter up with General Clay, who is the only person who could reverse the decision, we wrote the General and briefly summarized the advantages of such an agency to the claimants and the aryanizers. We indicated that Mr. Greenstein would certainly want to take this matter up upon his arrival. The General replied that he would not mind reopening the question with Mr. Greenstein.

We are reliably informed that while the General Claims Agency was turned down, the requested license would have been granted either to the AJDC or JRSO. There is an apparent reluctance to permit a non-American agency to become active in the field of restitution. We are of the opinion that the functions of the Claims Agency must be performed by someone if the living claimants are to realize anything from the Restitution Law. It is, therefore, our judgment that if Mr. Greenstein is unsuccessful in getting a reversal on the Claims Agency's application, some formula should be worked out under which the AJDC or JRSO would take over the functions of supervising the prosecution and compromise of individual restitution claims.

#### TRANSFER OF CULTURAL PROPERTY

On February 15 a formal agreement was signed by Military Government, Jewish Cultural Reconstruction, Inc., and the Jewish Restitution Successor Organization under which Military Government transferred all the unidentifiable Jewish cultural property to JCR. The agreement provided that JCR was to receive this property as trustee for the Jewish people and charged the JCR with distributing the property "to such public or quasi public religious, cultural, or educational institutions as it sees fit to be used in the interest of perpetuating Jewish art and culture." It is estimated that approximately two-thirds of all the cultural material (approximately 200 volumes) deposited in the Offenbach Depot, and in several smaller collections, was effected by this agreement. This property includes books, torah scrolls, synagogue paraphernalia, ritual objects and Jewish paintings and furnishings. There is one category of property that was referred to in the agreement, but, for obvious reasons, was not specifically described; namely, unidentifiable property restitutable to countries under the Russian sphere of influence. Although the agreement stated that this property was to be turned over to the JCR, against a custody receipt, actually the matter was left open, subject to further negotiations.

The immediate task that lies ahead is to sort the collection, to earmark it for ultimate points of destination and to ship the material to these points as soon as possible. This will be the responsibility of Joshua Starr, of JCR, who is already here for that purpose, and of Shlomo Shusami, Librarian of the Hebrew University, who is on the way from Israel.

The foregoing information is confidential and should be given no publicity.

#### ANTI-SEMITISM IN THE GERMAN PRESS

Recently we have had our attention directed to a number of articles in the German press that have a definite anti-Semitic flavor. In a few instances the articles were so provocative that one can only marvel at the indiscretion of the editors who allowed the publication of such polemics against the Jews with mass murder of Christians in Israel. Papers published in communities where DP camps are located, generally find some reason for painting Jewish installations in the least favorable light. When camp Pocking was closed, the local paper charged the camp with

deliberately burning down two of the barracks before evacuating the camp (actually the cause of the fire was not determined, and in it a number of people lost all of their personal belongings) and with being an organized brothel.

In each instance we sent the articles to the Military Authorities and although Military Government is very cautious and conservative in exercising its power of censorship, the action taken in the recent cases we referred to them indicates that the authorities are prepared to take positive measures against papers that publish defamatory articles. In this connection, it should also be mentioned that the American Jewish Committee wrote us about a Hungarian publication in Bavaria that extolled Frances Szalasi (Chief of the Hungarian Socialist Party "Arrow Cross") as a great, national hero. Upon our request the matter was investigated and the authorities directed that the paper cease its publication.

You have probably followed the developments involving the Neue Zeitung, the American sponsored and American subsidized paper, published in Munich. Although it is true that members of the staff had questionable pasts, our personal investigation of the type of material this paper has been printing did not substantiate the extreme criticism directed against this publication. However, even this fairly neutral and comparatively cautious paper treated Dr. Haber's final report to the Secretary of the Army in a way that is revealing. The only two items this paper featured are what the German members of the staff apparently felt the German readers would enjoy reading; namely, the prediction that the Jewish camps would close in 1949 and that Jews are leaving for Israel in great numbers. Not a word was said about Dr. Haber's comments on the persistence of anti-Semitism in Germany and his argument supporting the recommendations that the US authorities must not relinquish their control over the DPs.

/s/ ABRAHAM S. HYMAN  
Major JAGD

/s/ LOUIS BARISH  
Chaplain

Assistants to the Adviser  
on Jewish Affairs

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REPORT OF CONFERENCE HELD IN THE  
OFFICE OF THE ADVISER ON JEWISH AFFAIRS  
HEIDELBERG, GERMANY  
MARCH 13 and 14, 1949

*card*

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## A G E N D A

### I. PROBLEMS OF U. S. IMMIGRATION (pp. 6-9)

1. Why is emigration to the U.S. under the present law moving so slowly? Is it inherent in the law or is it a matter of administration?
2. What measures can be taken to expedite the flow?
3. What recommendations should be made to the DP Commission?
4. How can the Jewish Voluntary Agencies in the DP countries help in the present US immigration program?
5. What can be done by the Jewish agencies in the United States?
6. What are the criticisms lodged by the DP Commission against the voluntary agencies?
7. What should be done to improve these relations?
8. Approximately how many people will be eligible and interested in emigrating to the US under the present law, assuming:
  - a. No Amendment
  - b. Amendment of the eligibility date to 21 April 47
  - c. Amendment increasing the number to 400,000
  - d. Bottleneck removed
  - e. Bottleneck not removed

### II. PROBLEMS OF IMMIGRATION TO ISRAEL (pp 9-11)

1. Shall we take positive steps to stimulate and encourage immigration to Israel?
2. What is the outlook for increasing present immigration quotas to Israel?
3. Is it anticipated that DPs will fail to accept immigration opportunity to Israel and that the quotas and the JAFP schedule will not be met?
4. What are some of the factors that may contribute to a slowing down of the resettlement program because of the reluctance of the people, and what can and should be done to make possible the realization of the JAFP schedule?
5. What orientation should the people going to Israel be given?

6. What is the baggage problem, and what shall we do about it?

### III. PROBLEMS OF THE JEWS WHO WILL STAY IN THE DP COUNTRIES (pp 11-19)

1. Is it likely that a substantial number of Jews will remain in DP countries?
2. What will be the size, cultural character, economic position of these communities?
3. Is it feasible to make a survey at this time of the number of Jews living in communities to determine how many of them intend to remain in the DP countries?
4. What should be World Jewish's responsibility towards this group?
5. What positive efforts should be made to reconstruct Jewish social cultural and religious life in these new communities? Should invitations be extended to former leaders who fled these countries to return and to help in the rebuilding of German-Jewish, Austrian-Jewish, and Italian-Jewish community life?
6. Should machinery be set in motion to encourage better inter-faith relationships and better community organization?
7. What type of community do we want to foster and do we have a responsibility to help establish schools to train native rabbis, teachers, social workers and indigenous leadership?
8. What shall be the character and extent of AJDC relief to these communities?

### IV. PROBLEMS OF ANTI-SEMITISM (pp 19-22)

1. To what extent does anti-Semitism exist in the DP countries and in what ways does it manifest itself?
2. What has been done thus far by Military Government and by the Jewish agencies to combat it?
3. Should there be a program designed to curtail anti-Semitism, and who should take responsibility to develop and see it through?
4. What should be the character and content of this program?
5. To what extent will anti-Semitism be affected by solution of DP problem?

6. How shall we evaluate the present and potential role of Military Government in the struggle against anti-Semitism?
7. Have we taken enough interest in the problem?

#### V. PROBLEM OF MEDICAL "HARD CORE" (pp 22-27)

1. What type of medical cases constitute the "hard core"?
2. How many of each type?
3. How many will be permanently ineligible for immigration to any country other than Israel?
4. What is being done now to rehabilitate the medical "hard core"?
5. What still needs to be done?
6. How long will the job take?
7. Is it desirable to transfer these people or any portion thereof to institutions in Israel? When? How? Is Israel prepared to accept them?
8. If any portion of the medical "hard core" must be left behind in DP countries because of unacceptability by any country, including Israel, what provision shall we make for protection, care and maintenance of this residual population?

#### VI. PROBLEM OF CAMP CONSOLIDATION (pp 27-29)

1. What basic principles should govern future consolidation?
2. What basic problems have arisen in the consolidation program?
3. After consolidation shall the AJDC grant relief to DPs leaving camps to go on the German economy?
4. What is the schedule for future closings?
5. At what point shall we recommend the closing of all Jewish camps?

#### VII. PROBLEMS WITH IRO (pp 29-34)

1. What is the present status of IRO support for emigration to Israel?
2. To what extent should IRO assume financial responsibility in areas of activities now supported in whole or in part by Jewish voluntary organizations?

VIII. PROBLEMS OF THE VOLUNTARY AGENCIES (pp 34-35)

1. What are the plans and programs of the various agencies for the next six months?
2. What is the primary role of the Central Committee today?
3. How long shall the Central Committee continue to operate?
4. How long shall camp committees be maintained?

IX. PROBLEMS OF RESTITUTION (pp 35-42)

1. What is the status of restitution in the DP countries?
2. What areas of restitution are still not covered by legislation?
3. What steps should be taken to accomplish full coverage of the field?
4. What is the likely effect of the formation of a German Western state on the restitution problem?
5. What practical recommendations can we make to accomplish the transfer of assets required under restitution laws?
6. Is any practical plan being developed along these lines?
7. What is the status of General Claims Law?
8. What are the problems involved in establishing a private claims agency to insure equitable application of restitution laws in cases of living claimants?

X. PROBLEM OF GERMAN CONTROL OVER DPs (pp 42-45)

1. What is the background of the problem, and the present thinking of the Military authorities on its?
2. What will be the effect of creation of a Western German state?
3. Shall we resist the extension of German control?

