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A VIEW OF THE JEWISH PROBLEM FROM THE
PENTAGON AND STATE DEPARTMENT

1945 - 1948

Transcription of Memoirs Taped
by Herbert A. Fierst

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Jan. 1, 1972

1. My name is Herbert A. Fierst. I am an Attorney with offices in Washington, D.C. I live at 4114 Rosemary Street, Chevy Chase, Maryland 20015. I am 57 years old now. As I begin to dictate these recollections, the date happens to be January 1, 1972. I will continue to dictate as often as I can from time to time.
2. The period covered begins in 1945 and carries through 1948. Many of my recollections of the events of these years are quite vivid. Still others are quite understandably rather hazy and I am sure I have forgotten entirely about many events which I have either observed or in which I participated. Luckily I have found among my ancient files a good many papers which bear upon the years 1945 to 1948. They are by no means complete, however some of them have proven quite interesting and rather surprising to me in their completeness. Others have helped me recollect details which otherwise I am sure would have been quite obscure in my memory. I will try to proceed roughly chronologically but I will by no means attempt to talk in a consistently well organized way all along. Rather, I will try to proceed year by year and in as best a sequence as I can as these thoughts come to me. If I get an idea while talking about one subject which I think I might forget, I will interrupt myself and proceed to describe it, hoping to have an opportunity later on to correct these thoughts when they had been transcribed.
3. Also by way of preliminary ground rules to myself and for myself, I will indicate from time to time whether I am discussing a subject which I have a good many written background papers on or whether I am simply proceeding from memory. Many times I suppose the context will indicate this and I will not have to be explicit. Also, I will by no means try to give a complete picture of the Jewish situation as I knew it at the time as I go along. I will not try to repeat or even to recall what is already historically known and I will not try to appraise the significance of what I do recall. Historians or future scholars may find

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one or two little tidbits in what I have to say which will fill in missing gaps in information which is already known to them. I have no way at this time of knowing what they do know and what they do not know, and so what I will try to do - even though it may be tedious from time to time as I go along - is to dictate just about everything that I can recall of that memorable period.

4. Before I get into the substance, let me explain a little bit how I happened to be where I was at the time that I was in the period of 1945 to 1948. My arrival in the Pentagon in January 1945, where this chronicle rightfully begins, was purely fortuitous as far as I was concerned. In December 1945 I was in England, a Second Lieutenant preparing for the military occupation of Austria. I had been an anti-aircraft officer in the United States when I had been placed, through an application which I had made, in military government. I had received a few months training and then had been shipped overseas in ~~January~~^{February} 1944. I had been stationed for a while in Shrivenham, which is about 50 miles west of London, when I happened to meet an American Major who came from the same law firm as I had been in in New York. He recruited me to assist him in the legal staff of SHAEF and after a few months of work in Shrivenham we had gone to London together and had worked at SHAEF headquarters there. I was then at what was called the legal functional unit of SHAEF, but when a special geographical division was made for planning the occupation of Austria, I was the sole lawyer assigned to it. And I was fully confident, as confident as anybody could be at those times, that I would end up in Austria along with the American forces.

5. It was only the day after Christmas 1944, what the British call "Boxing Day", that I was tipped off by a Sergeant in my Unit that a message had come in from advance headquarters of SHAEF directing that I be sent back immediately to the Pentagon to work in the office of the Chief of Staff. I still remember how furious my Commanding Officer was with me when this message was placed on his desk. He called me in and upbraided me for having pulled some strings to get myself sent back to the United States, and he made it very clear that he had no intention of going along with this. I myself was quite mystified as to how I happened

to be singled out, and I did the best I could to reassure him that I had had nothing to do with it, which was of course the fact. In spite of his protestations, I was sent back to the Pentagon in early January 1945 and I was directed to report to the Civil Affairs Division in the office of the Chief of Staff which was headed by Major General John H. Hilldring.

6. The person that I was assigned to was a man who later became very famous in early Israeli military history, Colonel David Marcus, known as Mickey Marcus. I suppose it would not be too difficult for some amateur historians or journalists to concoct some kind of dire conspiracy which happened to place me in conjunction with Mickey Marcus in the Pentagon at that particular time. Actually, while I got to know Mickey fairly well on a superficial basis, we, I think, never once discussed anything to do with Jewish affairs. He had no idea who I was when I reported for duty and frankly I had no idea who he was. I had been called back only because Mickey, who was himself a full Colonel at the time, had three or maybe four other similarly ranked officers on his staff and they had no junior rank officer to do some staff work on the various problems on which they were immersed. So, I learned later, they had concocted some theoretical specifications and qualifications which they had cabled to advance headquarters at SHAEF and had requested that an officer who filled these qualifications should be rushed back immediately to them. Somehow or rather someone thought that I filled the bill and that's how I found myself on Mickey Marcus's staff.

7. However, the odd thing about it was that if I had remained on his staff, I probably would have never become involved in the Jewish problem. Instead, what happened was that the very first day I reported to him for duty, which as I said was early in January 1945, I was told to take three weeks off for rest and recuperation and then to come back ready to work at a furious pace. When I did return three weeks later, I found that in the interim there had been a complete reorganisation in the Civil Affairs Division and the functions which had previously been allocated to Mickey Marcus and his group had been shuffled around and he no longer needed,

or was allowed to have, a person like myself on his staff. Instead, I found myself in what was called the Economics and Supply branch of the Civil Affairs Division which was headed by a Colonel James C. Davis, who was a very able lawyer in civilian life from Cleveland, Ohio. He reported directly to General Hilldring. My immediate superior at the time was a Major, who shortly thereafter was promoted to Lieutenant Colonel, named Ernest A. Gross. Ernie Gross was also a lawyer in civilian life and subsequently became, first of all, when we moved over in 1946 to the State Department, General Hilldring's deputy and later became the Legal Advisor of the State Department. He was also Assistant Secretary for Congressional Relations and then became Warren Austin's deputy as U.S. representative at the United Nations. I was given no specific assignment in the Economics and Supply branch but was regarded as a kind of troubleshooter to follow, I would guess, about fifteen or twenty different subjects which kept flowing across my desk at a great rate in those early months of 1945.

8. Our boss at the time was Major General John H. Hilldring. I will have a lot more to say about him later, but let me describe him briefly at this point and indicate to the best of my recollection how he happened to be in the position that he was. General Hilldring had gone to the Columbia School of Journalism prior to World War I, I believe, and had fought in World War I. He had remained in the army afterwards and in the long lean years for the army between World War I and World War II, he had risen very very slowly in the ranks, as had most other professional officers. It so happens that during the early 30's, at the time of the C.C.C. - the Civilian Conservation Corps - when military officers were assigned to different regions of the United States to supervise the activities of the corps, Hilldring, who was then either a Captain or a Major, was assigned to the district which adjoined that of George C. Marshall who later became Chief of Staff and, subsequent to that, Secretary of State. He came to know Marshall quite well and I gather Marshall had a rather high regard for him.

9. When World War II broke out, Hilldring was given a division - an infantry division - which he was training in the south and which was due to be sent to the Far East for action there. In California all the soldiers and officers were given routine physical examinations. I believe this

was around early 1943, but I am not entirely sure of the date. To Hilldring's surprise and consternation, his physical examination showed that he had a problem with his heart. The military authorities wanted to retire him compulsorily on the spot. However, in characteristic fashion, he picked up the phone and called his old colleague General Marshall, who was then Chief of Staff in the Pentagon, and told him that he wanted to continue to serve, and if he couldn't do it in the field, he wanted an opportunity to serve at headquarters. Marshall ordered him to come to Washington and had first put him in charge of G-3 operations, which involved a good deal of liaison with Congress. Then, when G-5 was established to handle military government and civil affairs, I believe that was some time in 1944, General Marshall placed General Hilldring in charge of it.

10. This brief history is extremely important because a good many of the events which I shall describe later were founded on either the intimate relationship which General Hilldring had with General Marshall, or on the reputation which General Hilldring had both in the Pentagon and in the State Department of being very close to General Marshall. Frankly, I had never heard of General Hilldring before I was assigned to his staff and at first, like so many others, I was rather apprehensive of being brought into direct personal contact with him. He was a very gruff individual with a leather lunged voice and could really scare the daylights out of anybody coming into contact with him. However, I learned fairly early in the game that if he came to respect you, and if he knew that you were completely loyal to him, then you could have a very close and rewarding relationship with him.

11. Hilldring was ruddy faced, bald, rather short and walked with a slight wobble like a duck. He had piercing blue eyes, and was surprisingly well spoken and eloquent when he talked extemporaneously. He also had a great gift of delegating work to his staff on a person-to-person basis, as he got to know somebody on his staff. He did not care very much what his rank was or what his position in the hierarchy was. If he was an expert on a particular subject, then he was Hilldring's righthand man on that subject, and

Hilldring would back him to the hilt in any tilts which he might have or any battles he might get into or any arguments he might have with any officials in any office outside of John H. Hilldring's. Within the four walls of General Hilldring's office, sometimes the General would say, and he did to me several times, "You really pushed a little too hard this time. I backed you up but next time before you get yourself that far on a limb, you'd better consult more specifically with me." It didn't happen too often, but it happened occasionally, and those of us who later on were privileged to work very intimately with him always, I think, had a kind of a sixth sense as to how far we could go outside our office before we checked specifically with General Hilldring.

12 I can't really recall specifically working on any displaced persons problem during the first two or three months in 1945 after I returned from rest and recuperation. But I do know that among the many problems that occupied me, displaced persons, whether Jewish or non-Jewish, were among those that I was supposed to handle. I have the feeling now that in March 1945 if someone had said to me, "What percentage of your time are you spending on displaced persons problem?", I would have said maybe 5% and if someone would have said, "Well, how much of that 5% time is devoted to Jewish displaced persons problem?", I might have said maybe a quarter, maybe a third. There then occurred, I guess around sometime in April 1945, a little incident which later on became very significant because it did project me almost exclusively into the displaced persons problem.

13. Among the vast flow of material that passed over my desk every day, and I was not unique in this respect - we all had to read tremendous quantities - among this vast material were highly classified reports from SHAEF as to the advance of Allied armies crossing into Germany. One day I came across a particularly fascinating document which described in great detail the activities of American army troops as they liberated the concentration camps which contained the Jewish survivors. At that time the newspapers were filled with human interest stories about the Jewish survivors and the concentration camps, and many of these articles were

filled with complaints and accusations against the military authorities by highly distraught Jewish leaders and Jewish organisations. I seemed to sense that the top echelon of the army were highly sensitive to this criticism, and so, as I was reading this highly classified and voluminously documented report of what had been done by the American troops for these concentration camps survivors, I thought that my immediate superiors would be particularly interested in this.

14. I believe I described the story orally to Ernie Gross and showed him certain sections. He caught the significance right away and directed me to draft a memo to Colonel Davis. I remember he warned me that - maybe I knew it already - Colonel Davis liked to have everything compressed into no longer than two pages. I thought it was absolutely impossible to take this voluminous document full of so much poignant detail - I really don't know now how many pages it was, but it seems to me that it must have been 75 or 100 - and compress it into two pages. Anyway, I did the best I could and wrote it to Colonel Davis. He immediately also saw the significance of it and I can still recall him now coming back to my office and complimenting me on the memorandum and directing me to drop everything and redo it as a memorandum from him, Colonel Davis, to General Hilldring. He reminded me, however, that General Hilldring always liked to have everything boiled down to one page. When I remonstrated that it was impossible to boil this down any more, and I already thought that I had lost a good deal of the significance of it, he just told me to do it and hurry up about it. So under the pressure of my superior officer, I did it.

15. Not long~~er~~ after, Colonel Davis called me in and told me that General Hilldring had just buzzed him and had asked who had prepared that excellent memorandum. I think he just was barely aware that somebody named Fierst was on his staff at that point, and he had directed Colonel Davis to have me come in and see him. I think this was my first direct personal meeting with the General, although I had attended staff meeting frequently before that. He kind

of growled at me that this was a very significant sensitive subject because of all the publicity there had been on it and he thought General Marshall, Chief of Staff, would be very interested in it. He directed me immediately to prepare a memorandum from himself to General Marshall, summarizing the SHAEF report. However, he reminded me that General Marshall likes to have things boiled down as briefly as possible and if they are informational, as this was, a half a page should suffice. So I went out of General Hilldring's office with what seemed to me an impossible task, but under great pressure to produce something immediately. Incidentally, this is the way Hilldring often operated. He had a very clean desk, he did not like to keep things on his mind, and if he directed you to do something he wanted it done absolutely immediately unless there was a very good reason why it should not be. So, the next thing that happened was that a very brief memorandum of about a half a page went forward from General Hilldring to General Marshall, and not very long thereafter, I think it was either the same day or the following day, I very proudly received on my desk the return of the memorandum with a little note on the top in General Marshall's handwriting which as I recall simply said, "Noted, G.C.M."

16. This incident, I am sure, has no great historical significance in itself, but it was the beginning of a very, very intimate relationship on the Jewish displaced persons question between General Hilldring and myself. From that day forward, I automatically had become General Hilldring's expert on displaced persons and particularly on Jewish displaced persons. This little incident happened to coincide with a flurry of problems involving Jewish displaced persons which were referred to the Pentagon for action and in the Pentagon were assigned to General Hilldring and his staff for action. And so, almost overnight, as a result of the incident that I have described, I found myself devoting just about all my time to displaced persons problems - not entirely Jewish, because there were extremely important ones, such as forceable repatriation of Soviet d.p.'s and a good many others - but by and large the greater part of my time during the rest of 1945 and during my entire period

in the Pentagon until the spring of 1946, just about all my time was devoted to the Jewish displaced persons problem. 17. Up till this point I have been speaking entirely from memory. I now have in front of me a document from my files which was prepared by General Hilldring at a later time - actually it was in 1952, when I had been under attack by Senator McCarthy. And in part of this document, which is an affidavit, General Hilldring gives his own personal background and the circumstances of my having come to be associated with him. So I will now read from my document. I see already, as I glance over it, that I've made a mistake in mentioning that General Hilldring had been assigned to G-3, it was actually G-1, and there might be other mistakes. But, for the sake of the record, I will now read that section of the affidavit in which General Hilldring mentions his own personal background and his association with me.

18. "I served - that is, General Hilldring is saying this - as a member of the United States Army with active service of about 29 years until my retirement in 1946. My army assignments - and this is General Hilldring speaking - included tours of duty as assistant Chief of Staff, G-1, War Department, Commanding General, 84th Infantry Division and Director, Civil Affairs Division, War Department, special staff, with the temporary rank of Major General. Since retirement from the army, I have served as Assistant Secretary of State and as alternate U.S. delegate to the Second General Assembly of the United Nations in 1947. Positions in which I was associated with Mr. Fierst: a) Director of Civil Affairs Division of the War Department, my assignment from April 1943 until March 1946. My duties in this assignment were staff head in the War Department of administration of liberated and occupied areas. b) Assistant Secretary of State, my assignment from March 1946 until August 1947. In this assignment my duties were: 1. To coordinate policy as to occupied areas. 2. To formulate and recommend policy as to displaced persons. 3. As Chairman of the munitions board, to establish policy as to the allocation of munitions. My associations with Mr. Fierst were as follows: a) In January 1945 I was in need of an

extra officer in my planning staff and I wanted to fill the vacancy with an officer who had experience in the European theater. I therefore had asked Brigadier General McSherry, who was on the G-5 staff of General Eisenhower, to recommend a suitable officer for this post. General McSherry recommended First Lieutenant Fierst, and I accepted his recommendation. I previously had not known and had not heard of Lieutenant Fierst. Because of a reorganisation within the Civil Affairs Division, Lieutenant Fierst was assigned upon his arrival to the Economics branch instead of the planning staff. b) Nature of works in the Civil Affairs Division. Initially Lieutenant Fierst worked on economic questions in the Economics branch. However, in March of 1945 the problems of displaced persons had reached such proportions that it became necessary to assign one man to this function alone. After considering the various available officers in the division I finally, on recommendation of Colonel James Davis, designated Fierst for this work. He remained on this job as long as he and I stayed in the War Department. c) In March 1946 I retired from the Army to accept an assignment as an Assistant Secretary of State. The purpose of my work in the State Department was to organize the office for the coordination of policy relating to occupied areas, including policy as to displaced persons. Mr. Byrnes gave me a free hand in staffing this new office, and it was, therefore, natural that I should ask Fierst to come with me as a civilian to the State Department to take over the displaced persons policy planning. d) During my entire tenure in the Department of State, Mr. Fierst continued as the principal officer of my staff on the problems of displaced persons. He played a major role in establishing policies which bettered conditions of the displaced persons in the camps of Europe. He served energetically and effectively as a liaison man between my office and many groups of Americans of all creeds who were interested in the welfare and resettlement of the displaced persons. He also played a major and important role in devising plans for the resettlement of the millions of displaced persons and he was most effective in his labours in carrying these plans out."