## 1. PROBLEMS OF US IMMIGRATION

Mr. CHARLES JORDAN made the following initial presentation:

While it is true that US immigration got off to a very slow start because of administrative and technical difficulties, the situation today is much improved. There are no serious bottlenecks holding back the program. The movement could be speeded up slightly if the CIC did not create unnecessary difficulties and if the assurances were not held back in Washington by the DP Commission. The DP coordinator has been urged to consider the establishment of an advisory committee which will be made up of representatives of the voluntary agencies. This committee would obviate any difficulties that might arise, neutralize the criticisms lodged against the voluntary agencies and dissipate any ill feeling which might exist.

The AJDC-HIAS Coordinating Committee has received and is processing 8629 assurances involving 17,500 Jewish DPs. 3000 additional assurances involving 6000 people are on their way. This means that 23,500 Jewish DPs come under consideration for immigration to the US from Italy, Austria and Germany. 80% of this total reside in the US Zone of Germany. As of 11 March 1949, 4475 Jewish DPs had already departed for the US. This figure represents 45% of the total number of Jewish and non-Jewish DPs who were resettled under the present program. This means that there are about 19,000 Jewish cases which are now being, or still are to be, processed.

The rate of rejection has been less than 5%. It is anticipated, however, that the rate will increase to 15%. In addition, some people

registered and eligible for immigration to the US have been and are leaving for Israel. In a recent transport from the British Zone to Israel, 60 out of 550 or 11% of the departees had US assurances. Apparently some people are not in the mood to wait any longer and are accepting the first resettlement opportunity. We may conclude that there will not be more than 20,000 maximum, who will immigrate to the US under the present program. This includes the 4475 who have already immigrated.

The DP Commission has set for itself rather ambitious quota targets but it is quite possible that they will be achieved. The quota targets are as follows: March 6000 to 7000, April 9,000; May and June, 11,000 monthly, July to end of program, 16,000 monthly. Even if the quotas are not completely achieved and even if the present Jewish proportion of 45% drops radically, all the Jewish applications will be completed by the end of 1949, and all Jews registered for, and eligible, under the program, will be in the US.

If the proposed amendment to the present law were passed making all Jews eligible for immigration to the US, the picture would not be radically changed. According to present AJDC-HIAS records there are 5000 to 6000 persons registered who do not qualify under the present Act, but would become eligible if it were modified. There is no way, however, of knowing how many of these 5000 or 6000 have already been resettled elsewhere.

There will probably be only a trickle to other countries. Approximately 1500 DPs will be going to Australia, 1500 to Canada

and practically none to South America. This is due to increased interest in immigration to Israel and to restrictions set up by receiving countries which are limiting Jewish immigration to family reunions.

#### DISCUSSION

Mr. PASSMAN: We still have about 10,000 to 12,000 Jews in all the DP countries who are interested in, and eligible for, immigration to the US under the present law. We will have an additional 3000 if the US immigration law is amended. Even if the law is amended we can count on no more than 15,000 Jews to immigrate to the US.

MR. OSTERTAG: I take sharp exception to the Jordan-Passman analysis. There are many Jews interested in immigration only to the US and unless Jewish resettlement to the US is stepped up by an amendment to the present law, we will have many Jews in Germany in 1950.

MR. EASTMAN: We ought to do everything possible to facilitate US immigration of DPs who have relatives there. However, because of Israel's need for manpower, we should take no positive action which would encourage DPs with no relatives in the US to immigrate there. We must recognize the democratic right of the DP to choose his own country, but because the countries behind the iron curtain are closing their gates and man power must, therefore, come from the DP countries, it should be our policy not to press for increased immigration to the US and other countries nor for an amendment of the present US immigration law.

MR. ISENBERGH: The DPs have too long been a political pawn, and we have no moral right directly or indirectly to discourage DPs from immigrating anywhere. We have an obligation to open up possibilities for the victims of persecution and homelessness to go to any country they choose.

MR. COHEN: Mr. Isenbergh's views are academic. No one is trying to influence the DPs. They are making their own decisions as to where they want to go.

MR. PIEKATZSCH: We must recognize our moral obligation to influence the people to go to Israel because no other country needs and wants them as strongly as Israel, and because, in the final analysis, Israel is the best place for them. We now have former DPs in South America and other countries who are clamoring for admission to Israel. It is much cheaper to send the people directly from here to Israel.

#### 11. PROBLEMS OF IMMIGRATION TO ISRAEL

MR. JAFFE: made the presentation covering Germany and expressed the following views:

Immigration to Israel is no longer a problem. All Jewish DPs in Germany who wish to immigrate to Israel, except those who belong to the medical "hard core", will be in Israel before the end of 1949. This, coupled with Mr. Jordan's conclusion that 1949 will see the complete resettlement of Jewish DPs going to the US, means the end of the DP problem. There are now 60,000 Jews in Germany, not including Berlin. 30,000 to 35,000 will immigrate to Israel and 10,000 to 12,000 to the US, leaving about 10,000 to 13,000 Jews in Germany. This figure includes German Jews. The average rate of resettlement to Israel is 5000 monthly from the US Zone Germany. It will take us 6 to 7 months to complete

our job. Interest is high and no steps need to be taken to bolster immigration to Israel. We cannot take more than we are taking at the present time. The candidates are available, but we have commitments to Jews in other countries and have to reckon with the absorptive capacity of Israel. If immigration to Israel slows down it will be because of Military Government interference with the right of the DPs to take with them those personal belongings and tools of trade which they will need in order to establish themselves in Israel.

#### DISCUSSION

MR. PASSMAN: Let us review the Israel resettlement program in Austria, Italy and France. Immigration from ~~Italy~~ and Austria has been slow in getting started. From today on we will begin shipping about 2000 per month. There are about 6000 Jewish DPs in Austria who will be resettled in a matter of a few months. The 2000 monthly quota from Austria will include infiltrates who are coming in daily from countries behind the "iron curtain". From Italy we have already removed 14,000 out of a total of 23,000 Jewish DPs. The exodus from Italy is faster than from any other country. About 3000 DPs have integrated with Italian Jewish communities. There are about 35,000 Italian Jews and the Jewish DPs have been able to make an excellent integration. The people are still leaving for Israel at the rate of 300 to 400 per month. A group of about 3000 are waiting for immigration to the US. From France we have a monthly average of 1000 immigrating to Israel. We soon expect to step the quota up to 2000 a month. There are 4000 Jews in France today who are registered for immigration to Israel. It is anticipated

that there will be many more registrations in the near future.

MR. BROWN: The housing shortage in Israel may make it very difficult to maintain the present rate of 5000 per month from the US Zone of Germany. The houses taken from the Arabs are being utilized to full capacity, and there is no housing left. We now desperately need new housing. It would be better to put the people up temporarily in camps in Israel than to slow down immigration. Unemployment is also something of a problem. About 11,500 people are unemployed because of the dislocations due to war and the tremendous influx of new immigrants. The rate of unemployment for the new arrivals is, however, not serious.

#### 111. JEWS WHO WILL REMAIN IN DP COUNTRIES

Two fundamental questions were discussed. (1) What is the present size, cultural character and economic position of the Gemeinden, and what is it likely to be in the future. (2) Shall we help build the Gemeinden, and what needs to be done to help strengthen Jewish life in Germany and Austria.

DR. OSTERTAG: There are today in the Württemberg Gemeinde 1141 Jews: 686 men, 530 women, 225 children. Only 265 are German Jews, the rest being DPs who settled in the Stuttgart community and became members of the Gemeinde. The German Jews are mostly older people and many of them are inter-married. There are no German-Jewish children in the entire Gemeinde. Everyone under 40 will surely immigrate to Israel or to the United States. The community will consist eventually of the older people and the sick, who are ineligible for emigration, and about 100 to 150 DPs.

In 1945-46 the Germans bent over backwards to accommodate the Jews and did their utmost to win the friendship of the Jewish community. Today, because of the policy of Military Government, the Germans have become very bold and hostile in their attitude towards the Jews. Anti-Semitism is growing. The young people must and will leave; the old will die here.

So long as Jews remain in Germany it is the obligation of world Jewry to concern itself with their spiritual and cultural welfare. There will always be a population of about 10,000 to 15,000 Jews. Some of these are Mischlinge, but they are interested in the perpetuation of Jewish life. It will be up to world Jewry to give them a chance to survive as Jews.

MR. LOEBL: There are in Baden about 600 Jews of whom half are DPs and half, Germans. We anticipate that the vast majority will emigrate in the near future. About 100 to 150, who are not able to or will not want to emigrate, will remain. Most of these people are older people for whom we will need an old age house. When the community becomes too small to conduct an active organized program we will probably amalgamate with the Wurttemberg Gemeinde.

DR. CAHN: There are two community organizations in Frankfurt(Hesse): The German Jewish Gemeinde and the Jewish Committee. The Gemeinde has 825 members, of whom about 400 are German Jews. The Jewish Committee has about 1000 DPs on its membership rolls. These two organizations are now in the process of consolidating. We will have a Gemeinde of 1800 people -- 1400 DPs and 400 German Jews. Individual

German Jews, returning from other countries, are becoming integrated into the German economy with a view toward permanent residence. While a considerable part of the present population is thinking of emigration, there is no apparent rush to leave. It appears that we will have a small but permanent Jewish community in Frankfurt.

DR. EPSTEIN: In addition to the Frankfurt community there are some smaller communities in Hesse:

Place	DPs	German	Total
Fulda	310	0	310
Kassel	80	100	180
Darmstadt	76	12	88
Offenbach	71	11	82
Marburg	300	0	300
Limburg	0	1	1
Buedingen	0	1	1
Gersfeld	38	0	38
Eschwege	67	1	68
Bad Wildungen	32	0	32
Fritzlar	34	1	35
Ziegenhain	46	1	47
	<u>1054</u>	<u>128</u>	<u>1182</u>

There is no hope for Jewish life in Germany. Anti-Semitism is very strong and the Jewish position is very insecure. About 85% of the people will emigrate and most of them will go to Israel.