19. Before I get to discussing substantive problems in the War Department and in the State Department, and specific events, I would like to recall my relationship with one other person in those days who was just as important as General Hilldring was in his bearing upon those events. I refer to David K. Niles. Dave Niles had come to the White House during the days of President Franklin D. Roosevelt and had remained on under President Truman. There was very little publicity about him and very little was known by the public about him. I myself had heard only rather vaguely about him during my early days in the Pentagon. I don't believe that I actually met him until I came over to the State Department in March 1946, although I may possibly have talked by telephone to him. However, not long after I came over to the State Department, I did have an opportunity to meet him and from then on I worked extremely closely with him. It really is important to understand Dave Niles' position in the White House and the relationship I had with him to understand some of the events that I will be telling about later on, which to me in retrospect after these many years do seem a bit incredible. It does seem rather odd that so many things that I will be telling about happened so quickly and almost on such a personal basis, both as they involved General Hilldring and as they involved Dave Niles, but they really did happen and those of you who listen to these words, or read about what I have said in the form of writing, will better understand what I am talking about if I do take these few minutes, first of all, to tell about more about my relationship to Dave Niles.

20. Although he is identified with the White House and was in those days, actually his office was not physically located in the White House. This little bit of geography is very important to bear in mind because it so happens that Dave's office was on the second floor of what was then known as "Old State". This was the Old State - War - Navy building directly adjoining the White House on the Western side, and Dave's office was about in the middle of the building on the western side of Old State. It so happens that, when I moved over to the State Department with General Hilldring

in about mid-March 1946, our offices were also on the second floor, and my office was on the east side of Old State. As a matter of fact looking out my window, I could see the west wing of the White House just across a courtyard. So, it was just a matter of barely a few steps along a corridor from my office to Dave's office, and when we came to know each other, it was a very simple matter for me just to stick my head in his office to bring something to his attention or, very often, one of his secretaries - he had two - one a Miss Gutches and the other, Miss or Mrs., I forget which, Fredericks. Also, either one of them would telephone me and ask if I could come right over and I could be, and would be usually, in Dave's office within 30 seconds to a minute. At this stage we developed a very close working relationship so that later on - I am not sure exactly when, I have to check my records if it should become relevant at all, which I don't think it would - but later on when we moved over to what was then known as the new State Department, which was about half a mile away from Dave's office, it became more difficult to communicate unless we exchanged memos or information by messenger or mail. It was more likely that I'd receive a telephone call from one of his secretaries who would ask me to drop over as soon as I could and I would do so. Other times when matters came to my attention which I thought were important to bring to Dave's attention immediately, I would telephone his secretaries, and they knew of my relationship with him, and they would arrange for me to come over and get in to see him just as soon as it was physically possible.

21. I don't remember ever having asked Dave specifically to describe his relationship with President Truman, but I had reason to find out on the basis of many personal experiences that he really must have been extremely close to the President. I will just mention a few examples that come to mind. I'll mention them very briefly and hope that later on in this oral history I will be able to go into them in greater detail to the extent that it might seem possibly relevant when I get around to focusing on them. One example that comes to mind occurred in 1946, at a time when the British were making

it particularly difficult for Jewish displaced persons, or Jewish immigrants, to come to Palestine and President Truman, as I need hardly recall, was embattled with Ernest Bevin on the subject. One morning there came across my desk a clipping about 48 Estonian refugees who had come across to the United States in two sailing vessels, and who had been denied admittance as permanent residents on the basis that there were no visas available for them, no immigration visas. I immediately sensed that an incident such as this could be seized upon by the British to show that we were not doing anything differently in our country from the policy they were enforcing in Palestine, and I remember hot footing it around to Dave's office and showing him this clipping and when he asked me what should be done about it, I said I thought that it's important that as soon as possible the President should make a statement that he was going to arrange to have these 48 refugees permanently admitted for residence in the United States no matter how it was worked out. Dave said, it so happens the President is having a press conference after lunch today, so why don't you immediately draft a statement for him to make and I'll do my best to bring it to his attention. Well, I did draft such a statement, brought it right around to Dave's office and sure enough at the press conference that afternoon the President made a statement, just about word for word, following the draft that I had submitted.

22 A second incident that comes to mind was during 1947. I am just trying to mention various successive years here to show that throughout the period that I dealt with Dave, he really indicated by the results that he must have had a very close direct personal relationship with President Truman. The second incident that comes to mind, as I said during 1947, was when I had an occasion to recommend some policy to him in his office which he thought well of, and he called in his secretary and asked me to dictate a memorandum from the President to Secretary Marshall, which I did. That was the last I had anything to do with it myself, but eventually I had reason to find out that the President actually did sign the memorandum and sent it over to the Secretary.

23. The third incident that comes to mind occurred during the latter part of 1948. After President Truman's spectacular and unexpected election victory over Thomas Dewey, I received a memo by a special messenger late one day, from Dave Niles, enclosing a copy of a letter which the President had received from Chaim Weizmann congratulating him upon his election and making certain comments about the situation in Israel. Dave asked me to draft a reply for the President and to get it back to him the following day. I worked under great pressure at home. This was obviously a kind of personal job and I naturally did not clear it with anybody or take it through channels in the State Department. I delivered it, or had it delivered, to Dave the following morning and heard nothing further about it at the time. Later I heard that President Truman used the draft practically word for word and as a matter of fact I had the great thrill a few years ago in visiting the Weizmann Museum at Rehovot to see the first page of that letter, which by that time had been stamped "confidential", on display at that museum.

24. So, taking all these incidents into consideration, and many more that I will be telling of later on, one must accept the fact that Dave Niles really did have an intimate, influential relationship with President Truman. Now having said that, I should also hasten to say that I recall his having told ~~me~~ ^{me} on a number of occasions of battles that had taken place within the White House where he and sometimes, let's say, Clark Clifford, had presented one view point very strongly and others had presented a contrary view point, and sometimes the decision had gone against the position taken by Dave. But, this is not to blur the fact that he really did have an inside track, and if I may repeat myself a little bit but I think it really is important to the telling of the rest of the story, there were times when he was able to act very quickly and very effectively, and obviously the President had tremendous confidence in his personal loyalty and judgment.

25. And now I find I have yet another bit of background to discuss before I get into business, a really essential background. I refer to the structure of the Pentagon in the

years. 1945 and 1946 in so far as it bore upon General Hill-
dring and his staff. First of all, it is important to rea-
lize that in those days there was not yet any Defense Depart-
ment. There were two cabinet officers dealing with military
matters, Secretary of the Army and Secretary of the Navy.
Only the Secretary of the Army occupied the Pentagon. The
Secretary of the Army during the period 1945 to 1947 was
Robert P. Patterson, a very decent, intelligent, not flashy
but thorough and honest man, who had been a Circuit Court
of Appeals Judge in New York prior to coming to the Pentagon
around 1940 to be Undersecretary of War under Henry L. Stim-
son. Patterson will figure in a number of events which I
will discuss later, but his central role at the head of the
War Department should be born^e in mind.

26. The Secretary of the Navy at this period, I believe, was
James Forrestal. He does not really figure in the picture as
far as I was concerned, although his views on the Palestine
question historically are quite notorious. The Navy Depart-
ment really had nothing to do with the occupation of Germany
and Austria, and therefore did not really figure in the
Jewish question in the areas that I was involved. There
were really two almost parallel lines of command within
the War Department, I say almost parallel, because at various
points they did seem somehow or other to get interwoven in
a way that it is very hard for anybody to understand who was
not actively working in the setup at the time. Partially
they were interwoven because of personal acquaintanceships,
partially because the lines of jurisdiction were not that
clear. The civilian chain of command ran from the Secretary
to the Undersecretary to the Assistant Secretary of War who
handled occupation matters. The Undersecretary rarely fi-
gured in the displaced persons, or Jewish refugee, picture,
or in the Palestine question, because traditionally his of-
fice dealt primarily with procurement matters.

27. The Assistant Secretary of War was a rather youngish
lawyer named Howard Peterson. He came from one of the very
prominent law firms in New York and was very bright, very
quick, very decent. He had two assistants who were extreme-
ly able people. One was R. Ammi Cutter, who is now a very
well known Judge in Massachusetts. The other assistant was

Davidson Sommers. Dave Sommers is now president of one of the largest insurance companies in the United States having, in the intervening years, among other things, been General Counsel of the World Bank. It so happens that Dave Sommers and I had had a personal relationship as lawyers in the year 1939, I guess it was, when I was fresh out of law school and had gone to work for a Wall Street law firm in which Dave happened to be a young partner, and he and I had been assigned to work together on several matters, so on that personal basis I had in the Pentagon, and later on in the State Department, when Dave was still back in the Pentagon, some kind of a special entree to him which I might not have otherwise have had. That completes very superficially the civilian chain of command.

28. The military chain was a bit more complicated. There was first of all the Chief of Staff, who during most of 1945 was George C. Marshall, who was preeminent not only in the Pentagon, and in the United States, but in the world at that time. Amongst other things, he had been a United States representative on the Combined Chiefs of Staff during World War II. I've already spoken of the intimate personal relationship that had developed during the pre-World War II years between Marshall and Hildring. The Civil Affairs Division, or G-5, was actually part of the office of the Chief of Staff. For example, when I had been transferred from the European Theater to the Pentagon, my transfer read from the European Theater to the Office of the Chief of Staff, Civil Affairs Division. I mention this because we did operate with a certain amount of prestige vis a vis other parts of the Pentagon or the civilian establishments such as the State Department by reason of the fact that we were considered to be part of the office of the Chief of Staff.

29. There was one other part of the office which is very hard to describe in retrospect but was also very important and quite unique. Its initials were OPD, which stood for the Operations Division. These were tough, straightforward, very able regular army officers, for the most part I think, who were extremely jealous of their prerogative to issue or follow through on any orders to or from the theater commanders

which embraced Germany, Austria and Italy, I believe. They did not have direct responsibility for displaced persons or refugees. However, if a cable came in, say, from General McNarney or General Mark Clark, which raised question about refugees or displaced persons or indeed any other phase of occupation policy and required answers, somebody in OPD - usually a full Colonel - would bird-dog the rest of the office - whether it was the Civil Affairs Division or some other part of the Pentagon - until an answer was prepared and sent through the cable office back to the theater. As I recall, in our particular areas, OPD rarely got involved in the substance but they were always regarded as the special watchman over the theater commanders from the military point of view and every cable that went forth from our division had to have the concurrence at some stage of somebody from OPD.

30. So, focusing for a minute on General Hilldring, we had a situation where he was Director of the Civil Affairs Division and could move in, or could be brought to move in, either of two directions as far as the upper chain of command was concerned. He could go to see, or submit a memorandum to, General Marshall, the Chief of Staff. In order to do this, in order to get personal entree to General Marshall, very often all he had to do was to flick a switch on a little communications box on his desk and talk to a Colonel who was Marshall's executive aide to find out how soon General Marshall would be free. Then General Hilldring would go stalking out of his office and before anyone knew it he would actually be in talking to General Marshall. There were other times when General Marshall would call him directly on the communications box and General Hilldring would respond immediately or would actually go to see General Marshall. They really did have that close a relationship. When General Hilldring dealt with civilians, it was more likely that he would deal directly with Howard Peterson, the Assistant Secretary of War. He and "Pete", as he used to call him, worked very closely together, very well together, and this made it easy for me as an assistant to General Hilldring to get along very well with Peterson's two main assistants, Sommers and Cutter, particularly Dave Sommers whom I knew personally better and who somehow or rather seemed to be

more directly concerned with the range of refugee problems. Sometime in the fall of 1945 General Marshall, who was due to retire, was asked suddenly by President Truman to be his emissary to China, to try to bring the two factions together, and General Marshall was succeeded by General Eisenhower, who returned home triumphantly from his war time service in Europe.

31. I remember a very interesting incident in which I was involved shortly after General Eisenhower's return. Governor Herbert Lehman was then head of UNRRA and was desperately afraid that the much needed UNRRA appropriation in the United States Congress was in great peril. War weariness had sunk in. He somehow or rather felt that a person of the great domestic and international prestige of General Eisenhower was necessary to come to the aid of the UNRRA appropriation, or perhaps it was authorisation, I am not sure which. At any event, by this time I had been working quite closely with General Hilldring, and he summoned me and directed me to drop everything and prepare a letter from General Eisenhower to the appropriate officials of the Congress supporting a large appropriation for UNRRA not by any means restricted for refugees and displaced persons but encompassing the whole field of relief for devastated Europe. Frankly, I had very little background other than general knowledge on the subject and did the best I could. Colonel Davis touched it up somewhat and General Hilldring seemed to approve of it and sent it forward to General Eisenhower.

32. Then I remember the following Sunday morning, I believe, I was awakened in my room by the duty officer on General Hilldring's staff and he told that he had just received orders from General Hilldring to have me go to the Pentagon immediately and prepare some testimony for General Eisenhower to give personally before the House Foreign Affairs Committee and the Senate Foreign Relations Committee because the situation had become so unfavourable and shaky in the eyes of Governor Lehman that he had prevailed upon General Eisenhower to agree to appear in person. I found this rather difficult to do because I frankly, as I said before, did not know too much about the subject and had to stretch it out a bit since

it was personal testimony but I worked quite a bit under pressure and then Colonel Davis, I remember, came over later in the day and helped beef up the end of the presentation and he had what was then considered to be the great privilege of flying out to Chicago to present the draft to General Eisenhower who, I believe, was staying in Chicago for some celebration on Monday. I can fix the date very specifically in mind because the following Thursday was Thanksgiving and this special joint meeting of the House Foreign Affairs Committee and the Senate Foreign Relations Committee was purposely called for that holiday morning, I believe it was, to dramatise the seriousness of the situation and it so happened that General Eisenhower had contracted a fever and was sick in bed but dramatically, as pictured by the press, rose from his sick bed and appeared before the joint session of these two influential committees and, as the newspapers reported the following day, with his face flushed with fever made a sincere and almost impassioned appeal for Congress to be generous to help restore wartorn Europe by giving sufficient appropriations to UNRRA.

33 I mentioned this incident, which just happened to come to my mind, because of two reasons: one is, it does fix the point of transition between Marshall and Hilldring and also it illustrates the close relationship that existed even between Hilldring and Eisenhower. I am not sure that the relationship was that intimate before, and it certainly was never as intimate as it was between Hilldring and Marshall. But the fact that Eisenhower turned to Hilldring for this kind of assistance was, I think, quite significant. It's also important to remember that General Eisenhower had had some close personal experience with the displaced persons problem in Germany and particularly with Jewish displaced persons problem.

34. In April of 1945, just after the war was over, as I recall, General Eisenhower urgently invited a bi-partisan congressional delegation to fly to Germany to witness conditions in the newly liberated concentration camps. Then, a month or two later, he suffered the very traumatic experience of being severely criticized in the Earl Harrison report on conditions of Jewish DP's in Germany. I will have more to say

on that subject later, but completing this very cursory summary of the structure of the Pentagon, I emphasize again that there were these close personal relationships which made it surprisingly easy to have action taken quickly along lines which appealed to those who were in central positions.

35. I think it might be useful to use the Harrison report as an example of the workings of these lines of command and channels and in fact the blurring of them. The Harrison report in retrospect really had a traumatic effect on the top levels of the government both in Germany and the United States. While there were some exaggerations in the report, I believe, the purpose of the report really was served by the attention that it centered upon the Jewish displaced persons problem. Just before the report was released to the press, we had gotten hold of a copy of it, I forgot through which channels, and we sent the text of it to General Eisenhower who was then Supreme Allied Commander in Germany. On the morning of the publication of the report in full in the New York Times, Secretary of War Patterson summoned General Hildring urgently to his office and General Hildring brought me along with him. Here I am refreshing my recollection by looking at part^t of a memorandum which I prepared in July 1949, which would have been close to four years after that event. Secretary Patterson was enraged by some of the contents of the report and wanted a full explanation of the background of the entire situation. It became clear that the Secretary up to that point did not have a really firsthand knowledge of the situation, but was intensely interested in getting as much of the background as possible. He appreciated the tremendous public relations job that the War Department had with respect to the organized American Jewish Community and he wanted to be in the position of taking every possible action as soon as possible to forstall the barrage of criticism which he anticipated. I really think one must give him credit for sincerity. He was deeply disturbed about some of the allegations of the report, and to the extent that they might be found true, he wanted to correct the conditions as soon as possible.

36. I'd like to go back to the Spring of 1945 for a while. It was during this period that forces were set in motion in the War Department and also in Germany which developed during the next few years to the point where there was very close

relationship of a continuing nature between myself in the Pentagon, and later in the State Department, and representatives of the various Jewish organisations. At the same time I was carrying on my official duty in both the War Department and the Department of State, and all these relations with the Jewish organisations and with Jewish leaders were both known to General Hildring and others and encouraged by him and by them.