DR. SPANIER: The Munich Jewish Gemeinde consists of 3400 Jews of whom 180 are German. Only 4 German Jewish families are fully Jewish, and the rest are intermarried. In all of Bavaria, including Munich, the Jewish Gemeinde has about 4,800 Jews - 300 German, 4,500 DPs. There is little prospect of a flourishing Jewish community in Germany. The only thing that is flourishing in Germany today is anti-Semitism.

MR. PIEK.TSCH: We feel no responsibility toward those DPs who choose to remain. By helping the Gemeinden to achieve permanence we encourage DPs to remain too. They will attach themselves to the Gemeinde. If there is no organized Jewish community in Germany all the DPs will leave eventually. The rebuilding of the German economy means the pauperization of the Jew. Since the Jew has no substantial economic roots in Germany, he will soon leave if there is no permanent community organization to which he can attach himself. We are obliged to offer these people an opportunity to resettle. If they refuse to accept they must accept full responsibility for their own future.

RABBI WEINBERG: A Statistical Institute is needed to collect facts and figures concerning the size, composition and character of the Gemeinden. If necessary, financial support could be made available. Such an institute could make the figures available in about two months. The data we need to guide us in our approach to the future German Jewish community.

There is in Germany a strong, very widespread "folks anti-Semitism". This is a type of anti-Semitism which it is very difficult to combat. It is reasonable to suspect that a Jewish community in Germany will never be very secure. It is regrettable that some Jews are unable to emigrate because they are old, ill or financially unequipped to start a new life in Israel. Unless JRSO uses some of its funds to undertake and promote some commercial projects in

Israel which will give these people a start in life we will have a Jewish community in Germany. This community will need Rabbis, Jewish teachers and social workers from other countries. The community is too small to establish the schools necessary to prepare such personnel. Munich, Stuttgart, Frankfurt and Berlin will need Community Centers to help foster a Jewish atmosphere for those Jews who have to or elect to remain in Germany and want to remain Jewish. Many Mischlinge are better Jews than some full Jews. We will need Jewish institutions to keep Judaism alive. The Jewish Restitution Successor Organization must assume responsibility for this community program. My prediction is that such a community will, in spite of all efforts, be a dying community. I recommend, therefore, that the Jewish Restitution Successor Organizations establish communal commercial enterprises in Israel for these 4 communities. If this is done, a number of Jews who would otherwise be lost, can be saved for Judaism.

MR. STASSNY: There are today about 6000 to 7000 Jewish DPs in Austria. 1500 to 2000 will remain to exploit the unstable Austrian economy. As soon as stabilization sets in these people will have no future in Austria. In Vienna there are 11,000 Jews, mostly former Austrian citizens. About 1000 of these are young people under 25 years of age. 270 former Austrian Jews are on their way back from Shanghai. About 800 Jews a month are infiltrating from countries behind the "iron curtain". A large number of them remain in Vienna. Jewish life in Vienna is more secure than in Germany. There is a strong non-Zionist element and the young people are not interested in Israel. Vienna will contain the only Jewish community in Austria. There will be a few Jews here and there but Vienna will be the center. AJDC help will

not be needed when and if the Austrian government carries out its restitution program. We must, from outside Austria, exert pressure on the US Military Government authorities to induce the Austrian government to pass a restitution law that will give back to the Jewish community what the Nazis took away. The community can then become self-supporting. The JAFEP should remain in Vienna to carry on Zionist education, especially among the youth. Education will create converts among the young, particularly among those who are in search of a creative outlet from their Jewish identification.

MR. EASTERMAN: If a Jew elects to stay in Germany or Austria his choice should be respected. If he or the community to which he belongs requires assistance from Jewish organizations, the assistance should be rendered. However, it is the duty of the Jewish organizations to say to that Jew: We think you are making a serious mistake by remaining in Germany. Your life will not be secure. We advise you to go to Israel.

It is the duty of the spokesmen for Jewish organizations to say to the Gemeinden: If you decide to stay in Germany your decision will be contrary to our best judgment. If you stay in spite of our advice and if you need assistance in the maintenance of your communities and institutions we will try to make the necessary assistance available to you. We urge you to recognize the dangers involved in remaining in a hostile state. Your peace, security and future lie in Israel.

MR. EPSTEIN: Mr. Easterman's view is most generous but very dangerous. The Jews who choose to remain in Germany will remain Jews only so long as it is to their advantage to pose as Jews. Inwardly they are far from

Judaism. When the Gemeinden begin to tax them, they will drop their membership in the Jewish community. They remain Jews only because they expect to benefit from restitution and from the AJDC "hand out". I do not think that we should promise help to such people.

MR. BRAUDE: Mr. Easterman's view is illogical. If the German Jewish community will be in constant danger it is folly to talk in terms of helping rebuild Jewish communal life in Germany.

MR. COHEN: The policy of the AJDC is to grant relief to any Jew who cannot support himself. While he is waiting for the opportunity to emigrate, we do not ask him to work in the German economy. However, if an able-bodied Jew who has an opportunity to emigrate, chooses to stay in Germany, he cannot be eligible for AJDC care.

MR. EASTERMAN: When Jews anywhere ask for help or guidance we must be ready to give it to them. Even if we think that the Jews who remain in Germany are making a mistake, it is necessary to continue assistance to them and at the same time to give them the moral guidance and to encourage them to adjust their lives in the right channel. The people who remain should be taken into the communities. If we have an organized Jewish community in Germany it will be easier for us to influence the thinking and action of the people and to persuade them to go to Israel.

BARISH: The views expressed are not completely irreconcilable.

In certain areas the views coalesce. Let us examine the opinions on

on which there is no disagreement.

- (a) There is very little hope for a creative and secure Jewish community in Germany.
- (b) Because of the small number of Jews who will remain there is no mass problem.
- (c) Nothing should be done to encourage the establishment of a permanent community.
- (d) The Jew who elects to stay can expect relief from Jewish organizations only if he is physically handicapped and unemployable.

The only point of disagreement on the question of whether or not world Jewry has a responsibility to help the German Jewish "remnant" rebuild its religio-cultural and other communal institutions. Everyone agrees that we must give the remnant guidance through Zionist education. We disagree only on the giving of assistance. One view holds that we will not be able to guide them unless we assist them; the other view, that by assisting we defeat the very purpose of our guidance. The discussion of this question is partly academic. If Jews decide to stay, they will undoubtedly form communities. The Jewish Restitution Successor Organization has already committed itself to making available to existing communities any properties they might need to maintain their communal life. Intrinsicly, both views have considerable merit. The relationship between them is not one of contradiction but rather sequence. Tactically, one view precedes the other. So long as the present period of liquidation and mass emigration lasts, our position should be clear. We advise you

to get out as soon as possible and will not help you build your own destruction". After the present period is over, if we are left with substantial communities determined to rebuild Jewish communal life, we will then give them guidance and assistance if necessary.

#### IV. PROBLEMS OF ANTI-SEMITISM

MR. SCHUSTER presented the following open analysis of this problem: The existence of anti-Semitism is not dependent upon whether Jews will or will not remain in Germany. Even if Germany becomes "judenrein", the deep-rooted German anti-Semitism will remain important to the world Jewish community because it is inevitable that Germany will again become a leading world power and will exert her influence among the family of nations. Jews cannot afford to neglect any area infected with a virus of anti-Semitism. There is no unanimity of opinion as to whether anti-Semitism in Germany is on the increase. Some maintain that it has embraced more people than it did under the Nazi regime; and that while under Hitler anti-Semitism ran parallel with party membership, today, it has infected the ranks of people who never were party members. Others contend that anti-Semitism is less popular in Germany than it was under the Nazi regime.

The reason for the persistence of anti-Semitism is the bitterness of the Germans in reacting to the loss of the war, to the vast destruction resulting from the war and to the occupation of their country. There is a need for a scapegoat and the Jews still serve that purpose. Conceding that the problem is a stubborn one, MR.

SCHUSTER, nevertheless, presented the following program for dealing with it:

(a) A deliberate attempt must be made to create a better understanding between Jews and non-Jews. Jews must come into contact with democratic elements in Germany and encourage these elements in their work. Here and there one finds people with strong democratic convictions, but, unfortunately, this group has not come forward and assumed any position of leadership in the re-orientation of the German people. This element must be encouraged.

(b) Some central organization should be charged with the responsibility of coordinating the efforts in dealing with this problem. The Office of the Jewish Adviser might perform that role.

(c) Not only is there a need for the re-orientation of the Germans but there is much to be desired in the attitude of the occupation authorities. A comprehensive program must include the American occupation authorities as well as the German people.

(d) It must be recognized that the Jews who will remain in Germany are not the best element of Jewry. Since Jews cannot escape collective responsibility forced upon them by the world, it is imperative that we develop a program among the Jews who will remain, with a view of making this element conscious of the public relations aspect of their own behavior.

#### DISCUSSION

Those who participated in the discussion took sharp exception with Mr. SCHUSTER. DR. EPSTEIN: There is no possibility of re-educating the German people with respect to anti-Semitism. Through the Bessing

Society an effort was made to encourage the pro-democratic elements in Germany. This project was a total failure. There is no political party in Germany today that is not anti-Semitic. Even the SPD is not free from it. Proof of the absence of any house-cleaning among the Germans is that 95% of the judges serving in the German courts today are Nazis.

RABBI WEIBERG: Anti-Semitism in Germany is unique. The whole anti-Semitic complex in Germany, which expressed itself in the gas chambers and crematoria, has not been abandoned by the German people. Perhaps a concerted effort on the part of the church, the political parties, and Military Government could make a dent in this problem. However, none of these has made any contribution to the solution of the problem. The causes for the increase of anti-Semitism in Germany are (1) the identification of the Jewish people with the proposed Morgenthau Plan, (2) the presence of the DPs and (3) the unpopularity of the Restitution Law.

MR. PIEKATSOH: There is an urgent need for a law making any form of overt anti-Semitism a criminal offense. This is only a palliative and would not go to the root of the problem. However, Germans yield to authority and would respect a law that outlawed anti-Semitism. The Jewish DPs are in complete agreement with DR. ROSENBERG's views. They feel that there is no solution for this problem in Germany and that the only answer the Jewish people could give is to leave Germany en masse and make it "judenrein".

MR. LANDAU (who attended the conference as an observer): Among the reasons that we have not been more effective with the problem is that denazification has been bungled and that the press has not been

properly controlled. For example, the NEUE ZEITUNG, the newspaper sponsored and supported by the American occupation authorities, has led the anti-democratic parade by discharging its Jewish staff members. In the projected fair in New York, JEIA is permitting anti-Semites to go to the United States. To deal with this problem it is necessary to create information centers which might serve as clearing houses for anti-Semitic incidents. The America Houses might be used by Jewish representatives to bring to the German people the story of the nature and motive of anti-Semitism and to enlighten them on the truth about the Jews.

MR. AMOS BROWN: There is no need for developing a long-range program to deal with anti-Semitism in Germany. Our temporary program should consist solely in insuring the physical protection of the Jews in Germany. This should be coupled with the major objective, namely, to take all the Jews out of Germany.

#### V. PROBLEM OF THE "MEDICAL HARD CORE"

AJDC's medical staff presented the following factual data on the people who fall within the category of the "medical hard core" in the US Zone, Germany:

Active T.B. ....	320
Heart, liver and kidney diseases .....	150
Mental cases .....	100
Senile cases .....	200
Mentally retarded children.	30
Invalids, amputees, blind .	300
	<u>1100</u>

These figures were based on the mass survey recently conducted by

AJDC and IRO, in which approximately 60,000 people were examined. There was also a mass health examination of about 25,000 in Austria. It was estimated that each of the 1100 people involve at least two other healthy family members who cannot be expected to leave until the sick member of the family is permitted to emigrate. In all, the total number of persons who fall within the group known as the "medical hard core" is about 4,000.

#### DISCUSSION

DR. SCHMIDT: The phrase "medical hard core" is not an invention of the medical profession. The phrase means very little except in terms of the need to the care for the people who are ill. These people have, in the main, been dependent upon others for their care and maintenance and the principal problem is to render them capable of living independent of the help of others. The total group is not a very large one. The largest percentage can be rehabilitated to a point where they can fully earn their own livelihood and take their place in society. The people automatically fall into two categories, according to the nature of their illness or physical handicaps:

- (a) Those who can be moved now (within one year from July 49)
- (b) Those who cannot be moved for an indefinite period of time.

DR. SZYFMAN: At the present time there are two rehabilitation centers in Germany and one in Italy that are engaged in the rehabilitation of the Jewish DPs. The program for dealing with the problem of

the "medical hard core" must embrace two responsibilities:

1. The rehabilitation of the invalids;
2. The treatment of the chronically ill. Because they would not be normally eligible for migration even at the expiration of one year, they present the most difficult problem. These people should be moved to a neutral land for rehabilitation and treatment.

DR. KOREN: The Jewish DPs present only one basic problem, that of migration. If we are to avoid having thousands of Jews remaining behind in Germany, it is imperative that the camps be emptied at the earliest possible date. This applies to the sick as well as to the healthy Jewish DPs. There is a singular obligation towards the invalids since most of their disabilities are the direct result of their participation in the war or are due to conditions under which they were compelled to live during the war. Some have a limited capacity for employment; others will remain a permanent burden on any society in which they will live. International organizations have a responsibility to these people. Israel has concluded not to accept these people unless international organizations accept their share of responsibility for caring for them. It would be unwise to set up institutions in other lands for the care and maintenance of these people. There is only one solution that is both practicable and that respects the wishes of the people themselves; namely, to transfer them to Israel. To that end immediate negotiations to deal with this problem should be held between Israel and the international

organizations.

MR. BECKELMAN: The responsibility of IRO in this problem must be underscored. The IRO has given serious thought to the ultimate disposition of the "medical hard core" and has entered into negotiations with different countries with a view of getting them to accept parts of the total burden. When Israel becomes a member of the United Nations, as it more than likely will in the immediate future, it will automatically be entitled to membership as one of the sponsoring nations of IRO. As such it will be in the position to make recommendations to IRO that it will accept the burden of the Jewish DP "medical hard core", provided IRO meets its financial responsibility to these people.

In his elaboration of his views and in answering the challenge of Dr. KOREN that AJDC and IRO should take the initiative and provide the funds to transfer and care for the "medical hard core" in Israel, Mr. BECKELMAN stated that heretofore Jews have not exploited the opportunities and facilities offered by international organizations. In the past AJDC had taken on too many obligations that were properly the obligations of international organizations. While AJDC was not resigning from the problem and while it is prepared to give its full support to the rehabilitation and maintenance of the "medical hard core", and, if invited, will certainly participate in any discussion relative to this problem, it is incumbent upon Jewry to exploit first the possibilities afforded by IRO, whose basic juridical responsibility it is to care for the people under discussion.

IRO's major responsibility involve two phases:

- (1) The removal of people from the DP countries,

- (2) The reception of the people in the country of their destination.

Since Israel is the country of destination of this group, whom no other country will accept, Israel can establish a project for their reception and rightly claim that IRO should finance that project.

In reply to MR. BECKELMAN's question as to what conditions Israel will impose prior to receiving the "medical hard core", DR. KOREN said it will insist upon a rehabilitation program for the invalids who cannot work and the construction of hospitals for those who are chronically ill.

MR. HIGEL made a dramatic appeal on behalf of the invalids. It is neither desirable nor logical to move the invalids to any country other than Israel. It is important for the invalids to be extended the opportunity to leave for Israel with the things that they have acquired, such as tools and machines, that will enable them to become self-sufficient. It will be extremely difficult to explain to the invalids the proposal made by MR. BECKELMAN. Although the invalids understand the juridical basis on which the argument for IRO assumption of responsibility is predicated, they could not understand why the AJDC would single out this problem to begin to square its accounts with the IRO. It will take at least a half year for IRO to reach a decision on this problem. The invalids cannot wait that long.

This position was supported by MR. JETHE, who emphasized the fact that the experiences with IRO indicate that the mills of that organization grind very slowly, as demonstrated by the tempo of IRO's support of migration to Israel.

MR. AMOS BROWN: The views of AJDC and of the invalids can be reconciled by advising the invalids that within a period of 8 to 9 months

some solution with respect to their emigration will be reached even if this involves the AJDC's assumption of support.

#### VI. PROBLEM OF CAMP CONSOLIDATION

MR. PIEKATZSCH: At the last annual meeting of the Council of the Liberated Jews of Germany the principle of consolidation was unanimously approved. A resolution to liquidate the DP camps as soon as possible was adopted. Our aim is to achieve the fulfillment of this resolution. The criteria which we employ in determining when and whether a camp should be closed are as follows:

1. reduction in population due to emigration;
2. shortage of competent personnel necessary for proper conduct of the camp;
3. need for economy and shortening of supply lines;
4. availability of resettlement opportunities;
5. IRO and military necessities, as long as they do not work unnecessary hardship on our DPs.

All we demand for the DPs who move from one camp to another are adequate housing and decent living conditions in the camp of reception. We also ask for comfortable transportation and special consideration for the sick.

We have closed many camps. The schedule for March, April and May is now in progress. We must meet in April to complete the schedule which will spell the closing of the rest of the Jewish DP camps in the Zone.

As the camps close a very small number of Jews go from the camps into the German economy because they prefer not to move from one camp to another. These Jews do not require AJDC assistance. Unlike many

needy Jews in the economy who are there only because they could not get into a camp, the Jews who are now going into the economy are going there voluntarily because they can afford to pay for their own upkeep. At the very most, there will be about 4000 to 5000 camp residents who will choose to go into the economy in order to avoid transfer to another camp or because they want to postpone their resettlement.

MR. TROBE: Consolidation in Austria has been going on for a long time. Two years ago we had 17 camps; today we have 8. In April we will close 2 camps; in May 2 more. This schedule is based on US and Israel resettlement estimates. If the estimates should not be achieved and if infiltrators come into Austria in large numbers we will be in very bad shape. We must not give away camps before the people actually leave. Otherwise we may be left with the people and find ourselves without adequate housing for them.

CHAPLAIN LIPSHUTZ: The Army in Austria wants to close the camps because it needs the installations in order to meet its expanding military requirements. Military necessities must be met but we should not relinquish the best camps. There is a serious split between the people and the DP leadership on the question of consolidation. While the Central Committee is for the earliest possible closing of the camps, the people are asking why they are suddenly being "thrown out" of the camps. Most of the people who really wanted to go to Israel have already gone. Those who remain are not interested in resettlement to Israel. We need to educate them.

MR. PASSEMAN: It was our opinion at one time that liquidation of camps would encourage emigration. Today we see that it is the rapid pace of emigration and the consequent emptying of the camps that are creating the need for camp consolidation. As a rule the people who move into the German economy will not require AJDC help. Only those who have funds will even entertain the idea of transferring to the economy. As a general rule no AJDC support should be given to this group except on an individual basis, where it is established that the transfer was necessary and the individual is in great need.