37. During the Spring of 1945, as various concentration camps were liberated by the Allied forces, the full evidence of the catastrophe which had overtaken the Jews of Europe during the war came to be revealed. I had mentioned earlier the joint congressional committee which toured the concentration camps at the invitation of General Eisenhower in April of 1945, even before the surrender of Germany. This committee reported its findings to Congress immediately upon its return. I have a note which I made subsequently that on May 9, 1945 I was sent by General Hildring on short notice, together with a Colonel from the Legislative and Liaison Division of the War Department, to represent the War Department at a meeting called by Congressman Celler in his office. Six or seven Jewish Congressmen were present together with two representatives of the American Jewish Conference, Messrs. Murray Frank and Meir Grossman, and also representatives of the State Department, Mr. George Warren, the Intergovernmental Committee on Refugees, Miss Martha Biehle, and a representative of UNRRA, whose name I did not remember. The congressmen quite naturally stressed their acute interest in the subject of Jewish displaced persons and they strongly endorsed the American Jewish Conference as representative of the great majority of American Jewry, and of course they stressed the importance of assuring adequate concern for the interests of the Jewish displaced persons. They urged that representatives of the American Jewish Conference be allowed into Germany with some sort of official status. Incidentally, this question was taken under advisement and was subsequently the basis for protracted discussions in the War Department, ending late in December of 1945 with approval of a *project* whereby a group of representatives of the American Jewish

Conference together with representatives of other Jewish organisations were admitted to the U.S. zones of Germany and Austria for observation and advice.

38. I have already mentioned the incident which occurred on the morning of the publication of the full text of the Harrison report and the impact that this had on the Secretary of War. The combination of what I had mentioned earlier about how I got to know General Hilldring in the context of the Jewish displaced persons problem and the impact of the congressmen and the report and the tremendous surge of newspaper and organisational comment on the whole subject, the combination of all these things made me personally General Hilldring's right hand man on the entire subject and I found that I really had very little time for anything else in those very hectic days, weeks and months. The Harrison report, coming on the heels of the Joint Congressional Committee report, and the very heartrending newspaper accounts, galvanised the American Jewish organisations into action and they not only inundated the War Department with communications but they descended upon us on a daily basis and, I may say, on an uncoordinated basis. There was a good deal of confusion among some of them, a good deal frankly of jockeying for position, a good deal of genuine concern and guilt at not having realized the full dimensions of the problem and wanting to make up for lost time.

39. So, with this combination of factors working on a daily basis and exerting tremendous pressures, there was more and more of a willingness on the part of my immediate superiors to make use of my own personal knowledge of some of the ins and outs of the American Jewish community to encourage me to bring a little bit of order into the tremendous confusion. The result was that, generally speaking, most of the Jewish leaders or representatives of Jewish organisations who wanted to come in to see anybody on a high level in the War Department, and that included General Hilldring, would first be referred to me, and I had the opportunity of getting to know the representatives, of listening to their problems, of recommending to them how they could more effectively present their problems to the officials whom they were going to meet. And at the same time I was at a position of briefing these officials before they met the Jewish representa-

tives on what they were likely to complain about, what they were likely to propose and the kind of attitude that would be most effective with them. On the whole I think, looking back, that we were able to work out a fairly effective partnership. Very often it didn't work and very often it shouldn't have worked because there were certain things which required a tremendous pressure on the part of the Jewish organisations and leaders and they should not have, and they did not, accept temporizations that were sometimes given to them by people at higher levels in the War Department or in the State Department.

40. One of the most important consequences of the Harrison report was the appointment of the post of Advisor on Jewish Affairs to the Theater Commanders in Germany and Austria. I believe Rabbi Judah Nadich was the first person appointed to this position and that was only on temporary basis. But then, in October 1945, Judge Simon Rifkind left to assume his duties as advisor to General Eisenhower and subsequently Judge Rifkind was succeeded by Rabbi Philip Bernstein and Judge Levinthal and Professor Haber and others, I'll have more to say about that later. The role played by these successive advisors was extremely important not only in terms of the advice given to the theater commanders, but also in terms of the rounds of conferences which the successive advisors had before they went over to Germany and Austria, sometimes during a special return in the middle of their period of duty, and when they came back and made their reports to various officials in Washington.

41. For example, I had not known Sy Rifkind before his appointment, but when he first came to Washington on his way to Germany I had occasion to meet with him first and to go over some of the problems he was likely to be confronted with. I then took him in to General Hildring and then, I believe, the three of us went in to see Secretary of War Patterson and the Secretary encouraged Judge Rifkind to maintain close relationships with the major Jewish organisations in the United States and to keep them as well informed as possible of the situation in Germany. Incidentally, the choice of Judge Rifkind while Patterson was Secretary of War was a

particularly happy one because Judge Rifkind at that time was a Federal District Judge, probably the best one, assuredly the best one I should say, and Secretary Patterson was on leave of absence as a Judge of the Second Circuit Court of Appeals which reviewed the decisions of judges such as Rifkind. They knew each other very well personally and each had a high professional and personal regard for the other and this made it a particularly happy choice. Judge Rifkind subsequently told me that on his arrival in Germany he had also been assured directly by General Eisenhower that he should keep in touch as closely as possible with representatives of Jewish organizations.

42. This is probably as good a place as any to introduce David Wahl, David R. Wahl, to this account. I don't believe I have mentioned his name as yet, but he was really a central character in many of the events and activities which I participated in and which I shall later describe. So it might be well to give some background about him at this point. He really got me into considerable difficulties later on in the State Department because, along with two other individuals with whom I had contact, he apparently had run afoul of the security people in the State Department, and I was given a lengthy interrogatory to fill out in mid-1949 concerning my relations with Dave Wahl and with these other two individuals. Neither of the other two were Jewish or were directly involved in the activities I'm describing so there is no point in getting diverted to discuss either their names or backgrounds. However, David Wahl, who is now dead, and of course unable to defend himself, did really play such an important role in those years and had so many allegations later made about him and I think it is appropriate to discuss him at considerable length.

43. To give you an idea of the kind of abrupt questions that I was asked about him in this interrogatory: Question one was, "Are you acquainted with David R. Wahl?" Question No. 2: "If so, state the nature and frequency of your contacts giving the date and occasion of your most recent contact." This, as I said, was in mid-1949. And then the third question,

which as you can see is very all encompassing: "To what extent if any have you been aware of his alleged pro-Communist sympathies and activities? If you have been aware of such alleged sympathies and activities, what has your attitude been toward them?" I have before me now the interrogatory which I completed in July of 1949 and I think the best procedure would probably be to read the parts of it dealing with Dave Wahl, because this was very carefully drafted on my part at a time when the events were much clearer in mind than they are now. While some of it may be slightly repetitious, I think that for the record it would be very useful to have the information stated as I gave it then.

44. Of course, I answered that I was acquainted with David Wahl and then I went on to describe for quite a few pages the nature and frequency of my contacts. I said I first heard of Mr. Wahl when he telephoned me at my office in the Pentagon in the fall of 1945, October I believe. At that time, I was serving in the army as a Captain assigned to the Civil Affairs Division, Office of the Chief of Staff. The Director of CAD was Major General John H. Hilldring, my immediate superior was Lieutenant Colonel Ernest A. Gross, then Deputy Chief of the Economics and Supply branch. Although I had started in February 1945 with a variety of assignments, I found by the fall of 1945 that I was devoting my time almost exclusively to the subject of displaced persons. (May I interject here that I realize that I will be repeating certain statements, certain information. I'll try to avoid this when I can, but I think on the whole it's better to repeat than to leave out something which might conceivably have some either direct or peripheral interest.)

45. My recollection is that Mr. Wahl told me at the time he telephoned me that he was about to leave the Foreign Economic Administration to become the Washington representative of the American Jewish Conference. He desired at the time to place some material on displaced persons at the disposal of Judge Simon H. Rifkind, who was about to leave for Germany to become General Eisenhower's adviser on Jewish Affairs. Later that fall Mr. Wahl, as the Washington representative

of the American Jewish Conference, dealt with me frequently over the telephone on matters affecting Jewish displaced persons. I did not meet him personally until he came in to see me at my office in the Pentagon a month or two after we had been dealing over the telephone. In order to appreciate my relationship with Mr. Wahl, it is essential to have some background of the organization which he represented, the American Jewish Conference, as well as the top level policy of the War Department and later of the Department of State, with respect to maintaining close working relations with important Jewish leaders and Jewish organizations on the subject of Jewish displaced persons.

46. The American Jewish Conference was formed during World War II as a federation of 64 of the most important Jewish organizations in the United States plus representatives of all major Jewish communities. Its purpose was to deal with emergency Jewish problems. While it was hoped at the time to make it permanent, in due course it was actually dissolved during the past year. (That would have been around 1949.) I believe that the only well established American Jewish organization which remained outside of the conference was the American Jewish Committee. And then for the next few paragraphs, I recall the liberation of the concentration camps and I mention the incident which I have already described about my having been sent on May 9, 1945 by General Hilldring to Congressman Celler's office and I also described the incident which occurred in the Secretary of War's office on the morning of the publication in the New York Times of the full text of Earl Harrison's report to the President. This next paragraph ~~my~~ be slightly repetitious, but I think it's worth reading in full.

47. "I mention the foregoing incidents to illustrate the crucial importance attached at an early date to the subject of Jewish displaced persons and particularly to maintaining close working relationships with the key Jewish leaders and organizations. This fact was recognized at top levels in the government. For example, when Judge Rifkind departed in October 1945 to assume his duties as advisor to General Eisenhower, he was assured in my presence by General Hilldring and by the Secretary of War that he was to be encou-

raged to maintain close relationships with the major Jewish organizations in the United States and to keep them as well informed as possible of the situation in Germany. (Judge Rifkind, as I mentioned earlier, later told me that upon his arrival in Germany he had received the same assurances from General Eisenhower.) An informal group representing the five major Jewish Agencies was established. The representative of the American Jewish Conference in New York, that was Si Kenen, acted as secretary of the group and received direct reports from Judge Rifkind for dissemination among the other members of the group. This innovation proved so effective that it was used by Judge Rifkind's successors, Rabbi Philip Bernstein, Judge Lewis E. Levinthal and Professor William Haber.*

48. Then I went on to say: "I also mention the first incident - that was the one meeting in Congressman Celler's office and its sequel - in order to point out that I had dealt with the American Jewish Conference on behalf of the War Department for about five months before I had ever heard of Mr. Wahl. I need hardly say that I had nothing to do with the selection of Mr. Wahl as the Washington representative of the American Jewish Conference but it was logical under the circumstances that I should work closely with him after his designation. As a result of working closely with him for about two years, I developed a considerable feeling of admiration and respect for his ability. I also discovered that in many situations where contact with key Jewish leaders and organizations was essential in the interests of furthering United States policy, the American Jewish Conference was the most convenient and effective channel.^{NY}

49. And then I pointed out that the substance of some of these situations was covered in my reply to another question. I will not go into these details now because they deal primarily with the period when I was with the State Department and I'll come to them later in due course. Then I went on to point out that, I guess this is somewhat defensive, in the perspective of the interrogatory that I have handled displaced persons matters, I have dealt with representatives of all types of organizations such as the League of Women

* In 1979 Si Kenen corrected this statement as follows. The informal group of five major organizations was not in existence during Rifkind's time. It was created at the request of Rabbi Bernstein who, before he went abroad, convened all organizations and asked them to set up a New York post office, to which and from which he could establish communication. He asked the JDC to do this, but it demurred because it was non-political and was not a member of the American Jewish Conference. After the ~~JDC~~^{JDC} said no, Bernstein asked Kenen to do it and he agreed. So for many months, Kenen was the link, and his colleagues were the Jewish Agency, JDC, American Jewish Committee & World Jewish Congress.

Voters, National Catholic Welfare Conference, Refugees Defense Committee, Lithuanian American Relief Committee, Church World Service, Polish American Congress and the Citizens Committee on Displaced Persons. Proportionately more Jewish organisations have been interested in this subject, such as the World Jewish Congress, The Va'ad Hatzalah, The National Council of Jewish Women, United Service for New Americans, American Jewish Committee, Jewish Labour Committee, Joint Distribution Committee, Jewish Agency for Palestine, American Jewish Congress, American Council for Judaism and the American Jewish Conference. I have dealt, as I said, with representatives of all the forgoing agencies and many others. In some of the more critical situations involving Jewish displaced persons, I dealt more frequently with Mr. Wahl during the period he was in Washington because he represented 62 organisations, including some which also had individual representatives in Washington, and because on the whole he proved to be more effective and more discreet than many of the other representatives with whom I had to deal.

50. Then I went on to say that during the course of my dealings with representatives of the important Jewish organisations and with key Jewish leaders, I formed or further developed personal friendships with some individuals, which proved not only gratifying but also extremely helpful in my work. Among these was Mr. Wahl. I am not sure how relevant this type of information is or will be, but I think I'd better include it in the interest of fullness, and I ask the listener or reader to bear in mind that it was listed in answer to a question which focused on the nature and frequency of my contacts with Mr. Wahl. My mentioning various other Jewish individuals and the organisations they represented may possibly be of interest historically because these individuals or these organisations may have something in their archives which might bear upon the period we're discussing and might have a new insight or at least different insights from those which I am recalling. Others that I listed in addition to Mr. Wahl included Rabbi Philip Bernstein who, of course, needs no further identification; Sanford Bolz, Washington representative, American Jewish Congress; Marcus Cohn, Washington representative, American Jewish Committee; Eliahu Epstein, who subsequently, of course, was Eliahu Eilat, for-

merly Washington representative of the Jewish Agency for Palestine and in 1949, when I listed these names, was the Israeli Ambassador to the United States; Joel H. Fisher, European Counsel of the Joint Distribution Committee; David Ginsburg, Washington Counsel of the Jewish Agency for Palestine and the Government of Israel; Professor William Haber, formerly advisor on Jewish affairs to General Clay; Moses A. Leavitt, executive secretary, Joint Distribution Committee; Philip Levy, Washington attorney for the American Zionist Emergency Council; Judge Lewis E. Levinthal, whose name has already been mentioned; Robert R. Nathan, Economic consultant, Jewish Agency for Palestine and the Government of Israel; Reubin Resnik, United Service for New Americans; Judge Simon Rifkind, who has already been mentioned; Eli Rock, American Counsel, Joint Distribution Committee; Seymour J. Rubin, Washington Counsel, American Jewish Committee; Philip Schiff, Washington representative, Jewish Welfare Board; Abba Schwartz, reparations consultant, Jewish Agency for Palestine and American Jewish Committee; and Hy Shulson, Washington representative, American Zionist Emergency Council. Many of these names will be heard with reference to specific incidents later on in this oral history.

5L I went on to say: "As with all the foregoing individuals, I saw Mr. Wahl on a number of social occasions. My best estimate would be that I saw him socially more frequently than I did two thirds of the eighteen individuals listed above and less frequently than the remainder. Mr. Wahl frequently came to my office in the Pentagon, Old State building and New State building. We often met for business lunch, I would estimate once every two or three weeks. We sometimes met for coffee when we had matters to discuss. We dealt very frequently over the telephone, sometimes as often as two or three times a day, and sometimes during an evening or over the week-end. My reply to another question, which I will come to a good deal later, will explain in detail the types of situation which made it essential for me to be in such close touch with Mr. Wahl. As will also appear from my reply to that question, my personal acquaintanceship with Mr. Wahl and my course of dealings with him were matters of common knowledge in both the War Department and the Department of

State. There was nothing clandestine about our relationship, although as will also appear from my reply to that question, many of the matters which I had to discuss with him required very discreet handling and could not be discussed directly over the telephone or in the presence of others not properly qualified."

52. Just to complete the picture, I might read this last paragraph which deals with the occasion of my last contacts with Mr. Wahl, as of the time, anyway, of this interrogatory in mid-1949: "My last contact with Mr. Wahl was at an official Israeli reception in the Shoreham Hotel in the evening of May 4, 1949 attended by many Washington dignitaries including a considerable number of officials of the Department of State. I would judge that about 300-400 people were crowded into this event. As I recall, Mrs. Fierst and I were chatting with Mr. and Mrs. George Warren when we ran into Mr. and Mrs. Wahl. All of us chatted together for about two minutes on inconsequential matters, such as their housing situation in New York. Mr. and Mrs. Wahl apparently had come to Washington especially for the occasion, but I did not hear from or speak to them during that visit other than as indicated." Prior to this event I had ceased dealing with Mr. Wahl late in 1947 when he left the American Jewish Conference and moved to New York with his family in order to work with an organisation, which I am sure the listeners and readers of these memoirs will have heard of, for an organisation called the American Friends of Hagganah. As I recall I saw him twice between these two periods when I was in New York City for week-ends, once during the winter for coffee, and once during the spring of 1948, while I was walking over to the offices of the U.S. delegation to the United Nations at 2 Park Avenue. Both occasions were social and we talked over how he and his family had adjusted themselves to life in New York as well as life in Washington.