#### VII. PROBLEMS WITH IRO

The discussion of this problem initially centered around the subject of the extent of IRO's discharge of its responsibility in fields that Jewish organizations have been called upon to support in whole or in part. MR. HILBER recognized the criticism to which AJDC is subjected for failing to exploit IRO's financial responsibility for certain phases of the DP program. He maintained, however, that in most instances this failure was due to the fact that a time factor was involved in the dispensation of the assistance that AJDC made available. The relief offered by the AJDC answered an immediate need and the tender of the aid could not be postponed until the relative areas of responsibility of IRO and AJDC would be fixed. For example, the supplementary assistance given by AJDC to the Jewish DPs was not, in fact, supplementary in character, but essential to the very health of the people who receive the aid. The IRO ration was both qualitatively and quantitatively inadequate. The same is true of clothes. Although the AJDC has taken initiative in certain fields, as a general

rule it has been able to secure reimbursement from IRO for the assistance that AJDC has advanced in areas that IRO had the primary responsibility to cover.

#### DISCUSSION

MR. PASSMAN: As a matter of practice, the AJDC has not been a supplementing organization, helping IRO, but rather a primary organization, assisted by the IRO. The IRO has offered tactical objections for failing to support certain aspects of the Jewish DP program but basically IRO's withholding of support from Jewish DPs has been prompted by the prevailing belief in IRO circles that the Jewish people would not neglect their own and that if IRO failed to discharge its responsibility, Jews would step into the breach and cover the neglected areas. On the other hand, if Jews changed their tactics and insisted that IRO meet its responsibility, IRO would live up to its obligation.

MR. BECKELMAN: Even in the resettlement of Jews to countries other than Israel, IRO made a greater demand upon the Jewish agencies than it did upon any of the other organizations. IRO's attitude towards the Jewish organizations could be explained in part in terms of IRO's personnel make-up. Of the 5 top people in IRO only one has had any experience in the field dating from 1939, and, with one additional exception, the rest had no experience whatsoever with the refugee problem. This was not true of the ICOR which had a specific job to perform and of UNRRA which had accumulated a vast store of experience in dealing with the refugee problem. When IRO succeeded UNRRA, it incorporated into its organization experienced personnel on the field level, but topside it retained few people of experience.

As a result, IRO resents the size, experience and capacity of the Jewish voluntary organizations. Top officials of IRO consistently err in appraising the financial resources of the Jewish voluntary agencies. For example, when it is announced that the United Jewish Appeal has set a quota of \$250,000,000, IRO policy making officials automatically assume that the AJDC has that much money at its disposal. When it is pointed out that only \$130,000,000 was raised, it is taken for granted that this much money is available to the AJDC, and when it becomes known that \$62,000,000 was put at the disposal of the AJDC, the conclusion is drawn that this sum is available for expenditure in Germany alone. Moreover, IRO suffers from the conviction that Jews have enough money to do a job for their own people and when it merely discharges its legal responsibility to Jews who come within the terms of their mandate, IRO feels that it is doing something beyond the call of duty. An example of this is the service rendered by IRO to the Jews of Shanghai.

MR. GREENSTEIN: MR. GREENSTEIN called the attention of the conference to the criticism of IRO by Mr. Glasser of the Overseas Institute. MR. GLASSER feels that IRO's failure to meet its responsibility with respect to the movement to Israel is only symptomatic of its general policy, and that it completely ignored its responsibility towards the DPs in France. MR. GREENSTEIN stated that Jewish organizations must be militant in insisting that IRO live up to its responsibilities but, while pressing for these demands, the organizations must simultaneously meet the needs of the people in areas that are neglected by IRO. He reported his discussion that he had with IRO's representatives re-

lative to this general problem. He stated that IRO maintains that it was lifting its standards of feeding and medical care and that its officials feel that IRO is maligned and is not given credit for the positive things it has accomplished.

MR. BELUDE: There is ample ground on which criticism could be predicated. However, some of the criticism has rather been premature or has failed to take into account the legal restrictions under which IRO labors. For example, IRO has been criticized for failing to meet the problem of the "medical hard core". The fact is that a survey of the "medical hard core" had been completed only as recently as February 15 and Dr. JUSTERH of the AJDC has announced that the findings would be revealed in the March report. Actually, regardless what the Voluntary agencies proposed to do with this problem, IRO had already formulated the following alternative plans for dealing with it:

1. IRO will attempt to resettle the people within this category and, as an inducement, it will offer the countries of resettlement IRO support for a specific period.
2. The people will be resettled in countries that have special medical facilities and certain member nations will assume the financial responsibility for the care and rehabilitation of the people involved.
3. IRO will continue supporting the non-amigrable elements in the DP countries.
4. IRO will endeavor to get the German economy, by legislation and UN determination, to assume the financial responsibility for the care and maintenance of this group.

An example of criticism that overlooks the legal framework within which IRO is compelled to operate is that involving the ration that IRO distributes. It must be borne in mind that there is a rider to the act appropriating US funds for the IRO, which provides that IRO may not distribute a ration higher than that enjoyed by the general population of the country in which IRO assistance is given. There are also the limitations imposed by the Byrnes-Bevin agreement. As to clothing, IRO has consistently admitted that it has not met its obligation. However, this failure was due to a situation over which IRO had no control. In 1947, when IRO came into being, it entered into an agreement with the US Army relative to the clothing that the German economy was to provide. Under this agreement only 10% of the clothing was actually provided in 1947 and 5% in 1948. This was far from what the IRO-Army agreement called for. The reason that IRO has not met its clothing obligation to date is that BICO takes the position that the German economy may not supply any clothing for DP use and that IRO must pay the finished product price for clothes manufactures in Germany despite the fact that IRO may furnish the raw material. It should be known that the IRO budget was never big enough to cover the responsibility imposed upon it by its mandate. There would have been no surplus last year if IRO calculations on resettlement had actually materialized. Funds allocated for financing emigration and, particularly, emigration to the United States, were not used. Had the resettlement program gone according to schedule, there would have been no surplus.

At the conclusion of this discussion of this problem MR. BELAUDE

reported that the Director General of IRO will present for approval by the General Council, plans for the IRO period ending June 30, 1950 with dates on which the Mandate will be closed and dates when care and maintenance will cease. The Director will also propose factors to consider after July 1, 1950 such as:

- a. DP refugees to resettle with resettlement opportunities for whom IRO should continue to function.
- b. Legal and political protection.

The Council will consider these proposals in Geneva on March 25, 1949.

#### VIII. PROBLEMS OF THE VOLUNTARY AGENCIES

##### A. CENTRAL COMMITTEE.

MR. PIEKITSCH stated that the principal problem of the Central Committee is to liquidate the camps. He felt that the Committee must continue to function as long as there are 10,000 Jewish DPs in the US Zone who express a desire to go to Israel. When the number falls below that figure, the Central Committee should be dissolved and the JAFB and AJDC should take over the functions of the Committee. He estimated that the Committee would accomplish its mission within the forthcoming six months. In the meantime, the Committee was reducing its own staff and the staffs of the Regional and Camp Committees.

##### B. ORT

DR. DUTCH stated that he could not share Mr. Piekitsch's optimism. It was ORT's plan to close down the schools in the camps within the next four to six months. There was, however, a continuing need for an ORT program in connection with the rehabilitation of the physically unfit

and in the training of DPs who reside in the communities. There are any number of free-living Jews who have recently become aware of the indispensability of receiving vocational training as the condition precedent to their emigration. Dr. Dutch envisioned that the ORT still had a vital role to play in Germany for the forthcoming twelve or fifteen months.

C. JAFF

MR. JAFFE outlined the future program of the JAFF. This organization will continue its mass resettlement program, at the conclusion of which the usual normal machinery, such as Consulates, will be employed in handling emigration to Israel. Hope for those who identified themselves with life in Germany should not be abandoned. It is the duty of the Jewish organizations and of the gemeente leaders to persuade the people taking roots in Germany to leave that country. By the end of 1949 the JAFF will have accomplished its principal mission and at the conclusion of this period, it will send into Germany and Austria individual "shlichim" to encourage Jews then remaining in Germany to emigrate to Israel. It is the obligation of the gemeente representatives who, earlier in the conference, admitted the precarious position of the Jewish DPs in Germany and expressed the view that the native German Jews were no more secure than the DP elements, to communicate this message to those who delude themselves that they can find security in Germany.

IX. PROBLEMS OF RESTITUTION

DR. NUSSBAUM presented a resume of the restitution picture in Germany. The restitution law (Military Government Law 59) is

the best of any of the restitution laws adopted.

There is no restitution law in the Russian Zone. The French have a law in their zone but its principal deficiency lies in its failure to set up a successor organization for heirless and unclaimed property. The British promulgated an order permitting claims to be filed but have no law giving any substantive remedy to claimants.

The situation now existing in the British zone is duplicated in the western sectors of Berlin where, recently, an order was promulgated fixing a six month period in which claims to Aryanized property may be filed, but where no law exists under which the claimants may recover their property. DR. NUSSBAUM stated that he had been negotiating with the English authorities on the question of the Restitution Law in the British zone and that he was assured as early as January 1948 that a law would be enacted by April of last year. The law has gone through a succession of changes and the latest draft is that of September 1948, which has, as yet, to be adopted.

With respect to restitution in the US Zone, there are two principal outstanding problems:

a. Under the restitution law the claimant is required to pay that portion of the consideration over which he had the unrestricted right of disposal. Several difficulties present themselves in connection with this obligation. One is of a legal character and the other financial. It has still not been determined whether the conversion law will be applied to the amounts that the claimants will have to refund or whether the Reichsmark consideration will have to be repaid with the equivalent number of Deutsche Marks. This important issue

requires instant clarification and it may be necessary to ask for a declaratory opinion from the Board of Review.

Relative to the financial problem, DR. NUSSIMIN stated that regardless at what rate the consideration that must be returned will be computed, there is still the problem as to where the claimants are going to get the funds to meet their obligations under the law. A special bank might be established for this purpose. This bank could not only finance the claimants but might act as a transfer institution through which the funds realized from the restitution claims could be ultimately transferred to the claimants. DR. NUSSIMIN referred to discussions that he had with Mr. Bennett of the Finance Division, NEWS, in 1947, when Mr. Bennett suggested that Jews who have bank accounts in Germany might transfer their interests to some Jewish charitable institution which could employ these funds to finance those who do not have the means to prosecute their restitution claims. If that suggestion had any merit when Mr. Bennett made the proposal, the situation has radically changed since 1947, because of the appreciation in the value of the mark. On the other hand, some plan might be developed under which Jews would transfer their bank accounts in Germany to a Restitution Bank and receive some hard currency credits for these transfers.

The second major problem presented by restitution is the transfer out of Germany of such assets as may be realized from the restitution law. The time has come when this problem is crucial both to the individuals and to Jewish Restitution Successor Organization. DR. NUSSIMIN suggested that the funds might be transferred in the form of prefabricated houses and that Jewish Restitution Successor Organization might use

part of what it realized to transfer Jews to other countries.

#### DISCUSSION

SAUL KIGAN: The restitution program as originally conceived had a double purpose:

1. To establish the political principle of accountability for the wrongs committed against the victims of Nazi persecution. This argument for restitution has been relegated to the background along with denazification and other ambitious programs. It is no longer good taste to speak in terms of answerability for wrongs committed under the Nazi regime.
2. The second aim of restitution is the practical one and the key problem that faces Jewish Restitution Successor Organization is how it can relate its activities to the activities of the voluntary agencies. Jewish Restitution Successor Organization is interested in realizing as much as it can from the restitution program. It has filed 163,000 claims out of a possible 200,000 that might have been filed and is determined to carry through with its program in the forthcoming two years. If Germany is to profit by the work of the Jewish Restitution Successor Organization it is imperative that some plan be worked out under which transfer of assets from Germany will be possible. Since the voluntary agencies are concerned that the total Jewish program in Germany, including that related to the DPs and to the gemeinden, these agencies are in the position to make suggestions to Jewish Restitution Successor Organization as to the most effective utilization of the assets that Jewish Restitution Successor Organization

will acquire. These assets might be put to profitable use on behalf of the medical hard core whose resettlement may have to be postponed.

The creation of the western German state may adversely affect the entire restitution program. The control of restitution should be one of the subjects reserved to the occupation authorities and Military Government Law 59 should be extended to the US sector of Berlin

MR. KIGAN also discussed the difficulties that might arise from the creation of the proposed western German state if the borders of the constituent states are shifted. It might well be that areas now embraced within the US Zone of occupation and, consequently, covered by Military Government Law 59, would become parts of Länder to which either no restitution law or less favorable restitution laws would apply.

He also pointed to a deficiency in the proposed Occupation Statute which fails to include indemnification as one of the fields reserved to the occupation authorities. In earlier drafts of the proposed Occupation Statute this was one of the fields that was included among the reserved legislative powers. However, in the latest draft this was deleted. Since the Germans have been reluctant in adopting an indemnification law, it is imperative that the field of indemnification be reserved to the occupation authorities.

MR. ISENBERG: In dealing with this problem the entire emphasis has been on the economic capacity in Germany to meet its obligations. In our cold war with Russia, we are more interested in creating the good will of the Germans than in the moral aspect of the problem. No one thinks of the argument that restitution and indemnification are

questions of public morality and that the Germans owe a moral obligation to the worst victims of Nazism. The American Jewish Committee has attempted to get some German voice to speak out in favor of the moral imperative for restitution and indemnification. This effort has in part borne fruit, as reflected in a clause the Social Democratic Party introduced in the proposed Bonn constitution in which the trizonal state acknowledges its moral obligation to make restitution and indemnification. There is a need to follow up on this, by way of getting Military Government and the State Department to see that the Germans implement this principle. The American Jewish Committee has succeeded in getting the State Department to instruct its representatives in Germany to use their influence in getting the principles of Military Government Law 59 accepted by the other Western occupation powers.

The situation in Austria is essentially the same as in Germany. Political expediency over-rides considerations of public morality. For example, the adoption of vital legislation in the field of restitution, especially that related to the recovery of leasehold interests confiscated during the Anschluss, is shelved, because the legislation would adversely affect approximately 500,000 former Nazis who were extended an amnesty and whose political patronage the political parties are courting.

Although consistent efforts have been made to induce the Austrians to adopt favorable legislation on heirless and unclaimed property, no perceptible progress has been made in this field. The concerted effort to get the Austrian authorities to advance a 25,000,000 Schilling

loan to the Austrian Jewish community, which would constitute an advance against the proceeds from heirless property, has been abortive to this date. Those interested in getting this loan feel that once the loan is made Austria will be put in the position where it will virtually be compelled to adopt legislation creating a fund out of the proceeds of heirless property.

It is imperative that Jews employ every political instrument at their disposal to induce the German and Austrian authorities to meet their obligations with respect to restitution and indemnification.

DR. NUSSBAUM outlined the progress that had been made with the German general claims law for the US Zone, Germany. The law as adopted by the Laenderrat had been referred to Military Government for approval. This law was deemed unsatisfactory by Jewish interested groups in at least three important respects:

1. It excluded in-camp LPs from the class of beneficiaries who were to be indemnified for incarceration in concentration camps and other forms of deprivation of liberty.
2. It made no provision for the devolution of the claims of heirless and unclaimed property upon a successor organization.
3. It provided that the currency ratio of 10:1 apply to all monetary claims.

The Jewish groups, consisting of the JAMP, Jewish Restitution Successor Organization, the gemeinden, the Council for the Protection of Jews from Germany, Central Committee of Liberated Jews from Germany, and the Adviser's Office agreed on a common program of action, and were represented at the Legislation Review Board in Berlin by the

Jewish Adviser's Office. As a result of this intervention, the Legislation Review Board prepared a Staff Study in which General Clay was asked to return the law to the Laenderrat with the request that the law be revised to meet a number of objections, including the three stated above. To date General Clay's response to this Staff Study is not known.

MR. PINKATSON: It is a mistake to lose time in negotiating with the Laenderrat. If Jews are expected to salvage anything from an infemnication law before they have emigrated to Israel, General Clay should promulgate such a law in the name of Military Government. To this proposal Major Hyman replied that since MG adopted the restitution law only with the greatest reluctance, a fortiori, it would not entertain the idea of adopting a Military Government law that would represent a burden on the German economy.

MAJOR HYMAN also reported the progress on the application for the licensing of an individual claims agency. He said that General Clay had been informed by the Office of the Jewish Adviser that upon his arrival MR. GERSHBERG would reopen the question with him on the recognition of such an agency. In view of the unpopularity of the restitution law and the need for someone to advance fees, select counsel, manage property that might be recovered, and effect compromises, it was indispensable that some Jewish agency be set up to render these services to living claimants. General Clay's attitude towards this problem will be known after MR. GERSHBERG'S next conference with the General.

#### X. EXAMPLES OF GERMAN CONTROL OVER IOPS

MAJOR HYMAN presented a brief resume of the current status of this

problem. General Clay has consistently stood for the proposition that he would not permit German police jurisdiction to embrace DPs. He had assured Dr. Haber, former Adviser on Jewish Affairs, of this attitude and authorized him to represent that to be the General's viewpoint in DR. HABER's final report to the Department of the Army. The General reiterated that position in his initial conference with MR. GREENSTEIN. This issue was the subject of dispute between the Western powers during their negotiations on the proposed Occupation Statute. It was finally resolved that for a period of two years from the effective date of the Statute, the occupation authorities would reserve jurisdiction over the DPs. After that date it is hoped that the problem, so far as the Jewish DPs are concerned, will be academic.

SUMMARY BY MR. GREENSTEIN

MR. GREENSTEIN closed the conference with the following remarks:

I hope this conference has broadened the horizon of every one who attended. There is always the danger that when we operate on a day to day basis, we tend to become so involved in our own particular routine that we fail to get a perspective of the objectives and the philosophy which should guide our work. Also I hope that this conference will help in synthesizing our individual efforts and will in a measure furnish us with a blueprint of operations for the next six months.

There have been sharp differences of opinion expressed at our conference. These are healthy because they reflect genuine convictions on our part. Despite these ideological differences, I hope that

eventually we can evolve a program upon which we can agree. I refer particularly to the basic cleavage in the approach to those who elect to remain in Germany. One thing clearly emerged from this conference. Even those who feel they want to remain in Germany are fairly well agreed that our primary goal is to close the DP camps as quickly as possible by accelerating the emigration of the Jewish DPs from Germany, whether it be to Israel or the United States.

It must be a source of satisfaction to all of us that despite bottlenecks and shortcomings interest in the US DP bill, the ingenuity, resourcefulness and ability to follow through on the part of the AJEC, and HIAS has resulted in a larger proportion going to the US under this bill than anyone anticipated.

Winston Churchill's statement of how much the world owed to so few people has become a classic. In the same vein, I would like to pay tribute to the JAFPP and to the Central Committee of Liberated Jews for their magnificent job in moving to Israel as many people as they did. I also want to applaud the AJEC for its all out support, without which this magnificent achievement would not have been possible.

I confess that I was tremendously moved by the plea which was made by the representatives of the invalids who reminded us that even those who are not in a position to fend for themselves do not want to die in Germany, and want to be moved to Israel. At the same time I have a great respect for the point of view of Mr. Beckelman because I recognize the temptation on the part of a public agency never to take over work that a private agency is willing to shoulder.