53. Now, I am really not at all sure that the next part of this interrogatory is necessary for historical purposes, but in view of the great service that Dave Wahl rendered in those crucial years and due to the fact that he is not able to defend himself, I think in the interest of fairness and completeness I should put in here the answer I gave to the 3rd question in the interrogatory which asked about the ex-

tent, if any to which I have been aware of his alleged pro-Communist sympathies and activities. I answered then: "During my entire course of dealing with Mr. Wahl from the fall of 1945 to late 1947, I had no personal knowledge of any alleged pro-Communist sympathies or activities of Mr. Wahl. I do not recall his ever having expressed to me any official or personal views which offered any basis for suspicion that he might have pro-Communist sympathies or engaged in pro-Communist activities. On the contrary, I had every reason to conclude that he was not pro-Communist since he worked very hard for the type of displaced persons legislation which would help anti-Communist refugees and since he never to my knowledge exploited, contrary to the interests of the United States, any of the potentially embarrassing situations which I discussed with him in the course of my official duties as described in my reply in question 14."

54. "I do not know what the record may show as to Mr. Wahl's alleged pro-Communist sympathies or activities, but I believe that in justice to him it should be said that he was always extremely reliable in his dealings with me and never, to the best of my knowledge, breached any confidence which I had placed in him pursuant to my official duties. I have a vague impression that Mr. Wahl's name was mentioned at one time or another in Congress in connection with the so-called "Dies List". (He was a former Congressman from Texas who was for a long time head of the House Committee on Un-American Affairs.) I think that this was about the time that Hamilton Robinson and others were being pilloried on the hill and I paid no particular attention to it. I also recall that during the summer in 1948, Mr. Wahl's name was mentioned during the course of the Bentley-Chambers hearings. I believe that this was only in connection with the testimony of a secretary of one of the accused that Mr. Wahl's name was included with hundreds of others in the telephone directory of the accused. Whether or not there might be an inference from this that Mr. Wahl was pro-Communist, I seriously doubt. But, at any event, the information came to light after the end of our official relationship. Whether at an earlier date the Department had other information bearing upon his (the department being the Department of State) alleged pro-

Communist activities and sympathies, I do not know. I was certainly not aware of any such information nor was it ever brought to my attention although it was a matter of common knowledge in the War Department and in the Department of State that I was in frequent touch with Mr. Wahl. May I stress again (here I'm still reading from the answer in the interrogatory) that I ceased dealing with Mr. Wahl late in 1947, not because I had any information about his alleged pro-Communist leanings, but rather because he had ceased to be the Washington representative of the American Jewish Conference, and had moved to New York to engage in work for the American Friends of Hagganah, with which it was not appropriate for me to be associated with."

55. Now I move to an affidavit which General Hilldring made on March 15, 1952 in connection with subsequent charges against me by Senator McCarthy and I'd like to read one paragraph or two paragraphs which dealt with my relationship with David Wahl. General Hilldring says: "I have been informed that one of the specific charges against Mr. Fierst is that he knew and had dealings with David Wahl. Mr. Wahl was a representative of one of the Jewish organizations I referred to above. As such it was Mr. Fierst's duty to confer with Mr. Wahl in regard to displaced persons matters. In the same connection I (that is General Hilldring) have seen Wahl on several occasions and I had full knowledge, of course, of Fierst's contacts with Wahl. Wahl was unquestionably the most effective and helpful liaison officer that we dealt with in Washington on these matters. He was objective and helpful and, incidentally, had an ingratiating personality. I recall that on several occasions I had a feeling of gratitude for the assistance he had given Fierst in Fierst's difficult problems. Of course I never dreamed that Wahl had any Communist leanings and I am certain that Fierst didn't either. I don't recall (says General Hilldring) that the security people ever talked to me about Wahl in the entire time that I was with the Department. I knew that Fierst had frequent social contacts with Wahl and others with whom he dealt. I encouraged him to do so because I knew it helped him to do his job better. Wahl

may have been a bad man to have on the job for reasons unknown to us but as a designated Washington liaison man of an important group of American citizens, I (that's still General Hilldring) assumed that he was a decent American and I am sure Fierst accepted him on the same basis." That is the end of the paragraph from General Hilldring's affidavit. 56. And now let me add a few words of my own about David Wahl, and this applies both to the period of the War Department, that is 1945 to early 1946, and to the period of the State Department, 1946 to 1947. During these two periods, as I previously indicated, I had contacts with a tremendous number of representatives of Jewish organisations. Sometimes it was quite a problem to sort out the calmer and more responsible ones from the more volatile ones and the ones who felt that they were in competition with some of their colleagues to stir things up as much as possible for what might perhaps unkindly be called, organisational reasons. At any event, I rather quickly found out that one of the two or three most responsible people that I could deal with whenever the going got rough, or whenever sensitive problems with Jewish organisations had to be handled, was Dave Wahl. On these many occasions I would telephone him and ask him to come in to see me or we would arrange to have a cup of coffee or occasionally we would meet socially. I rarely had to ask him how he carried out the commitments that he undertook, that is, who he talked with in New York, what organisations he lined up or what have you. It was enough for me to lay out to Dave the dimensions of the particular problem and the lines that I thought would be most productive for a solution both from the point of view of the U.S. Government and the Jewish organisations and Jewish people involved, and invariably Dave would undertake to do what was necessary and somehow or rather would accomplish it.

57. The other side of the coin was that he very often brought to me problems which the Jewish organisations were coping with and I did the best I could to channel the organisations through Dave in the right directions in the Pentagon and the State Department. Many times my problem consisted of getting across to some of the very sensitive Jewish leaders and Jewish organisations the, at least what I considered to be, the true

facts about situations which had been misrepresented in the press. Here, too, I very frequently would bring this information to the attention of Dave Wahl and somehow or other he managed to exercise a calming influence on the organizations concerned. By and large, this had a very salutary effect in both the Pentagon and the State Department, because as the months and later more than a year went by, we learned who the more responsible individuals were and the various important officials in the Pentagon and the State Department had confidence in dealing with them. This made it easier to set up appointments with them whenever there were complaints or grievances or policy matters which these representatives wanted to bring to the attention of the responsible officials.

58. I would distinguish somebody like Dave Wahl from some other representatives, many of whose names escape me, and anyway there is no point in mentioning those that I might remember, who were able to satisfy their organizations centered usually in New York by setting up appointments at reasonably high levels in the Pentagon or the State Department, through Congressmen or Senators, and then coming in and pounding the table or complaining loudly along with some prominent Jewish leaders. By and large these conferences had no lasting beneficial effect. The officials from the government were usually briefed in advance about what was coming up and usually gave sympathetic, non-committal replies. But in the crunch, and I guess there were many crunches, these particular individuals or organizations were not the ones that had any real effect on policy.

59. On the subject of organizations and individuals, I think I ought to single out particularly the Joint Distribution Committee as one of the other most effective organizations during the period under consideration. They worked closely with the American Jewish Conference, and so many of my contacts with Dave Wahl also covered problems raised by the J.D.C., but apart from these there was a great range of problems during the whole period of 1945 to 1948 which were specially brought to my attention by the J.D.C., primarily by Moses Leavitt, generally known as Moe Leavitt. He was a short, slim, very precise, very tense individual, a terribly hard worker. He had a great command of detail and a very sensitive feeling for how a sympathetic bureaucracy could be made to respond favorably to very tough problems. He and I communi-

cated frequently by telephone and by personal conference. He was based in New York, unlike David Wahl who was close at hand in Washington, but Moe Leavitt came to Washington quite frequently, often by himself and other times accompanied by such well known colleagues as Joe Schwartz, Eddie Warburg and once or twice, I believe, Harold Linder.

60. The usual procedure would be that I would make an appointment for one or more of these gentlemen to see General Hilldring. After somebody like Moe had given me a general idea what the problem or problems consisted of, I would then usually try to brief General Hilldring in advance and then very often also meet in advance with the J.D.C. representative or representatives before the conference with General Hilldring. General Hilldring knew about this and regarded it as a very effective and responsible way to get business done, and again I think that I worked out a very lasting relationship with the representatives of the J.D.C. They trusted me and I trusted them, and whenever they needed any action through governmental channels in that period, they usually consulted with me and we were able, I think, jointly to accomplish quite a few things. I have always been curious as to whether such a meticulous person as Moe Leavitt would have written memos for the files when he returned from his trips to Washington and someday I would like to see whether the J.D.C. files contain these memos about what projects we worked on together.

61. I come now to another affidavit by General Hilldring and I would like to explain why I am going to quote parts of it here. The question will inevitably occur to the listener or reader, as we get more deeply involved in the events of this period: to what extent were my activities consistent with my position as an employee of the U.S. government both in the Army and the State Department? General Hilldring addressed himself to this in a course of a subsequent affidavit in March 1953 in connection with a security hearing which I had in the State Department at the time of the charges by Senator McCarthy and while it is, I must confess, rather embarrassing for me, to refer to some of the flattering statements which General Hilldring made in this affidavit, I think it would be well

to quote from it word for word in order to set the record straight. Again, some of this may be a little repetitious, but we can worry about that later after I go over these tapes. General Hilldring said in paragraph III of this affidavit of March 1953:

62. "As indicated in paragraph IIIa of my previous affidavit, Lieutenant Fierst was assigned to my command in order to fill a vacancy therein upon the recommendation of Brigadier General McSherry, who was on the G-5 staff of General Eisenhower. Lieutenant Fierst, at that time a stranger to me, was recommended for the assignment because he possessed the necessary qualifications for the post, all of which had been determined in advance of his assignment and without any recommendations or suggestions in behalf of Lieutenant Fierst made by any party whatsoever. In short, his assignment to my command was purely fortuitous and was due entirely to the fact that he was an officer who happened to possess the necessary qualifications which the assignment demanded."

63. Now going on to paragraph IV, General Hilldring's second affidavit: "As I testified in paragraph III of my affidavit (that refers to the previous one), when I retired from the army to accept the assignment as Assistant Secretary of State in charge of coordination of policy relating to occupied areas, I invited Mr. Fierst to come with me as a civilian to the State Department to assist me in my responsibilities with respect to displaced persons. This was natural, since Mr. Fierst had demonstrated to me unusual ability, initiative, tact and experience which qualified him for the job. In his relations with a great variety of American religious and ethnic groups, Protestant, Catholic and Jewish among them, Mr. Fierst gave equal and efficient service to all without favor or prejudice for one or the other. By the time he went over to the State Department, Mr. Fierst had developed a broad background with respect to all of these groups. Moreover, the fact that Mr. Fierst had a particularly detailed knowledge of American Jewish circles was most helpful to me since a substantial part of the displaced persons program was concerned with the care and resettlement of Jewish displaced persons. This in turn entailed extensive liaison activity between the

Department of State and the principal American Jewish organisations since the latter were immensely interested in the Jewish displaced persons situation and on occasions were deeply emotional about the problem. In view of Mr. Fierst's particular experience with and knowledge of all segments of the American Jewish community, he was especially valuable to me in carrying on this important liaison. Because of his background, I could depend on him to assist me efficiently and accurately in evaluating the time, attention and weight which was to be given to the various views, comments, opinions and advice which the different segments of the Jewish community were furnishing the State Department."

64. Now going on to paragraph V of General Hilldring's affidavit of March 1953: "In carrying out these liaison duties, as well as executing any and all assignments relating to the Jewish displaced persons problem, both in the War and State Departments, Mr. Fierst never allowed himself to be biased or prejudiced in favour of what might be regarded as more narrow Jewish interests as opposed to the policy of the United States in these matters. His familiarity with Jewish culture, and the individuals and organisations who helped make up that culture, never tempted him to ignore or violate the paramount policies of the War Department or of the State Department or of the country in any respect. Mr. Fierst always demonstrated, to my satisfaction, the patriotic objectivity which his duties demanded. His day to day work with a great number of different religious and ethnic groups continually reflected that standard. He gave an equal and excellent treatment to all. They in turn regarded Mr. Fierst as a trusted and capable government official, which he was. Finally, I need hardly say that I would not have given Mr. Fierst such an important assignment or kept him in it if he in any way did not meet the high standards of integrity and ability which I demanded. Moreover, as I mentioned in my previous affidavit, he performed his duties so outstandingly in the War Department that he had been specially honored by General Eisenhower and had received the Legion of Merit from me." That is the end of that section of the affidavit by General Hilldring, and again, I apologize for putting in the record such a self serving declaration, but I guess it really ought to be there.

65. And now it is time to come to specific problems. Undoubtedly, the most difficult and most persistent problem which occupied us during the period of late 1945 and 1946 was the problem of whether or not the borders of the United States zones of occupation in Germany and Austria should be kept open for additional Jewish refugees coming in from the East. I have already referred to a meeting which took place in Secretary of War Patterson's office in September 1945 when the New York Times published the full text of the Earl Harrison report. General Hilldring, you will recall, had been summoned to Secretary Patterson's office and had brought me along with him, and the Secretary was really very perturbed at the adverse publicity which was being given to the way the Army had been treating Jewish d.p.s. Meanwhile, President Truman had sent a copy of the Harrison report directly to General Eisenhower who was then the Supreme Allied Commander in Germany, and had made some rather caustic and specific comments about the importance of improving the situation forthwith. This episode of the Harrison report left the Army very sensitive, as I've indicated before, to the subject of its treatment of Jewish d.p.s and this sensitivity figured on a daily basis in the ensuing period in all discussions whether additional Jewish d.p.s should be allowed to come into our zones.

66. One of the main functions I had to perform in those crucial months was to get the Jewish organisations and leaders to understand the depth of the Army's sensitivity on this score, and that if they truly wanted the additional Jewish d.p.s or refugees or infiltrees, as they were later called, to be allowed to come in in increasing numbers, they would have to be quite understanding about the deterioration in the care and treatment in the crowded d.p. camps. And if instead they concentrated their ire on the U.S. government, or more specifically, on the U.S. army, for deterioration of conditions, it would have the counterproductive goading effect of making it necessary for the army and the U.S. government to take definite and specific steps to close the borders.

67. At the time of the meeting in Secretary Patterson's office on the Harrison report, I don't recall that I had any expectation that the number of Jewish d.p.s would increase steadily, and later dramatically, and so this did not really, as I recall, fit into our discussions. However, during the fall months of 1945, the very recommendation of the Harrison report that the U.S. government prevail upon the British to allow one hundred thousand Jewish d.p.s to go to Palestine acted, I think, as a magnet to draw some Jews from Eastern Europe into our zones in the expectation that they would be among the fortunate ones. Moreover, large numbers of Jews who had been in the U.S.S.R., Polish Jews who had been in the U.S.S.R., had by this time returned to their former cities and areas in Poland only to find that for one reason or another they were entirely unwelcome, and they set forth in the direction of the zones of occupation in Germany and Austria.

68. I won't go into the numbers involved, or the reasons for their going, because this is a subject that has been extremely well documented already from the other side. I think I will try to confine my comments to a description of the activities that took place within the fields of my own responsibilities and knowledge. I will also not refer to other events which were taking place in connection with the Palestine question during the 1945-1946 period other than to comment generally on these events, such as the Truman-Attlee and Truman-Bevin controversy, which necessarily had a bearing on our policies during that crucial period.

69. As the numbers of entering Jews increased steadily beginning in the fall of 1945, it became apparent to me, as I recall, that the policy of keeping the borders open to them could not be expected to be established for an indefinite time in the future, if indeed for any specific time of long duration. Rather, if the flow was to be allowed to be continued, it would have to be done on an interim basis from time to time, each time taking into consideration the situation confronting the government in the period immediately ahead. Maybe I am rationalising this too much in retrospect, but I think I can honestly say that this was the major tactic which did on the whole guide me in my own contact with this area of policy in the period under discussion.

70. By mid-December 1945, the flow from Eastern Europe, particularly Poland, had increased to such an extent that our military commanders were urging the War Department to give them specific policy guidance about what limitations upon future acceptance should be established. The stark question really was: would the borders in the U.S. zones of Germany and Austria be closed to any further entrance at any specific point of time? By this time I had made the acquaintance of two key individuals in the Department of State, who were wrestling with the problem of Jewish d.p.s, among other problems. One was George L. Warren, who was the adviser on refugee matters to the Secretary of State. Mr. Warren was a very deliberate, longwinded person who gave the impression of not quite understanding what was going on and not quite being able to keep up with the conversation. However, this was not at all the actuality. He was a very warm, decent, humanitarian person who knew when he should not volunteer his opinion, but he had a very good sense of which way the wind was blowing and what could be done to slow up the development of policy in the direction the wind was blowing if in his opinion that was not the desirable course.

71. The other person in the State Department whom I'd gotten to know was a young lawyer named James E. Doyle, who was personal assistant to the Secretary of State, Mr. Byrnes. As I may have mentioned in one of the earlier cassettes, Mr. Doyle is now a Federal District Judge in the State of Wisconsin. I sensed in my informal talks with both Mr. Warren and Mr. Doyle that they were basically sympathetic to the idea of keeping the borders open to incoming Jewish refugees, but they were not at all sure how their superiors in the Department of State would view the matter in the context of the situation in Germany and Austria itself and the very bitter conflict that was then going on between the United States and Great Britain on the subject of Palestine.