I think it is tremendously important that we avoid being manouvered by international organizations or governments into the position where we assume responsibilities that are rightfully theirs. Coming from the United States just a few weeks ago, and having had some association with the fund raising agencies, I can tell you, that we are going to have a difficult job this year to meet our tremendous responsibilities, especially in Israel.

In connection with camp consolidation, delegations come to our office and plead with us not to permit the camps to be consolidated for various reasons. I am pleased that the JAF and the Central Committee are in agreement that these camps must be consolidated and closed at the earliest possible moment and they are thinking primarily in terms of the speedy flow and speedy movement.

One last word.- As a result of the discussions we have had, it has been pointed out there are certain responsibilities that each of us have in the total picture. There are certain things that the Office of Jewish Affairs will be able to do. We will try to act as a sort of stimulant to each of the Agencies, so that together we can complete our collective job as soon as possible.

*Report made 2/7/49*  
Fritz

FUTURE RELEASE

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NATIONAL MILITARY ESTABLISHMENT  
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ARMY RELEASES FINAL HABER REPORT  
ON JEWISH AFFAIRS IN GERMANY AND AUSTRIA

Acting Secretary of the Army William H. Draper, Jr., today released the final report of Dr. William Haber, Adviser on Jewish Affairs to the United States Army Commanders in Germany and Austria.

Dr. Haber served in this capacity from January 1948 to January 1949. He has returned to the University of Michigan, where he is a professor of Economics. His successor is Mr. Harry Greenstein, Executive Director of the Jewish Welfare Fund of Baltimore, Maryland, who will leave for Heidelberg, Germany, on February 13.

Acting Secretary Draper, in releasing Dr. Haber's report, stated:

"I have noted with pleasure that during the period of Dr. Haber's service overseas, substantial progress has been made in reducing the Jewish DP population in the United States Zones of Germany and Austria, and I am gratified that the Jewish DP problem in the U. S. Zones is nearing a solution."

The full text of Dr. Haber's report to the Secretary of the Army follows:

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On November 14, 1948, I submitted an Interim Report in which I made brief reference to some of the highlights in the Jewish displaced persons picture in Germany and Austria. In this Final Report I want to elaborate on the developments during the past year as they relate to the Jewish displaced persons problem and make some recommendations with respect to current issues, and with respect to those that are likely to arise in the immediate future. From time to time, as the problems have arisen, I have shared the views expressed in this report with General Clay or General Keyes.

## 1. RESETTLEMENT IS ONLY SOLUTION - SUBSTANTIAL PROGRESS MADE.

It is axiomatic that the only real measure of progress in the displaced persons problem is the extent to which the displaced persons have been repatriated or resettled. All other considerations, such as the improvements of the creature comforts of the displaced persons, their state of morale and even their state of health, are of secondary importance. The life of the displaced person is essentially an existence in limbo, and no program of care and rehabilitation, successful though it may be, is sufficient to offset the eroding effect of camp life with its absence of privacy, of a life of idleness for many, of a life dependent upon charity, and of a life in which the people inevitably come to feel that they are pawns rather than masters of their own destiny. There is only one way that the displaced persons can really be salvaged and that is to transfer them to lands where they can take their place as normal citizens and thus regain the self-respect that they enjoyed before they were uprooted.

It is with a great deal of satisfaction that I report that the past year represents a period that has shown the greatest advance in the solution of the Jewish displaced persons problem since the end of the war. During this period approximately 37,600 Jewish displaced persons have been resettled from the U. S. Zone, Germany, and about 9,000 from the U. S. Zone, Austria. Neither the Army nor the International Refugee Organization has succeeded in developing the techniques for an accurate statistical count of camp population and the measure of the number of Jewish displaced persons living in the German economy is even less satisfactory. However, the best estimate, based on such quantitative data as is available is that as of December 31, 1948, there were 75,000 Jewish displaced persons in the U. S. Zone, Germany, and 9,700 in the U. S. Zone, Austria.

## 2. ARMY RECORD IN HANDLING DPs EXCELLENT.

The United States military authorities in Germany and Austria have been helpful in many ways. As I indicated in my previous report, within the framework of the occupation policy, Generals Clay, Keyes, Huebner, Balmer, Harrold, Collins and Kendall, and their immediate staffs, have shown a profound understanding of the problems of the Jewish displaced persons and have in general followed a pattern which has raised the dignity of the people and has given them a feeling of security. They have justly earned the undying gratitude of the Jewish displaced persons.

It would be erroneous to give the impression that there have been no tensions between the displaced persons and the Army. During my tour of duty I frequently encountered men on the operational level who openly confessed that they considered the entire displaced persons problem a nuisance and one that interfered with the Army's primary mission in the occupied countries. Toward the end of my tour I found almost no such sentiments expressed. The rapport that now exists between the Army and the Jewish displaced persons, is, in my opinion, the product of a combination of factors. Foremost among the reasons is the realization that we are over the hump of our difficulties. When the picture was static and immigration was at a standstill, the nerves of the Jewish displaced persons and of military men with whom they had immediate contact were on edge. Now that the mass movement of these people out of the occupation zones is in full swing, the generous impulses of the average man in uniform have come to the fore, and on all sides there appears to be a genuine desire to assist them to reach the land of their choice. In my opinion the relationships between the United States Army and the Jewish displaced persons are today on a most sound and friendly basis.

### 3. IRO POLICY ON IMMIGRATION TO ISRAEL SHOULD BE MODIFIED.

The headway made in the solution of the Jewish displaced persons problem during the past year would not have been possible without the active support of the United States authorities in Germany and Austria. It is to the credit of the American representatives in Germany that when the International Refugee Organization, in May 1948, withdrew its support of immigration to Israel, ostensibly because of "the absence of a regime in Palestine which had general recognition of the United Nations" and because the resettlement of displaced persons in an area of strife was alleged to be repugnant to the spirit of the International Refugee Organization's constitution, the U. S. Army stepped into the breach and gave the logistical support without which the mass movement of the Jewish displaced persons to Israel would have been impossible. To the Jewish displaced persons who had been vegetating in the displaced persons camps for three years the United Nations' decision on partition of November 29, 1947, a decision that the United States not only supported, but spearheaded, would have been a hollow victory had the Army followed the International Refugee Organization's course on this issue.

Whatever merits it may have had at its inception, the official policy of the International Refugee Organization in withholding immigration support and assistance from Israel-bound Jewish displaced persons is without justification today. The survival of Israel is no longer in doubt. It has been given both de facto and de jure recognition by many important nations of the world. It is a "going concern" even in the eyes of the nations which have refused it recognition. Those who migrate there certainly feel that they are as secure in that country as they were in the DP countries. Neither the United Nations nor its Mediators in Israel have uttered a word of objections to the resettlement of Jewish displaced persons in Israel. IRO's failure to support this resettlement program has imposed hardship on the displaced persons, since its facilities and logistic support cannot be used to aid this movement. The recent action of the IRO Executive Committee in modifying IRO policy is a step in the right direction. I recommend that our government continue to make the strongest representations to secure the fullest IRO support for this resettlement program.

### 4. U. S. POLICY ON WITHHOLDING EXIT PERMITS FOR MILITARY AGE MEN SHOULD BE REVISED.

One additional comment on migration to Israel: Our military authorities in the occupied countries are authorized to issue exit permits to men between the ages of 18 to 45 only after a complicated clearance procedure which in practice has been found unworkable. The men in this age group are not prohibited from entering that country by the United Nations Truce. The Mediator has established definite procedures for registering immigrants in that age group and for assuring that they would not be assigned to military training or military service. In view of that, our government's insistence upon retaining the cumbersome clearance requirement which in effect denies exit permits to men 18 to 45, imposes genuine hardship on the families of Jewish displaced persons. Its effect is to make it necessary for the heads of these families who fall in the prohibited age group to seek unofficial or "illegal" channels for emigration. Were they not to do so their families would have to leave without them or the movement would come to a halt altogether. I strongly urge our government to revise that policy in order to make it possible for family groups to leave as a unit through normal emigration channels. In my judgment an appraisal of the current situation in Israel justifies a revision of that policy.

### 5. RECOMMENDATIONS REGARDING CAMP CONSOLIDATION.

It is both inevitable and desirable that as the displaced persons population decreases the existing camps be consolidated. As of January 1, 1948, there were in the U. S. Zone, Germany, 56 Jewish assembly centers and 18 town groups which were regarded as assembly center annexes. By December 31, 1948, these installations had been reduced to 48 assembly centers and five town groups, respectively.

A program for the future consolidation of the camps is being developed by the military authorities in consultation with the IRO, the heads of the voluntary agencies serving the displaced persons in the occupied countries and the representatives of the displaced persons themselves. While the consolidation program is flexible and is designed to reduce the number of installations as rapidly as the volume of emigration makes possible, difficulties in its implementation are almost inevitable. There is an understandable reluctance on the part of the people to move from one temporary installation to another, particularly when, as they claim, their final resettlement is imminent. Although the people may in individual instances protest their moves, I am confident that a soundly developed program for camp consolidation, humanely administered, can be implemented without difficulty.

It is my recommendation that those installations which offer the least favorable accommodations should be closed first, even if this requires a postponement in the derequisition of rental property. It happens that the best camps from the housing standpoint consist of rental property. In view of the incalculable losses sustained by the displaced persons, it would be preeminently unfair to pursue a policy which would deprive the displaced persons of all the good housing that has been made available to them. The German economy would not be overburdened if the small quantity of rental property now used for housing displaced persons were retained until all substandard displaced persons camps have been evacuated.