72. I drafted a letter for the signature of the Secretary of War to the Acting Secretary of State requesting guidance on the question of whether or not the borders should be kept open. This letter went forward under the date of December 19. Thereafter, there was a very interesting discussion that took place in the Department of State. I was told about this at the time, as I recall, by Mr. Warren, but I happen to have

found in my papers a copy of a memorandum of conversation which Mr. Warren prepared, summarising the discussion that took place late on Friday, December 21, 1945, and I think it would be useful to read directly from this memorandum. This memorandum was prepared, as I've said, by Mr. Warren. Copies at the time were sent to the Acting Secretary, Mr. Acheson, and to a number of others within the Department of State. The subject of the memorandum is "Entry of Polish Jews in the United States zones in Germany." The meeting took place, according to this memorandum, beginning at 6:15 p.m. The participants were Mr. Acheson, who was then Acting Secretary of State, Mr. John Hickerson, who was Director of the Office of European Affairs, Mr. Doyle, whom I've mentioned earlier as the Assistant to Secretary Byrnes, and Mr. Warren. Copies of the memorandum went, in addition to the participants, to Mr. Durbrow of Eastern European Affairs, and Mr. Riddleberger of Central European Affairs. I mention the recipients of copies as well as the participants because in retrospect it strikes me as very interesting that nobody was present at this conference from Near Eastern or Middle Eastern Affairs and nobody from that area received a copy of that memorandum. Now, here is the text of the memorandum:

73. "Mr. Warren advised that the Secretary of War in his letter of December 19, 1945 to the Acting Secretary of State had requested a firm policy decision with respect to the continuing acceptance in the U.S. zone in Germany of a flow of approximately 550 Jews daily from Poland. Pending the determination of policy, the War Department had requested by phone" - and here, if I may interpolate, the author of the memorandum is referring to a telephone conversation from me - "interim approval or disapproval before the Christmas holidays of the action of General McNarney in receiving such refugees to date on humanitarian grounds contrary to Military Government Law 161 and in the absence of any other directive. The group had before it the War Department letter under reference, a copy of the proposed White House release on refugees and a memorandum prepared by Mr. Durbrow and Mr. Warren" - if I may interpolate, I believe that the proposed White House release on refugees dealt with the directive that was issued on December 22, 1945 allocating unused U.S. immigration quotas

to refugees and displaced persons in our area of Germany and Austria as of that time. That's the end of my interpolation and now we go back to the memorandum beginning with the second paragraph.

74. "Mr. Warren explained that Generals Eisenhower and Hill-dring in describing the movement to the American members of the Anglo-American Palestine Commission had defended the policy of receiving the Polish Jews on humanitarian grounds and assumed full responsibility for the action. In answer to a question by Mr. Doyle, Mr. Warren explained further that living conditions in the camps in the U.S. zones which had shown great improvement following the President's letter to General Eisenhower last summer, were now deteriorating because of the influx from Poland and that the War Department feared that it might be again subject to criticism on this account in view of the fact that worsening of conditions would prove unavoidable if the influx from Poland were to continue. Mr. Acheson commented that it would be very important to avoid any action or decision which would appear to be inconsistent with the spirit of the President's directive on refugees. He also questioned Mr. Hickerson on the wisdom of approaching the Polish, Czech and Soviet governments in the matter and the possible effects of this action. Mr. Hickerson stated that anti-semitism undoubtedly existed in the Polish population which the Polish government was too weak to control and that the attitude of the Polish population toward the Jews was part of their resistance to the Polish government which includes a number of Jewish pro-Communist members. He also reported that the Polish government had advised Ambassador Lane that exit permits would be granted to Polish Jews only, and that this was an indication that the Polish government was at least passive toward the departure of the Jews. In response to a question from Mr. Acheson, he agreed that in the event that the U.S. government shut off the flow, the Polish government might place the blame for refusing exit to the Jews from Poland upon this government. In the discussion which followed on that point, no clear appraisal of the attitude of the Soviet government in the matter seemed possible, and it was generally agreed that the Czech government probably looked upon the movement as a problem to be

resolved by the Soviet, Polish, United States and British governments. After further discussion" - and this is the concluding paragraph of the memorandum - "after further discussion it was decided that Mr. Warren should advise the Civil Affairs Division of the War Department that their humanitarian action in receiving the Polish Jews to date was understood and temporarily approved pending a final decision on policy to be determined immediately after Christmas and that Mr. Acheson would explain the situation to the White House. It was also agreed that the interested divisions of the Department (that's the State Department) would proceed immediately on December 26 to decide on a permanent policy." That is the end of the memorandum.

75. Now, something happened of a rather unexpected nature between the time of that memorandum and January 7 in 1946. We had expected that a letter would come over from the State Department which would either be rather equivocal or would, one way or another, affirm the continued informal policy of open admissions to Jews from Poland. However, to our surprise, as I recall, a letter came over signed not by the Acting Secretary Mr. Acheson, who had participated in the discussions before, but by Secretary of State Byrnes himself. I have no recollection, if indeed I had a knowledge at the time, as to what accounted for the letter coming over under the signature of the Secretary of State and what internal conferences there might have been in the State Department which led to the letter, nor do I have a copy of the letter or detailed recollection of its contents. The only relatively contemporaneous document that I do have which refers to it is a memorandum prepared by Mr. Doyle on March 6, 1946 for the Under-Secretary. I'll read the first two paragraphs of that, some of which are slightly repetitious of the information which I have already mentioned:

76. "In a letter dated December 19, (that would have been December 19, 1945) the Secretary of War asked the Department of State to commit itself on the question of whether the borders of our zone should be closed. You (that is Under-Secretary Acheson) provided interim verbal assurances to the War Department that neither the State Department nor the White House would engage in criticism such as that contained

in the Harrison report directed at conditions in the d.p. camps traceable to the liberal policy of admission to our zone. On January 7, (that would have been January 7, 1946) the Secretary of State wrote to the Acting Secretary of War to say that the State Department considered it best to close the borders. In immediately ensuing conversations, the two departments came to understand that the closing of the borders would await a determination by General Hilldring that the population saturation point had been reached in the zone." That's the end of the two paragraphs to which I referred.

77. Now, the conversations referred in the paragraph I've just read were, as I recall, another effort at delaying an adverse decision as long as possible. Thus we managed to interpret the letter from the Secretary of State to mean that he was not asking that the borders be closed immediately, but only at some point in the future, and before such drastic action was taken the situation might be reviewed again, or at any event adequate preparations might be made for the consequences. And so, an informal understanding was worked out which, as I recall, was communicated in a directive to General McNarney and General Clark in Austria, that three weeks advance notice was to be given before the borders were to be closed.

78. Now I have come across a very interesting document prepared by Mr. Doyle, which shows that something rather unusual must have taken place in the period around January 7, 1946 to account for the letter by Secretary Byrnes. This document is a memorandum dated January 9, 1946 and it is a memorandum for the Acting Secretary, Mr. Acheson, and the subject is "Movement of Polish Jews into Berlin and the United States zone in Germany". The memorandum is stamped - Under-Secretary, January 9, 1946, Department of State - which is an indication that it was actually received in Mr. Acheson's office. However, in the upper right hand corner of the memorandum, on the first page, there is a notation in ink signed with the initials of Mr. Doyle, J.E.D., which says - "Never submitted. A letter on the subject taking a different line had already gone forward from the Secretary to Acting Secretary Royall on January 7th." This might possibly indicate that Mr. Doyle,

who worked so closely with Mr. Byrnes, had no knowledge on January 9 that a letter on this subject had actually gone forward two days earlier. In any event, I am tempted, and I think I will yield to the temptation, to read this memorandum because it is a very thoughtful one and it reflects a good many of the discussions with Mr. Doyle at the time. This is the memorandum:

79. "Mr. Warren has raised this question with me again and urges, I think correctly, that a decision be reached soon. He knows all there is to know on the subject. Further discussion and memoranda would probably be only a burden upon you. This memorandum, therefore, is intended as a summary. The two basic questions seem to be: 1. Do we or do we not desire to prevent further migration of Polish Jews from Poland into Berlin and into the United States zone in Germany? 2. If we do desire to prevent it, is there a practical possibility to do so? 1. On the first question, the question on the merits, the arguments in favour of preventing further migration follow: a. Although the evidence is extremely spotty and conflicting, it is probably true that persecution of the Jews in Poland is not violent or intense and that they are not in imminent physical danger - (again I interpolate here, the date of this was January 9, 1946) - b. The Poles, the Czechs and the Russians are facilitating the movement and may positively desire to embarrass us. c. Unless the movement is prevented, anywhere from 50,000 to 200,000 Polish Jews will enter our zone within the next 6 months to a year. The result will be a severe additional strain upon our skeleton army in the operation of displaced persons camps and another Harrison report may be forthcoming. d. Many, and probably most, of these Polish Jews will in the end be added to the so-called "Hard Core" non-repatriables in our zone. No one really knows what will become of this "Hard Core". e. Many of these people may be motivated primarily by the desire to gather in a strategic area where their very presence will constitute a strong pressure on the United States and Great Britain, particularly in connection with Palestine."

80. "The arguments on the merits against preventing further migration are: a. Whether or not they are in imminent physical danger, the Jews in Poland clearly want to get out for reasons that are to them sufficient. Their desire should be

accepted by others as sufficient reason for permitting their migration. b. The motives of the Poles, Czechs and Russians are irrelevant to the merits of whether or not we should prevent the entry of these persons into our zone. c. If as few as 50,000 come to our zone, the administration of the camps will be complicated but not too seriously. If as many as 200,000 come, it will be a very serious administrative problem but not an impossible one. d. There is already a sizeable "Hard Core" in our displaced persons camps. If Palestine and other related questions are ever brought to basic ultimate solution, this solution is not likely to stand or fall because of a new addition of tens of thousands of persons. If no basic solution is ever reached, the whole situation will be so bad that this addition could hardly make it worse. e. The political repercussions in the United States might be unfortunate if, as it inevitably would, a decision by this government to prevent the movement became known."

81. "2. On question two, the question of whether the movement can actually be stopped, these are the chief considerations: a. The border control of our zone is not wholly ineffective. However, if the Polish Jews continue to be permitted to leave Poland and if their movement to the borders of our zone continues to be facilitated by the Czechs and Russians, our border control could do no more than slow the rate of entry. b. As far as inter-governmental agreement is concerned, one starts with pretty clear evidence of an initial willingness, if not a desire, on the part of the Poles, Czechs and Russians that the Jews would leave Poland and get to our zone. One also starts with a recognition of the ease with which these governments could continue in practice to facilitate the movement whatever contrary public commitments they might be prevailed upon to make. It was suggested earlier that the Polish government might be embarrassed into cooperation if it was threatened with a public statement that would reveal its apparent anxiety to rid itself of the problem. In view of the publicity caused by General Morgan's statement, this threat seems to have lost its force by now. c. In Berlin, it may be that we could effectively insist upon quadri-partite responsibility and action, but ultimately it is supposed that

the people in question will leave Berlin anyhow and attempt to reach our zone. It is not entirely clear what the situation is in Berlin or whether we are in fact being imposed upon by our partners. 3. My recommendation - (this is Mr. Doyle) - is that neither at the borders of our zone nor by inter-governmental agreement ought we to attempt to prevent the migration from Poland into our zone. I think that on the merits we would not be justified in doing so. Even if we were, I do not think we could succeed. We ought not uselessly to incur criticism and political liability. With respect to the handling of these persons while they're in Berlin, I think we should insist that the responsibility be shared by the other three governments to the extent that this is not already being done." This is the end of the memorandum of January 9, 1946 by Mr. Doyle.

82. During the months of January and February 1946, pressure began to build up again to close the borders of our zones in Germany and Austria. This was the time that the Anglo-American Committee on Palestine was very active and tension was in the air everywhere. Again, I had reached a conclusion in assessing the situation that the best way of keeping the borders open was to find some way of justifying postponement of the decision for a specified period of time. It was necessary to use this procedural technique, particularly in the light of the letter outstanding from the Secretary of State to the War Department about the closing of the borders.

83. I have no detailed recollection of the extremely busy days of March 6 and 7, nor do I have any notes of my own dating back to that period. I remember that, within a few months of that time, I took a long walk one day with a trusted colleague of mine and gave him a blow by blow description of what transpired during those few days. I remember I was talking all the time and it took me close to about two hours. What I was able to do in those few days was to settle upon a very simple solution for a postponement, i.e., the expected report of the Anglo-American Committee, and by working my way up through the various echelons of the Pentagon and then in the State Department, working through Jim Doyle, I was finally able on March 7th to obtain approval from the very highest

levels of both departments to send a cable through War Department channels to our commanders in Germany and Austria which, in effect, directed them to keep the borders open for the time being. While I do not have, as I said, any notes of my own dating to that period, I do have a number of memos written by Jim Doyle at the time.

84. At this point let me interpolate to say that I think that on the previous cassette I inadvertently assigned Mr. Doyle to the Office of the Secretary. I see, in looking at his memoranda, which I have in front of me, that they are written on the stationary of the Office of the Counselor. I believe that at the time Ben Cohen was the Counselor, but I also believe that he was abroad most of that period and was not personally involved in any of the affairs that we've been discussing. This position of Jim Doyle will be independently checked when I go over these notes later on. Also, I might interpolate that I rather vaguely recall that when Jim Doyle was preparing to leave the State Department some time later, he scooped up a bunch of these memos dealing with what he knew to be my favorite subject and left them with me. It's very interesting to me, in light of all the fuss that is being made currently about declassifying former documents that were highly classified. It's very interesting to me that all these memos by Mr. Doyle are completely unclassified, even one of them which I'll read later, which quotes verbatim from the cable of March 7, which I drafted and sent, and which I recall distinctly was classified "top secret" at the time. Since Doyle's memoranda were contemporaneous and since they do refer from time to time to the War Department and General Hilldring and myself, although not by name, I think the best way of proceeding would be for me to read these memos into the record and to comment upon them as I go along.

85. The first one is dated March 6, 1946. It is a memorandum for the Under-Secretary, that's Mr. Acheson, from J.E. Doyle. "In a letter dated December 19 (that would be December 19, 1945. We've already discussed that letter) the Secretary of War asked the Department of State to commit itself on the question of whether the borders of our zone should be closed. You (that is Mr. Acheson) provided interim verbal assurances

to the War Department that neither the State Department nor the White House would engage in criticism, such as that contained in the Harrison report, directed at conditions in d.p. camps traceable to the liberal policy of admittance to our zone. On January 7, the Secretary of State wrote to the Acting Secretary of War to say that the State Department considered it best to close the borders. In immediately ensuing conversations, the two departments came to understand that the closing of the borders would await a determination by General McNarney that the population saturation point had been reached in the zone. Recently Secretary Byrnes and Secretary Patterson have mentioned this matter. My understanding (that's Mr. Doyle) is that the basic arrangement still stands and that the War Department is obliged to notify the State Department three weeks in advance of the date of closing the border.

86. "These circumstances have recently come to my attention: 1. The number of Polish Jews entering our zone has dropped to negligible proportions although it may rise again with warmer weather. 2. The War Department never really wanted us to say we thought the borders should be closed and was somewhat disappointed when we did so. This is at complete variance with what I thought in January and, I believe, with what you thought." - interpolating here, this and a good many other of the statements made by Mr. Doyle reflect a good deal of time which I spent with him then. "3. There is reason to think that General McNarney is not overly anxious to close the borders and is somewhat discomfited by the necessity of making the determination. 4. Assistant Secretary of War Peterson has sent a verbal message" - again interpolating, that was through me - "indicating that there will be no objection on the part of the War Department if the State Department were informally to request that General McNarney delay any decision until after the report of the Anglo-American Committee on Palestine. Recommendation: I think I should be authorized to make this informal request to the War Department. Because the Secretary specifically inquired about this matter, I think he should be consulted before I do so."

87. Now, attached to this memorandum for the Under-Secretary is a memorandum (I say attached but it is actually on top of it) of the same day, March 6, 1946, for the Secretary, also from J.E. Doyle. This is how it reads: "Attached is a copy of a memorandum from me to the Under-Secretary about closing the borders of our zone in Germany. He returned it to me (that is, Mr. Acheson to Mr. Doyle) with this notation 'I agree with your recommendation including the part that the matter should be submitted to the Secretary.' I have felt all along that on the merits of the question the borders should not be closed. However, the question was decided otherwise by you in a letter of January 7th to the Acting Secretary of War. The initiative to reopen question has come not from me but from General Hilldring's office" - interpolating again, that was actually from me - "Apart from the merits, I think it would be unwise to incur certain political liabilities in this country unless it is necessary to do so. If the decision of whether to close the borders is postponed until after the report of the Committee on Palestine, the situation is likely to be quite different. If the Committee recommends that the Jews in Europe be permitted to enter Palestine, we could close our zonal borders with the explanation that Polish Jews were free to go directly to Palestine. If the Committee's recommendation does not make it possible for Polish Jews to go to Palestine, we could close our borders with the explanation that we could not continue to accept refugees into our zone when there is no prospect of their ultimate resettlement. In either case, attention would be focused on the Palestine Committee where it belongs and our decision to close the borders would be less likely to dissipate the good will which the army has succeeded in building up among minority groups in the United States. I do not think we should close the borders now or later. On the assumption that we do intend to close them, however, I think for the reasons given that it would be desirable to delay the decision until after the Palestine Committee report which is due on or about April 1." That's the end of Jim Doyle's memorandum of March 6, 1946 for Secretary Byrnes.