#### 6. RECOMMENDATIONS CONCERNING GERMAN CONTROL OVER DPs.

The problem of the extension of German control over the displaced persons camps has appeared from time to time during the past year. At the present time the single differential that the Jewish displaced persons camps enjoy over the camps of other nationality groups is that they are not subject to the jurisdiction of the German police, except for limited identification missions. The Germans have consistently complained of this "extraterritoriality" privilege that is accorded to the Jewish displaced persons and have insisted that their police are frustrated in enforcing the law so long as this situation exists. Not only do I question the conclusions advanced by the German authorities but I believe it would be a crucial error on the part of our authorities to yield to the Germans on this issue. In my opinion, the present policy is in a large measure responsible for the amazingly few clashes between the Jewish displaced persons and the Germans. Although the Jewish displaced persons problem is in its liquidation phase, the time has not yet come when the Jewish displaced persons can be safely transferred to the jurisdiction of the German authorities.

General Clay, who as I indicated in my interim report, shares my views on this issue, has rejected the German proposals. The problem, now governmental, is obviously one of utmost importance in the framing of the Occupation Statute for the proposed western German state. The occupation authorities have a solemn obligation to the displaced persons. It is an obligation which they have voluntarily assumed and which they have thus far discharged in accordance with the broadest humanitarian principles. On the whole, the displaced persons want no part of Germany and as long as there is the need for maintaining camps for them, they should not be subject to the administration of the German authorities. The sovereignty of the German state can, until a more propitious date, afford to yield on the issue of jurisdiction over the allied nationals who were introduced into Germany against their will. I urge therefore that the Occupation Statute provide that the displaced persons remain the special wards of the occupation authorities.

#### 7. EXTENSION OF U. S. ZONE RESTITUTION LAW URGED.

On November 10, 1947, the Military Government for the U. S. Zone, Germany adopted Law 59 which provides for the restitution of all identifiable property, transferred under duress, by or confiscated from, those persecuted on account of race, religion, or political beliefs. While it is still too early to judge the effectiveness of this law in restoring to the victims of Nazi persecution what legitimately belongs to them, the law itself is an excellent one and the establishment of the

Board of Review insures that it will be properly implemented. At the present time there is no internal restitution law in the British Zone, Germany nor in Berlin, and the law in the French Zone is deemed inadequate, primarily because it fails to provide for the transfer of heirless and unclaimed property to a successor organization. It is unconscionable to permit those who profited by the Nazi regime, at the expense of its victims, to retain their gains. Unless there is assurance that the western German state, when created, will be prepared to pass a uniform restitution law, every effort should be made to have the Occupation Statute ratify the U. S. Military Government Law 59 as applicable to the entire Western State.

#### 8. REVISION OF INDEMNIFICATION LAW NECESSARY.

At the present time there is pending before the U. S. Military Government in Germany, for its approval, a proposed Indemnification Law in which the Laender in the U. S. Zone undertake to indemnify racial, religious and political persecutees for economic losses that are not covered by U. S. Military Government Law 59. In addition to recognizing the claims of Germans who fall within this category, the proposed law provides for the indemnification of all who were detained in concentration camps and ghettos, provided they resided in any of the Laender on January 1, 1947. In its present form the law denies in-camp displaced persons any redress for their detention. The calloused indifference to the moral and legal claims of this group of people renders the proposed law wholly unacceptable. The law has other objectionable features which I have fully discussed with General Clay and other members of his staff. Every effort should be made to persuade the German authorities to pass a law that will adequately indemnify all who are not likely to be reimbursed from such reparations as Germany may eventually be required to pay, and will in other respects conform to American standards of equity. In the event that such efforts do not meet with success, it would be far more prudent to veto the law rather than to permit the Germans to cleanse their conscience with a law that is fundamentally unjust.

#### 9. ANTI-SEMITISM NOT REJECTED BY GERMANY.

So far as I have been able to discern, anti-Semitism still is deeply rooted in Germany. It manifests itself in many ways; in the desecration of cemeteries, in provocative articles in the press, in publicly holding the Jewish displaced persons exclusively responsible for the black market, in occasional blood libel rumors, and in the obvious public antagonism against the Jews with whom the Germans come in contact. Germans are quite frank in admitting that overt acts against the Jews and especially against the Jewish displaced persons might occur if the occupation authorities left. The reaction of the native Jews to their own environment is reflected in the fact that most of the young people of the German Jewish community have definite intentions of quitting their country.

It is disappointing that the Germans have not rejected a doctrine which started Germany on its destructive career that ultimately led to its own ruin. Anti-Semitism cannot thrive in soil where the democratic spirit has taken firm root. The survival of anti-Semitism is one measure of the task which faces those engaged in the effort to democratize Germany. I would not give the impression that all Germans share in the prevailing attitude towards Jews. There are many Germans who reject anti-Semitism as anti-social, anti-Christian and reactionary. However, their views have not taken any articulate form. I have discussed this problem at great length with General Clay and fully concur in his rejection of any plan that proposes to deal specifically with the problem of anti-Semitism. The eradication of anti-Semitism in Germany must represent the spontaneous inner urge of the German people and must flow from the democratization of Germany. It is General Clay's view that inter-faith groups, including Jewish leadership in Germany and elsewhere, can be of aid in this matter and contribute to greater tolerance. It is clear to me that, until Germany has repudiated the shameful policy with respect to Jews that Hitler pursued, it will not have gained its self-respect and won its way back into the ranks of the civilized nations.

#### 10. LIBERALIZATION OF U. S. IMMIGRATION LAW NECESSARY.

The adoption of the DP Immigration Law brought new hope to many Jewish displaced persons who wanted to join members of their families in the United States. Although this law represents a good beginning, its restrictive provisions have seriously complicated its administration, and it contains certain limitations which have been construed as discriminatory against Jewish and Catholic displaced persons. Obviously, the United States, the foremost protagonist of the democratic ideal, cannot afford to put its official approval on legislation that has unsavory flavor. It is therefore most encouraging to note that at the opening session of the present Congress, bills were introduced to bring the DP law more in line with America's democratic tradition.

#### 11. SECURITY AGAINST UNWARRANTED SEARCH SHOULD BE EXTENDED TO DPs.

During the calendar year 1948, twenty-two check and search operations were conducted among the displaced persons camps in the U. S. Zone, Germany. Of this number sixteen involved Jewish installations. Most of these searches were conducted in the interest of apprehending black market offenders and as a deterrent to such activities. However, on the basis of what these raids actually accomplished I am convinced that there is no police measure that can effectively deal with this problem. The illegal traffic in rationed commodities flourishes in every economy of scarcity and Germany is no exception. No group of people in Germany, civilian as well as military, are free from its temptations. The only dependable remedy for the black market, is that which will be provided by the increase in the flow of consumer goods.

Aside from the fact that the mass searches fall short of their objective, they represent an indictment of the entire camp communities involved in searches, and as such, do violence to the Anglo-American concepts of justice. On March 16, 1948 Military Government promulgated a regulation (SOP 96) according to which all the safeguards against unreasonable search and seizure, basic in the American legal tradition, were extended to everyone in Germany except the displaced persons living in the camps. This disparity has been the subject of a number of staff studies prepared by the military authorities and is now being considered in connection with the framing of the Occupation Statute. It would indeed be incomprehensible if the authorities responsible for drafting this Statute emerged with a standard of justice less favorable for the displaced persons than for the Germans.

#### 12. HAVEN POLICY SHOULD BE CONTINUED.

In a world that is in a state of flux, as ours is today, it is difficult to predict the future with any degree of accuracy. There is a great urge on the part of many Jews, living in the satellite countries, to migrate to Israel. Not only have they been declassed as a result of the nationalization of their businesses, but they have a justifiable fear of the future. Although the satellite countries, notably Roumania, Czechoslovakia and Hungary, which have substantial Jewish population, have in the past permitted legal migration to Israel, there is no certainty that such freedom to emigrate will continue. Today the picture in this respect is confusing. There are some indications that the satellite countries may either suspend legal migration or impose such conditions as will make it impossible. Heretofore, the U. S. Zones of Occupation have served as havens of refuge for those who fled from countries in which they have been insecure. I would strongly urge that the haven policy which we have heretofore followed, be continued.

#### 13. THE PLANS FOR EVENTUAL CLOSING OF JEWISH DP CAMPS CAN NOW BE FORMULATED.

The Jewish displaced persons have been leaving the U. S. Zones of Germany and Austria at the rate of 4,000 to 5,000 per month. As soon as the implementation of the U. S. DP Immigration Law reaches its expected stride and, especially, should the amendments of the bill now pending before Congress be adopted, a substantial

number of Jewish DPs in the U. S. Zones of Occupation will be eligible to leave for the United States. The Israeli government has formulated tentative plans for removing from Germany and Austria all Jewish displaced persons who wish to migrate to Israel, by September of this year. Taking into consideration the present and future rates of immigration to Israel and to other countries, and allowing for the number of Jewish displaced persons who may wish voluntarily to postpone their resettlement by entering into the German economy, I believe that it is safe to set the end of the next fiscal year, that is June 30, 1950, as the target date for the closing of most of the Jewish displaced persons camps. This aim can be achieved, unless unforeseen events, both in Israel and elsewhere, interfere with its realization.

#### 14. MUCH PROGRESS MADE IN REHABILITATION OF DPs.

In 1945, when they were rescued from inevitable death by the victorious allied forces, the Jewish displaced persons were a most pathetic group of people. The soldiers who first saw them wondered whether these skeletons could ever resume their normal appearance and whether, in view of their staggering personal losses, they would have the will to live. I am happy to report that these very people are leaving the U. S. Zones of Occupation with heads erect and confident of their future. Their health is good. Their revival is not the result of any miracle. It is the fruits of much labor, of the unprecedented patience and of the sympathy of the United States Army, UNRRA, the IRO and of the voluntary agencies.

The DP problem in general and the Jewish displaced persons problem in particular have not as yet been completely solved. The hapless people whom we have come to know as DPs have a moral right to the sympathy and interest of the civilized world until they have been given the opportunity to live as free men and women.

END

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2-3-49  
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