88. Now, I do remember that the following day March 7, I was notified verbally by Jim Doyle that the Secretary, Mr. Byrnes, had personally approved his recommendation. I also

had cleared the same policy, as I mentioned before, all the way up to the Secretary of War. I still remember quite vividly how triumphant I felt very late in the afternoon, after the normal close of business, when I went to the cable room with a brief telegram which was then classified top secret which contained this one key sentence: "Secretaries State and War desire that if at all feasible action re closing borders to infiltrates be deferred pending recommendations of Anglo-American Committee of Inquiry." However, I discovered when I got to the cable room that I had one further serious and unexpected obstacle to overcome. There was a General there who was on duty from the Operations and Plans Division, I forgot now what his name was, but he carefully scrutinized the cable which I was delivering to the cable room and then to my surprise said, "I think that a cable on the same subject has just come in from Germany and I think you'd better look at it before you send this one out."

89. Sure enough, a cable had come from General McNarney in which he had strongly recommended that the borders be closed on a specific date. Rather than holding up my cable, I explained to the General that this was a matter of the highest priority, which had been personally approved by the Secretary of State and Secretary of War, and that I was sure it governed the incoming cable, and if he would assign action to me on the incoming cable I would take care of it first thing on the following day. He accepted this explanation and approved the immediate dispatch of the cable that I had been shepherding through the State and War departments for the past few days.

90. The following day, when I arrived at the Pentagon, I found that action had been assigned to me on the incoming cable. I immediately drafted a reply, which was easy to clear, in which I simply stated that the cable which had been sent the previous day and which had the personal approval of the two secretaries was the policy which was to be followed.

91. And now, since I've reconstructed my personal recollection of the climax of that day, I want to refer to another, more or less contemporaneous memorandum, by Jim Doyle. This is one dated March 13, 1946. It was for the Under-Secretary, Mr. Acheson, from J.E. Doyle - subject "Closing Borders of our Zone in Germany" and it has the stamp of the Under-Secre-

tary's office on it, indicating that it was received there, also on March 13, 1946. "This is for your information, no action is required. Last week you approved my proposal that we notify the War Department of our willingness to delay a decision on closing the borders until after the report of the Anglo-American Committee on Palestine. As you directed, I brought the matter to the Secretary's attention and he authorized me to notify the War Department to this effect. I did. The War Department then, March 7th, notified General McNarney: "Secretaries State and War (then there are a few asterisks, which I think probably referred to the incoming cable) desire that if at all feasible action re closing borders to infiltrates be deferred pending recommendations of Anglo-American Committee of Inquiry." This message to General McNarney crossed one from him in which he proposed that the borders be closed on April 15. By reason of the agreement to notify the State Department three weeks in advance, this would set the date of notification at about March 24, which is prior to the date on which the Anglo-American Committee will report. The War Department then sent another message to McNarney calling his attention to the suggestion quoted above and stating that it would take no action on his April 15 proposal until it heard from him again. No reply had been received from McNarney. In the meantime, an officer in General Hildring's Division" -- interpolating again, this refers again to me - "has informed me that Secretary Patterson learned for the first time a few days ago that closing the borders would require the use of Germans in border patrols. This surprised and perturbed him. He appeared to think that this might have an important bearing upon whether to close the borders at all." That's the end of the March 13, 1946 memorandum.

92. Now, an interesting footnote occurs to me in connection with this March 7th cable. I recall that just about that time Judge Simon Rifkind was due to return to the United States after having completed his six month tour of duty as adviser on Jewish affairs to Generals Eisenhower and McNarney. From some source which I do not recall, I got wind of Judge Rifkind's intention to call a press conference and blast various segments of the army in Germany with which he had been in contact, for not extending themselves sufficiently on behalf of the Jewish displaced persons and infiltrates. I assume that Judge Rifkind was under the impression that

the military commanders were going to succeed in closing, in obtaining permission to close, the borders and that his way of forstalling this would be to make a public issue of the question immediately upon his return. I was able to reach him urgently, after getting a message to him not to have a press conference until he first talked to me, and then I was able to explain to him over the phone the policy which had just been communicated to the theater commanders. So he was able to temper his remarks and not cause the kind of situation that I was very fearful of at the time, that is, putting so much public pressure on the theater commanders and on the army to complain about conditions that they would use this as a reason for declining to take any additional ones into our zones of Germany and Austria.

93. The last document I have in my files from Jim Doyle is dated March 18, 1946 and it is headed "Memorandum for Captain Fierst from J.E. Doyle". Actually I think I have Doyle's carbon copy rather than the original that was sent to me and which presumably is still in the files either in the Pentagon or the State Department. The memorandum reads as follows: "In our conversation this morning, we discussed the proposed use of Germans for patrol duty in closing the borders of our zone in Germany. This is an informal memorandum intended to indicate my estimate of the probable reaction of the Department of State to this proposal. It does not represent more than my estimate. Secretary Byrnes and Secretary Patterson have agreed informally that it would be desirable to postpone a decision on closing the borders of our zone until after the report of the Anglo-American Committee on Palestine. They assumed, I am sure, that the borders would remain open in the meantime. Because of the many complicating factors, it is difficult to foresee how necessary or desirable it may be to close the borders thereafter until after the Committee's report has been filed. It is obvious that the use of Germans for patrol duty has certain objectionable features. On the assumption that the borders cannot be effectively closed without using them, once the Committee has reported, the question will be then: is it essential or highly desirable to close the borders? If it is, the Department of State

would probably not object solely because German guards would be used. But if it is not essential or highly desirable to close the borders, the Department might regard the use of German guards as a decisive adverse factor. In any event, it appears that consideration of the question should be deferred until it can be examined in the light of the Committee's report." This is the end of the memorandum by J.E. Doyle of March 18, 1946.

94. Now, at about this time General Hilldring was asked by Secretary of State Byrnes to come over to the State Department to be the first occupant of the new office of Assistant Secretary of State for Occupied Areas. General Hilldring agreed to do this, and there was some very intensive planning in the Civil Affairs Division for movement over to the Department of State by the General and some of his top assistants, whom he invited and requested to come along with him. I was one of those whom he'd asked to come along.

95. I had never intended, ever, to make a career in the Department of State or even to serve in it for a limited period of time. I had intended myself to get back, somehow or other, into the practice of the law, which had been interrupted when United States became involved in World War II. However, we were all by that time such a close knit group and the problems seemed so challenging that, I think, pretty much as a matter of course I decided to come along with General Hilldring. In his capacity as Assistant Secretary, he had jurisdiction over Germany and Austria, Japan and Korea. He was also chairman of the State-War-Navy Coordinating Committee. I remember that General Hilldring told a few of us at the time that when Secretary Byrnes had asked him to come over to the State Department, the Secretary had spoken very contemptuously of many of the foreign service people who were in the Department of State and who, in the Secretary's opinion, simply were not able to be practical and definite enough to run a country such as Germany. So, when General Hilldring went over, he had the backing of Secretary Byrnes and the confidence of Secretary Byrnes even though, I don't believe, the two men had been particularly intimate personally before then.

96. I am a little amused in retrospect at how those of us who had accompanied General Hilldring to the State Department were viewed by the ~~whole~~^{old} line ~~of~~ foreign service officers. I had never thought of myself as a military man, and I think the same thing went for most of the others on General Hilldring's staff who came along with him. For the most part, we were all lawyers or economists, and certainly, basically civilian in our orientation. However, we were coming over from the War Department, as it was called then, and most of us, including myself, simply did not own any civilian clothes. So, for a period of time ranging I would say, over the first several weeks or even months, most of the time we were still dressed in our military clothes. As a result, we were regarded, I think, by the old timers as ^a kind of military mafia. This caused considerable resentment but on the other hand it did give us a tremendous amount of strength. As I think I've said in one of the earlier cassettes, but it does bear repetition, General Hilldring was extremely loyal to his personal staff and even though he might chew out one of his staff in the privacy of his office, in terms of dealings with other agencies or other offices within the War Department or the State Department, the General would always back us to the hilt. If we ever, I should say whenever, we ran into an impasse in dealing with one of the other State Department officials, invariably all we had to do was to report the matter back to General Hilldring and he would immediately go over the head of the opposing officer to his superior and straighten the matter out, again almost invariably in our favour.

97. We had an additional advantage, even in the early days before George Marshall became Secretary of State, in that there were very few Assistant Secretaries of State and General Hilldring was one of the few. He actually outranked all of the office directors, such as European Affairs and Near Eastern Affairs. This was of particular relevance in any matters which impinged upon the Palestine question because although Loy Henderson, the Director of the Office of Near Eastern Affairs, was a real old timer and knew his way within the State Department and within the U.S. Government, technically General Hilldring as an Assistant Secretary outranked him and the General did not hesitate to make use of this position whenever it was necessary.

98. I realize at this point that I have not covered a good many incidents which might be of interest which occurred during my tenure in the War Department from 1945 to the spring of 1946. I hope I will be able to come back to these later, but since I have become heavily involved in the border situation, I think it might be useful, after some further brief interpolation about the set-up in the State Department, to finish covering the subject of the borders at least thru ~~the~~ summer of 1946.

99. It was toward the latter part of March, as I recall, that we actually came over to the State Department. General Hilldring had an office on the second floor of what was then known as the State Department and subsequently became known as "Old State". My office was very close to his, and the offices of the Secretary and the Under Secretary and their assistants were on the same floor. It was actually a rather intimate setup in contrast to the present day organization of the Department of State, which is a much vaster body with many more layers at all stages. This feature of the Old State Department, at the time that I am describing, is important to bear in mind because it accounts for, at least makes credible, the informality and speed with which we were able to consider what were highly complicated and in some instances even momentous problems.

100. By the time I had come over to the State Department with General Hilldring, I was regarded by him, and soon by others within the State Department, as his principal adviser on refugees and displaced persons. There was a slight amount of bureaucratic awkwardness about the role of George Warren, but this was handled in such a way that Mr. Warren concentrated, for the most part, on developing our relations with international organizations and in advising us on some current matters. The General, I am afraid, was rather impatient with what he took to be Mr. Warren's longwindedness and circumlocutions. For the most part he wanted me to work with Mr. Warren and keep Mr. Warren out of direct contact with him. Mr. Warren had a few others in his office and we did get along quite well personally and were able to accommodate ourselves to what I referred earlier, the awkward bureaucratic situation. Although

Mr. Byrnes was the Secretary of State during the period I am now discussing, he was very rarely in Washington and when he was, he was really not concentrating on this particular problem or the Palestine question. He did become involved from time to time, but on the whole our contacts were with Mr. Acheson, who was then Undersecretary of State and most of the time Acting Secretary of State.

101. My first encounter with Loy Henderson came in a rather revealing way. I think it was about mid-April 1946, that I became aware of the fact that the report of the Anglo-American Committee on Palestine had arrived under conditions of high secrecy in the State Department. Up to this time, the holding action reflected in the cable of March 7, had remained effective, but the international tensions surrounding the Committee of Inquiry led me to be apprehensive about what would happen after the report would be made public. I talked to General Hilldring about this and he agreed that it would be important to have the War Department send a summary of the conclusions and recommendations of the report to the Theater Commanders in Germany and Austria just as soon as possible. He called Loy Henderson from his office in my presence. Henderson confirmed that he had copies of the report, actually they were advance copies. Henderson agreed to furnish General Hilldring with one copy of the report to be taken over to the War Department and summarized there for the benefit of the theater commanders. General Hilldring said that he would send me down to pick up the copy of the report from Henderson's office which, as I recall, was either one or two floors below us. Henderson specified the time when I should come.

102. As of that time, we had not met each other and I was still in my Captain's (my army Captain's) uniform. At the appointed time, I went to Mr. Henderson's office and expected that his secretary would simply hand me an envelope with the report in it. Instead she said that Mr. Henderson was busy in a conference but had left word that when I arrived he wanted to be called out so that he could talk to me personally. In short order he came bustling out and handed the report to me but said: "Now it's very important to guard this report closely. The Jews are very anxious to get hold of a copy of it and you have to be particularly careful not to get into ^{let it}

the hands of any Jewish secretaries. I want to know precisely who you are going to give this report to in the War Department." I said that I had been working very closely with two assistants to the Assistant Secretary of War, I forget at this point whether it was McCloy or Peterson, but I would probably be giving it to one who was more familiar than the other with this problem, and whose name was Davidson Sommers. Mr. Henderson said: "Well, be sure that you give it to him personally and don't leave it with any secretary because, I want to repeat, the Jews are trying very hard to get hold of a copy of this report." 103. So I assured him that I would take it over and deliver it personally to Mr. Sommers and that seemed to satisfy him. What I did not tell him was, first of all, I happened to know that by that time the Jews already had a copy of the report, secondly, of course, that I myself was Jewish and thirdly, that Mr. Sommers also was Jewish. I did follow out his instructions explicitly. I took the envelope over to Dave Sommers, we sat down and analyzed the contents together, and then we drafted a telegram to the Theater Commanders summarizing the conclusions and recommendations and directing them, as I recall, to maintain current policy until further notice.

104. While completion and publication of the Anglo-American Committee report was being awaited, tension increased in the United States and Britain, of course; and also in Germany and Austria movements of Jewish d.p.s into our zones continued to accelerate. Around that time, I don't have the exact date but I believe it was around mid-April of 1946, perhaps a bit earlier, Judge Rifkind had an appointment to see President Truman to render an oral report on his experiences as adviser to the Theater Commanders in Germany and I guess also in Austria. I gave him a one page memorandum at the time entitled "Suggestions for interview with the President." I found a copy of this in my file and I think it's worth reading, not for any specific content but because it gives a pretty good idea of the nature of the problems at the time:

105. "1. Improvement of conditions in U.S. zones, Germany and Austria since the Harrison report; President's forthright action provided the necessary impetus. 2. Current explosive situation despite improvement; terrific tension and desperation

as to future; potential political repercussions. 3. Rapid mass evacuation to Palestine, as recommended by President last September, is the only solution. This recommendation if endorsed by the Anglo-American Committee should be immediately implemented without reference to any other recommendations of the Commission. To avoid British stalling and make substantial contribution, U.S. should assume entire burden of movement. Recommendations for immediate action: 1. Letter from President to Generals McNarney and Clark through Secretary of War. a. Refer to President's previous letter to General Eisenhower and praise vast improvement in conditions. b. Recognize difficulties in handling Jewish d.p.s at this critical period. c. Army is the only agency able to meet the challenge. d. Extreme caution to be exercised within the next few months in handling Jewish d.p.s. For example, no mass raids, maximum assistance in rehabilitation projects, avoidance of needless moving around, extraordinary effort should be made to avoid incidents. e. Borders of U.S. zones to be kept open to Jewish refugees. f. Immediate planning to be initiated for rapid mass evacuation from British and French zones as well, this not to interfere with rehabilitation projects. 2. Presidential directives to governmental agencies: a. War Department - to plan immediately for mass evacuation of 100,000 to Palestine. b. State Department - to eliminate any international impediments to such movement. c. Bureau of Budget - to draft necessary executive order. d. War Shipping Administration or Navy - to make available necessary shipping. 3. Preparation for appointment of prominent civilian as President's personal representative to plan, coordinate and expedite movement. Coordinator should form committee of interested governmental and voluntary agencies.

106. That is the end of the briefing paper for Judge Rifkind. I have no idea how much of it, if any, he used or what the President's reaction was. Nevertheless, after the Anglo-American Committee report was made public in the latter part of April with its recommendation of immediate transportation of 100,000 Jewish d.p.s to Palestine, the Theater Commanders became apprehensive again that they would be inundated by Jewish d.p.s or infiltrates pouring across the borders in an effort to be among those included in the group that was con-

fidently expected to be going to Palestine. And so, there was intense pressure to announce that the borders would be closed.

107. I have a brief memorandum dated April 30, 1946 which I sent to General Hilldring, and which he initialed, which reads as follows: "I understand from Mr. Sommers that the border closing question was considered at the cabinet meeting today. The seriousness of the question was recognized but it was decided to defer any specific action for a few days to await the public reaction to the Anglo-American report. I suggest that you indicate to Mr. Acheson our continuing interest in this subject and our desire to be kept informed of its development."

108. I remember distinctly that it became apparent to me then that the only possibility of keeping the borders open at the time would be to get the top State and War Department officials in contact with Jewish leaders to explain the situation to the Jewish leaders and to produce a reaction in them, that is, in the Jewish leaders, that would look toward maximum possible cooperation in moderating the flow into our zones and also tempering any criticism of the army for inadequate facilities provided to those who arrived. I proposed this privately to General Hilldring in terms, of course, of getting maximum cooperation from the Jewish leaders to avoid incidents and to lessen the flow. By this time he had perhaps more confidence in me than I did in myself, that is in my ability to get in touch with the right Jewish leaders, and obtain cooperation among them. And so, he went right in to see Dean Acheson to make this proposal to him in his own name. When he returned, he told me that Mr. Acheson on the basis of his own personal, rather extensive experience in dealing with Jewish leaders, had been very skeptical that we really could get key Jewish leaders together and get them to agree among themselves to cooperate along the lines indicated. But he was willing to try and he had directed General Hilldring to prepare a memorandum from himself to the President. This assignment General Hilldring passed on to me and I immediately prepared a memorandum for the President which was signed by Dean Acheson as Acting Secretary and was forwarded to the President on May 2, 1946. This is the memorandum:

109. "Memorandum for the President. Subject: Policy as to Future Entry of Jewish Refugees into U.S. zones of Germany and Austria. Publication of the Anglo-American Committee's report has raised acutely the question of whether the borders of U.S. zones of Germany and Austria should continue to be open to Jewish refugees from Central and Eastern Europe. The War Department has urged the necessity of closing these borders immediately, at least as an interim measure to prevent any large influx in the near future. The Department of State believes that it is impossible to predict accurately how migration to Germany and Austria will be affected by the reaction of European Jewry to the Committee's report. The Committee's recommendation that 100,000 Jews be admitted to Palestine in the near future acknowledges that there are already more than that number in the Western zones of Germany and Austria and Italy. This fact, coupled with the uncertain conclusions of the report with reference to the political status of Palestine, might deter any large influx to Germany and Austria. Instead, the influx might be confined primarily to relatives of those already in Germany and Austria. On the other hand, there is the real possibility that Central and Eastern European Jews will in their desperation regard the U.S. zones of Germany and Austria as their only tangible hope for eventual migration to Palestine. Such a reaction might result in a large scale unmanageable influx.

110. "The Committee's report will undoubtedly be debated vehemently within the coming weeks. It would be unfortunate, particularly in view of the humanitarian reputation achieved by our policy to date, for the issues to be blurred and good will to be dissipated by closing the borders at this time if it is not really essential. It must be borne in mind that the borders can be effectively closed only by using German border patrols. Since the reaction of European Jews to the report is so unpredictable, I believe it would not be advisable for this government to issue a directive to Generals McNarney and Clark requiring them to close the borders now. It would be preferable, I believe, to inform Generals McNarney and Clark of this government's desire to continue the present liberal policy so long as it is consistent with maintenance of satisfactory conditions among the Jewish displaced persons

in Germany and Austria. The Theater Commanders should be authorized, however, to prevent free entry of Jewish refugees at such time as it may appear that there are imminent large scale movements into U.S. zones which would prejudice satisfactory handling of Jewish displaced persons already in Germany and Austria. If such action should prove necessary, it would be desirable to make special provisions for regularising admittance of hardship cases such as relatives of persons already in Germany and Austria. If authorization along the foregoing lines is approved, it would be highly desirable to take the question of border closing out of the realm of controversial discussion on the Committee's report. I believe this could best be done by an informal, confidential conference with a few key Jewish leaders confined to the question of border closing.

111. "Accordingly, I recommend that you approve the following:

a. Generals McNarney and Clark should be authorized to close the borders to Jewish refugees only if there appears to be definitely imminent such a large scale influx as would prejudice adequate handling of those already in Germany and Austria, and would exceed the facilities available for proper handling of additional persons. In such an event, the border should be closed only as a temporary freezing measure, and hardship cases should be admitted at specified border control points. b. A few key leaders, for example, Louis Lipsky, Judge Proskauer, Rabbi Abba Hillel Silver, Edward Warburg and Rabbi Stephen Wise, should be invited to a confidential conference with the Acting Secretary of State and the Secretary of War to discuss only the border closing question.

112. "At such a conference the following should be stressed: 1. The unannounced but widely recognized U.S. policy to date of admitting Jewish refugees to U.S. zones of Germany and Austria. 2. The reasons for authorizing Generals McNarney and Clark to close the borders if necessary under conditions outlined in paragraph (a) above. 3. Cooperation of Jewish organisations is requested in discouraging future movements by making known in Jewish circles in Central and Eastern Europe, the complications which would result." Signed Dean Acheson,

Acting Secretary. And I have a note of my own in pencil saying: "Text sent by War Department to McNarney, Clark and Clay for information only, May 4, 1946."

113. On May 3, 1946, Mr. Acheson sent a brief memorandum to General Hilldring, which read as follows: "At the Cabinet meeting this morning, the Secretary of War and other members of the Cabinet concurred in the recommendations of our memorandum dated May 2, 1946 regarding the policy as to future entry of Jewish refugees into U.S. zones in Germany and Austria. The President thereupon directed the Secretary of War and me to take the necessary steps to put it into effect. Would you please do what is necessary with the War Department to carry out these recommendations." Signed "D.A." for Dean Acheson.

114. As might be expected, General Hilldring called me in and directed me to make whatever arrangements were necessary with the War Department and to set up a meeting with the Jewish leaders. He left it entirely to my discretion as to which Jewish leaders should be invited. I really do not remember whom I consulted at the time, though I am rather sure it was primarily David Wahl, but the responsibility for selecting the leaders and getting in touch with them was entirely my own. The date of the meeting to be held at the State Department was set for May 8, and it was understood that Secretary of War Patterson and Acting Secretary of State Acheson would be there. I have a memorandum for the record which I prepared after the meeting took place, summarizing some of the arrangements which I made. I will read at this time only that part of the memorandum which deals with setting up the conference and then I'll come back to the memorandum later on to summarize what transpired at the conference. I do this really simply to preserve as much continuity in the narrative as possible and in between the two parts of the memorandum, I have some additional material about what position Mr. Acheson and Judge Patterson were to take.

115. I am beginning with the first part of a memorandum for the record, which I prepared on the subject "Conference with ~~Key~~ Jewish Leaders on Subject of Policy as to Future Entry of Jewish Refugees into U.S. Zones of Germany and Austria,

8th May, 1946". "1. In memorandum to the President dated May 2, Mr. Acheson recommended among other things that a few key Jewish leaders be invited to a confidential conference with the Acting Secretary of State and the Secretary of War to discuss only the border closing question. On May 3, the President and cabinet approved this memorandum. That day Mr. Acheson instructed General Hilldring via memorandum to carry out the recommendations in conjunction with the War Department. At General Hilldring's request, Mr. Fierst prepared a list of persons to be invited and obtained informal approval from Mr. Sommers in Mr. Peterson's office. As indicated below, during the course of setting up the conference on short notice, some of the individuals invited were unable to attend but designated appropriate substitutes.

116. "2. After having arranged for the conference to be held at 11:30 on May 8th, Mr. Fierst on May 6th telephoned various individuals as follows: a. Dr. Stephen S. Wise, American Jewish Congress. Dr. Wise said that he would be glad to attend and also strongly urged that Judge Simon H. Rifkind be invited too. b. Mr. Henry Monsky, American Jewish Conference. Mr. Fierst spoke to Mr. Kenen, Executive Secretary of the Conference, who stated that Mr. Monsky was in Omaha, Nebraska, and probably would not be in the East on Wednesday. Kenen stated that Monsky would not come to the Conference but would be glad to designate one of the Vice-Presidents to attend in his place. Mr. David Wahl, Washington representative of the Conference, called Fierst later in the day to relay a message from Kenen that Dr. Israel Goldstein, Vice-President of the Conference, would attend in Monsky's place. c. Judge Joseph Proskauer, American Jewish Committee. Judge Proskauer's secretary stated that he was in Philadelphia trying an important case and she did not know whether he would be able to attend on Wednesday. Mr. Marcus Cohn, Washington representative of the American Jewish Committee, phoned several times during the day to ascertain the nature of the meeting and whether it would be appropriate to send a substitute for Judge Proskauer. He finally advised Fierst that Judge Proskauer would be replaced by Mr. Jacob Blaustein, Executive Secretary of the American Jewish Committee. d. Edward Warburg, Joint Distribution Committee. Mr. Warburg's secretary said that he did not know

whether Warburg's schedule would permit him to attend. Later, Mr. Leavitt, Executive Secretary, phoned to inquire about the nature of the meeting. He later phoned again to say that Mr. Warburg would attend personally. e. Rabbi A.H. Silver (Abba Hillel Silver), Zionist Emergency Council. Mr. Emanuel Neumann answered the phone in Dr. Silver's behalf and after ascertaining the nature of the meeting, said he would get in touch with Dr. Silver in Cleveland and obtain instructions from him. Later Neumann phoned to say that Dr. Silver would appreciate it if Fierst would call him directly in Cleveland. Fierst phoned Dr. Silver who said he had an important speaking engagement in Detroit on Tuesday evening (that would have been May 7th) and in Cleveland on Wednesday and it would therefore be extremely difficult for him to attend on Wednesday morning. Dr. Silver said that he would designate a substitute and would advise Fierst accordingly. Dr. Neumann phoned later to say that he would represent Dr. Silver and this was confirmed in telegram from Dr. Silver to Fierst. f. Mrs. Epstein, Hadassah. Mrs. Epstein stated that she could not come herself but that she would be glad to designate a substitute. On Tuesday Mrs. Turover, Washington representative of Hadassah, phoned to state that she had been designated as Mrs. Epstein's substitute. g. Dr. Nahum Goldman, World Jewish Congress. Dr. Goldman was invited at the suggestion of Dr. Wise. h. Judge Rifkind. Judge Rifkind was invited to attend but indicated that he would prefer not to be put in the position of participating along with regular representatives of Jewish organisations and that he would prefer to continue his status as informal adviser. This was the reason why Judge Rifkind had not been invited to attend initially, but it was felt that as a result of Dr. Wise's urgent suggestion, it was necessary to issue a formal invitation to him in case he did decide to come."

117. As I said before, I will come back to this memorandum a little later. Continuing now my own narrative briefly, I was then in the anomalous position of having to brief both the Secretary of War and the Acting Secretary of State representing the government and the Jewish leaders who would be coming in to talk to them. As far as the two secretaries were concerned, I prepared a briefing paper on May 7th and I do have a clear recollection of getting it finished late in the day and on the way home from the office, dropping by Secretary

Patterson's house in Georgetown and leaving a copy there for him. I have a copy of that briefing paper and will now read it.

118. "Brief for Mr. Acheson and Judge Patterson. Subject: Confidential conference with key Jewish leaders on Wednesday May 8th at 11:30 a.m. The following are expected to attend: Acting Secretary of State Acheson, Secretary of War Patterson, Assistant Secretary of State Hilldring, Assistant Secretary of War Peterson, Messrs. Fierst, State, and Sommers, War, Mr. Jacob Blaustein, American Jewish Committee, Dr. Nahum Goldman, World Jewish Congress, Dr. Israel Goldstein, American Jewish Conference, Dr. Emanuel Neumann, Zionist Emergency Council, Mrs. Turover, Hadassah, Mr. Edward Warburg, Joint Distribution Committee, Rabbi Stephen S. Wise, American Jewish Congress.

119. "Suggested outline of remarks: 1. Purpose of conference. Key Jewish leaders called together for confidential informal meeting to enable Secretaries of State and War to explain delicate situation involving influx of Jewish refugees from Central and Eastern Europe into U.S. zones of Germany and Austria. Purpose is not to discuss the broad implications of the Anglo-American Committee's report. It is hoped by this meeting to inform Jewish leaders of current situation in order to make sure they fully understand government's position and to ask their cooperation.

120. "2. U.S. policy to date. Last fall there began a so-called infiltration of Jewish refugees, mostly from Poland, into U.S. zones of Germany and Austria. Although no official public announcement has been made, this government has from then until now permitted such infiltration. Actually, there was a convergence from all directions, British and Russian zones of Germany, Poland, Hungary, Romania, Czechoslovakia, and Austria into the U.S. zone of Germany. We have admitted these people and have maintained them in the same manner as other Jewish displaced persons who had been found in Germany and Austria at the time of occupation. Although there have been inevitable incidents and perhaps temporary local deviations from this policy, the fact remains that U.S. zones of Germany and Austria remained open for such persons. Other zones, including the British zone, were closed. This policy applied specially to Jews since all non-Jewish refugees are excluded from the U.S. zones.

121. "3. Effect of U.S. policy. As a result of U.S. policy, there are now probably more than twice as many Jews in our own zones as we found upon occupation. The present total in the U.S. zones of Germany and Austria is 65-70,000. Every effort has been made to provide adequate facilities for these persons and we are proud and gratified at the large number of lives saved. Nevertheless, the admission of such additional persons has undoubtedly prevented the military and UNRRA authorities, as well as Jewish voluntary agencies, from maintaining as high a standard of care as might otherwise have been given. In addition, the consistently increasing numbers amidst a hostile German population, together with continued idleness and the tension in anticipation of the Committee's report, have all contributed to an extremely surcharged atmosphere. The possibility of incidents involving injuries to U.S. soldiers, which might have serious repercussions, cannot be disregarded.

122. "4. Effect of Anglo-American Committee report. The Committee's report acknowledges that there are already more than 100,000 Jews in Germany, Austria and Italy for whom Palestine is the only solution. As President Truman stated in releasing the Committee's report, the U.S. Government is pleased that the Committee recommended issuance of 100,000 immigration certificates. This government intends to exert unremitting efforts to secure these 100,000 certificates. We are particularly concerned with the possibility that the Committee's report will stimulate an unmanageable influx of Jews into the U.S. zones of Germany and Austria. This would be a very unhealthy development both from the point of view of the Jews and of this government. This subject was thoroughly explored by the President and the Cabinet, a few days ago, and it was decided that if such an influx becomes imminent, it will be necessary for the military authorities to close the borders completely, a step which we have been and would be reluctant to take. We realized the possibility that closing the borders may result in border incidents. These would be equally serious whether they involve German border patrol or U.S. troops. We would prefer to have the border manned entirely by U.S. troops to assure a maximum of sympathetic handling of the infiltrates,

but this is not possible because of our manpower shortage. Even at present it has been necessary to use German border patrols in order to exclude the non-Jewish refugees. The German border guards are, of course, thoroughly screened to eliminate Nazis and are being trained and supervised by U.S. personnel.

123. "5. Future policy. In view of the unpredictable effect of the Committee's report upon immigration into U.S. zones and our desire to keep the borders open, if at all possible, we have decided not to direct Generals McNarney and Clark to close the borders now. However, in order to safeguard them against a possibility of a large scale influx, we have had to authorize them to close the borders if necessary. We have made it clear to Generals McNarney and Clark that the borders should be closed only when there appears to be definitely imminent such a large scale influx as would prejudice adequate handling of those already in Germany and Austria and would exceed the facilities available for proper handling of additional persons. In such an event, the border would be closed as a temporary freezing measure and hardship cases would be admitted at specified border control points.

124. "6. Jewish cooperation. Jewish groups would undoubtedly agree with us that it is undesirable to close the borders and at the same time that it is impossible for us to take care of unlimited additional numbers at this time. We realize that the urge to leave the Central and Eastern European countries is a genuine, spontaneous and compelling one. We realize also that the movement of such persons at any specified time and in any specified numbers depends to a large extent upon advice and assistance which they receive. If you agree with our appraisal of the situation and if you are confident of the sincerity of our efforts, you may be in a position to assist by making known in Jewish circles in Central and Eastern Europe, that this is not now a favourable time for large scale movements towards Germany and Austria. We realize that the Jewish organisations cannot control those movements completely, but we hope they will make every effort to restrict the movements to hardship cases involving separation of close relatives. This, as we see it, is the best way of helping us to maintain our present humanitarian policy. If in spite of all our efforts, a large scale influx appears inevitable, then at least

we are anxious to have you understand all aspects of the border control question, in order to avoid intemperate criticism of the U.S. position which might prejudice our negotiations with the British on these certificates." This is the end of my briefing memorandum to the Acting Secretary of State and the Secretary of War.

125. I emphasize simply that what I was doing was suggesting the scope of remarks which they were to make to the Jewish leaders. The meeting was held as scheduled on May 8th late in the morning. I now will resume reading from my memorandum for the record which I interrupted earlier:

126. "At the conference on May 8th, all those listed in tab A attended." If I may interpolate here, I do not seem to have tab A, but I believe that all those who were scheduled to attend did attend. If I am not mistaken, I think that David Wahl came to the meeting, but I am not really sure about that. "Mr. Acheson followed fairly closely the suggested outline of remarks in tab A (that is, the brief I've just read before) except that he refrained from mentioning that a decision had already been made to authorize McNarney and Clark to close the borders if absolutely necessary. Judge Patterson concurred in Mr. Acheson's remarks and indicated that his major concern was a possible mass influx rather than continuation of the present rate of influx.

127. "Dr. Goldman expressed the profound appreciation and gratitude of the various Jewish organisations toward the U.S. army and U.S. Government for the humanitarian policy in effect until now. He recognized the embarrassing consequences which a mass influx would have, but thought that on the basis of latest information available to him, a very large mass influx was probably not imminent. He suggested that the best method of controlling the situation, insofar as it could be controlled, would be informal army cooperation with a working committee of Jewish organisations such as the Jewish Agency and the Joint Distribution Committee. Mr. Warburg pointed out the distressing condition of Jews in Poland. He felt that one method of preventing a mass exodus from Poland at the present time would be to improve conditions of Jews in Poland and this the J.D.C. was endeavoring to do. Dr. Neumann pointed out

that the report of the Anglo-American Committee itself recognized that there are at least 500,000 Jews in Europe who desire, or were compelled by conditions, to leave Europe. The Committee had not recommended a solution for 400,000 of these persons. He was therefore not hopeful of the effect of trying to persuade such persons not to come to Germany and Austria. He believes that a more comprehensive policy is necessary to assure adequate provision for ultimate disposition of these 400,000.

128. "Judge Patterson said that the previous predictions of mass migration had proved to be erroneous, and that we were now wondering whether the new factor, the Committee report, would affect the situation materially. Mr. Blaustein pointed out that the Jews in Poland, as well as those in displaced persons camps in Germany and Austria, were in great distress and he doubted any organisation's ability to control their movement. General Hilldring stated in reply to Dr. Neumann that we must try to hold out hope for the other 400,000 and that this government recognized that 100,000 immigration certificates would not solve the whole problem. He believed that it was most desirable to concentrate on securing the 100,000 immigration certificates. He summed up the problem by saying that our government was desirous of keeping the border open if the Jewish organisations could possibly hold down the rate of influx.

129. "Dr. Wise said that the matter was too serious for him or the other representatives to be able to make any commitments without giving the matter very serious consideration. He expressed great appreciation for the opportunity to be consulted and suggested that the various representatives discuss the situation with their organisations. Dr. Goldstein stated that he did not agree with Dr. Goldman's plan because he thought that it would be very difficult to implement. He agreed that the infiltration ought to be manageable, but stated that there might very well not be any stampede. If there would be a stampede, there would certainly be advance notice that it was developing.

130. "Mr. Acheson stated that he had hoped that the organisations would be able to prove helpful somewhat along the lines of Dr. Goldman's suggestion. He agreed that it would be desirable for the Jewish leaders to consider these problems with their organisations. He stressed the desirability of having Jewish organisations exercise a calming influence upon Central and Eastern European Jews in order to avoid the necessity of our having to close the borders.

131. "Mr. Patterson stated that it would also be desirable for the Jewish organisations to try to exercise a calming influence in the displaced persons camps in Germany and Austria in order to minimize friction between Jews and Germans and between Jews and U.S. military personnel. Dr. Wise stated that a delegation representing the Jewish Central Committee of Poland would arrive in the U.S. in a week or ten days. He suggested that some of the Jewish leaders might approach the Committee, explain the background of the situation, and try to get the Committee to prevent the pressure in Poland from becoming panicky and destructive.

132. "General Hildring stressed the desirability of maintaining a friendly relationship between the displaced persons and the army and of not overtaxing army facilities so that the good reputation of the army in handling the situation might be maintained. At this point Mr. Acheson left the meeting at the request of the President. (I should interpolate here. He was summoned to the White House about another matter.)

133. "Mr. Warburg emphasized the desirability of working through local Jewish committees in Germany which have very close working contacts with Jews in Central and Eastern European countries. Dr. Goldman stated that realistically there were two considerations which would motivate Jews in Central and Eastern Europe to migrate to Germany and Austria. 1. They would feel that there was a better chance to get to Palestine from the U.S. zone, and, 2. They would feel that there would be a long delay before they can go to Palestine and it would be better to spend that period in the U.S. zone. Dr. Goldstein inquired whether the border would be closed before advance notice to Jewish organisations. Judge Patterson stated that they would be given advance notice. It was generally

agreed that the Jewish leaders would consult with their organisations as to the best available method of controlling the situation and will designate representatives to confer again within a short period of time."

134. "After the conference was over, at the direction of General Hilldring and with the assistance of Mr. Sommers, Mr. Fierst prepared a cable for dispatch by the War Department stating that a conference had been held, that the attitude had been very cooperative and that another conference will be held after consultation of the Jewish leaders with their Jewish organisations. The Theater Commanders were instructed not to close the borders. This cable was sent over to Mr. Peterson by special messenger." This is the end of my memorandum of record of this very important meeting.

135. Finally, on this phase of the subject, I have a memorandum, a very brief memorandum, addressed to Mr. Acheson, which was prepared as I recall, personally by General Hilldring, dated May 8, 1946: "This morning's meeting, in my opinion, was remarkably tranquil and I believe will be fruitful. I propose as a result of this morning's meeting, if you concur, to take the following steps: a. Ask the War Department to dispatch a cable to Generals McNarney and Clark informing them that this morning's meeting was helpful but not conclusive, that another meeting will be held in the near future, and in the light of that they should take no steps with respect to closing of the borders. b. To bring gentle pressure on the Jewish leaders to come forward promptly with their proposal." And then there is a penciled notation on the original of this memorandum "O.K. D.A. (D.A. being, of course, Dean Acheson).

136. I was the one, of course, who was given the assignment by General Hilldring of bringing so-called "gentle pressure" upon the Jewish leaders. I did talk extensively to Rabbi Philip Bernstein before he took off for Europe to start his assignment as adviser to Generals McNarney and Clark, succeeding Judge Rifkind. Phil Bernstein was fully briefed on what had transpired and understood quite well what pressures he would have to counteract when he got to the other side.

137. I can perhaps best summarize subsequent developments by reading from part of my answer to a question in the interrogatories which I received in connection with the State Department's security hearings some years later, which I alluded to in one of the earlier cassettes. In this particular document, I was describing various situations which had led me to have frequent contact with David Wahl. One of them was in connection with infiltration during the spring and summer of 1946. The first part of this section summarizes very briefly the subject which I have been discussing up till now, so I will skip that and begin at the point where I was given the assignment of bringing pressure to bear upon the leaders and organisations to come forth with adequate plans to meet the situation, which had been discussed at the May 8th meeting.

138. "As part of my assignment, I was instructed to convey up to date information to the organisations involved in order to impress on them the gravity of the situation. As an example, there is attached (and, of course, I am not attaching it here and do not have it in my possession) a top secret memorandum addressed to me personally by the War Department dated 27 May 1946 recommending that extracts of the information contained in a top secret cable be furnished to suitable Jewish leaders in the United States with the request that they lend such assistance as possible to stop infiltration movements. One of the persons with whom I was in frequent touch during that period was Mr. Wahl as the Washington representative of the American Jewish Conference. It will be noted from tab D (which I am not including here) that the New York headquarters of the American Jewish Conference, which I had contacted directly, asked Mr. Wahl to get in touch with me concerning the meeting. He proved extremely helpful in coordinating the activities of the Jewish organisations and getting them to see the importance of complying with the request of the Acting Secretary of State and Secretary of War." (Well, if I may interpolate, tab D was actually the file memorandum which I read earlier, in which I mentioned that Mr. Kenen had asked Mr. Wahl to get in touch with me concerning Dr. Goldstein's representing them at the May 8th meeting.)

139. Continuing now, there is this very interesting paragraph which summarizes subsequent history: "In spite of the efforts of the Jewish groups, the situation became increasingly serious in the early weeks of July as a result of the pogrom in Kielce, Poland. When Jews from Poland began pouring into our zones by the thousands, the War Department pressed for another meeting with the Jewish leaders. I was again asked to arrange this meeting. Secretary Byrnes requested General Hilldring to conduct the meeting in conjunction with the Secretary of War. Again, I received the greatest cooperation from Mr. Wahl as well as from other Jewish representatives.

140. "Since a good many of the Jewish leaders who had attended the first meeting in May were in Paris at a conference, a different group of individuals was present. This included: Jacob Blaustein, American Jewish Committee, the only one also present at the previous meeting; Moses A. Leavitt, Joint Distribution Committee; Dr. Dwork, World Jewish Congress; Mr. Wahl, American Jewish Conference; Dr. Benjamin Akzin, Washington representative, Emergency Zionists Council; Dr. Schwartzbart, World Jewish Congress; and Mrs. Judith Epstein, Hadasah.

141. "At this meeting, Colonel Buster of the War Department described the infiltration situation in great detail with the use of maps and charts. The information used by Colonel Buster was drawn from classified documents. A day or two later, I left Washington for Europe where I learned later that around that time Secretary Byrnes and Secretary Patterson considered the subject again and decided to keep the borders open to fleeing Jews. The President was notified of this decision on July 26th. Also during my absence, General Hilldring wrote on July 31, 1946 to representatives of various Jewish organisations, including Mr. Wahl, conveying the substance of this information." That is the end of the excerpt from my statement.

142. Now, going back for a minute to the meeting on July 22nd. In preparation for that meeting, General Hilldring received a memorandum addressed to him dated 22 July 1946 signed by Colonel McCarthy, whom he knew very well, (In fact, the actual signature was "Mac") which read as follows:

143. "Attached hereto are three copies of the facts and figures to be presented at the meeting with Jewish leaders at 11:00 a.m. this morning. The presentation will be made by Lieutenant Colonel Buster. The maps to be used by Colonel Buster have not been produced in duplicate so they cannot be furnished to you in advance. May I suggest that you have whoever is to act as Chairman of the meeting indicate to Colonel Buster when they think it appropriate for him to rise and make his presentation. You will notice that it is not intended that Colonel Buster will make any statement with reference to the decision arrived at by the Secretaries of State, War and Navy on 3 July 1946. The Secretary of War has indicated that he thinks it appropriate for either the Secretary or Under Secretary of State, whichever is present, to announce this decision. These documents have not been classified, although the information is drawn from classified documents, in view of the fact that it will be public information by shortly after 11 o'clock. If there is any further assistance I may offer prior to 11 o'clock, I will be in my office."

144. Now, there is a document which I think was attached to that, in any event was quite contemporaneous, and it is signed by Charles W. McCarthy, Colonel, General Staff Corp., Executive Assistant to the Assistant Secretary of War. This is an undated memorandum for the Secretary of War. "Subject: Closing of Borders of U.S. zones in Germany and Austria. 1. Estimated costs of caring for Jewish displaced persons. 2. Other factors bearing on the problem. 3. Decision.

145. "1. Estimated costs of caring for Jewish displaced persons. Headquarters United States Forces, European Theater, on 7 June 1946 submitted unit costs covering food, clothing and other necessities which are furnished by the U.S. Government in care of Jewish displaced persons in the U.S. zones of Germany and Austria. Utilizing these unit costs, the total costs are as follows: a. Food \$9.33 per month per person, total - \$1,026,300 per month. \$9.33 times 110,000. b. Clothing - \$5.12 per month per person, total \$704,000. \$5.12 times 110,000 plus 25% for landed cost. c. Other necessities - \$2.34 per month per person, total - \$257,400. \$2.34 times 110,000. d. Total - \$1,987,700 per month. \$23,852,400 per year."

146. "2. Other factors bearing on the problem. a. For the

period immediately preceding publication of the report of the Anglo-American Committee of Inquiry on Palestine, the rate of infiltration of Jewish displaced persons into the U.S. zones of Germany and Austria was slowly decreasing.

b. Since the publication of the Committee's report, the monthly rate of infiltration has increased from 7,500 in May to an estimated 20,000 for the month of July. At the present rate of infiltration, the population of the Jewish displaced persons centers in the U.S. zones of Germany and Austria will reach 110,000 sometime in September.

c. Reports indicate that the potential infiltration may be even greater than was originally estimated, as evidenced by the large numbers of unsettled and dissatisfied Jews in other parts of Europe shown on attached map, all of whom may be considered potential infiltrates.

d. In the British zone displaced persons care and treatment was denied to all new applicants effective 1, July. During the first week in July, 3,500 displaced persons, mainly Jews, infiltrated into the U.S. zone of Germany. Approximately 80% of these came through or from the British zone of Germany. The bulk of these arrived in special trains."

147. "e. General McNarney has reported that (1.) The mounting infiltration of Jewish d.p.s is necessitating a diversion of military personnel from their normal duties, thereby requiring the retention of additional soldier overseas. (2.) Available accommodations are becoming increasingly inadequate, and (3.) The preferential treatment accorded to Jews is engendering an unhealthy attitude toward them not only in the Germans but also in other displaced persons. The border of the U.S. zone of Germany was closed to unauthorized movement of all displaced persons by military government law 161 on 1 December 1945. The nonenforcement of this law with respect to persecutees was permitted pending a solution to their final disposition. Because of the ever increasing number of these people, no solution is in sight and the ability of the U.S. zone to care for them is rapidly being exceeded."

148. "g. The movement of 100,000 Jews to Palestine was recommended by the Anglo-American Committee of Inquiry with a view to relieving the Jewish displaced persons situation in Germany, Austria and Italy. The continued heavy increase of Jewish displaced persons population in these countries will serve to nullify this benefit since Jews are

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infiltrating more rapidly and in greater numbers than can be expected to be removed to and assimilated in Palestine."

149. The next section is in capital letters in parentheses: "THE FOLLOWING IS NOT TO BE INCLUDED IN THE PRESENTATION OF THE FACTS AND FIGURES. 3. Decision. The following recommendations were approved at a meeting of the Secretaries of War, State and Navy on 3 July 1946: a. To authorize General McNarney to close the borders of the U.S. zone in Germany to displaced persons infiltrating from the British zone of Germany and from the French zones of Germany and Austria, as the situation requires. b. To authorize General McNarney in coordination with General Clark, to close the remaining borders of U.S. zones of Germany and Austria when the numbers of Jewish displaced persons in the centers in the U.S. zones in Germany and Austria, reaches 110,000. c. To authorize General McNarney in coordination with General Clark, to deny displaced persons care to further infiltrates into the U.S. zones of Germany and Austria when the number of Jewish displaced persons in centers in U.S. zones of Germany and Austria reaches 110,000." For the Assistant Secretary of War, signed by Colonel McCarthy."

150. There are two things that I remember particularly about this July 22 meeting. The first was the presentation of Colonel Buster. He brought many maps with him and a large pointer. He traced the infiltration routes from Eastern Europe into the various zones of Germany and Austria in great detail. It was really a fascinating performance and while I don't remember the details, of course, my impression is that the information was fairly reliable. Certainly when I read Yehuda Bauer's book "Bricha" and looked at the maps in that book, I noticed, as far as my recollection would allow, real similarity between the two sets of maps. The army was really extremely well informed as to the routes that were being taken, and Colonel Buster presented this information very, very dramatically and meticulously, almost as though he were describing latest intelligence reports in the midst of an important battle during World War II.

151. The other thing that I remember vividly was the moving plea made by Jacob Blaustein directly to Secretary of War

Patterson, whom he knew personally. Judge Patterson, who was an extremely decent person, as I've indicated before, seemed rather embarrassed by the necessity of taking such a stern military approach, but he kind of gritted his teeth and talked as sternly as he could about the necessity of closing the borders when the saturation point was reached, which seemed to be in the very immediate future. As I mentioned before, Jacob Blaustein was the only Jewish leader present who had also been at the previous meeting. Then he had said comparatively little and he'd been rather eclipsed by the other big name persons there. I had no impression of him except that he had seemed to be a rather dry businessman and as the representative of the American Jewish Committee, at that time it would not be expected that he would be particularly eloquent on the subject of sending as many Jews as possible to Palestine. But he really let himself go at this occasion and put it squarely to Secretary Patterson that this was a moment in History which might never be recaptured; that the Jews that survived the Holocaust were searching desperately for their last opportunity to live a reasonably decent life for themselves in what time remained to them. He pleaded with Judge Patterson not to think only in terms of dollars and cents and difficulties that the Jewish d.p.s or infiltrators might be causing in Germany and Austria. He acknowledged the tremendous debt of gratitude which the Jews had for the army for all the exertions to date. But he pleaded with Secretary Patterson to seize the historic moment and to look at the situation from a humanitarian point of view more than from any other point of view.

152. As I said, Secretary Patterson was visibly moved by this spontaneous eloquence on the part of an otherwise seemingly unemotional person. And while he did not announce that he had changed his mind or that the decision would be reconsidered, he left the distinct impression that he personally would be sympathetic to continuing to take the humanitarian approach if it was at all possible to do so.

153. Two subsequent brief documents which I have in my possession bear out the supposition that I just made. One is a letter dated July 31, 1946 to Mr. Wahl, signed by General Hilldring: "You will be interested to know that the Commanding General in the European Theater has been authorized to

close the U.S. zone borders against the infiltration of displaced persons and former persecutees from the British zone of Germany and the French zones of Germany and Austria if and when he believes it to be necessary or wise. On the other hand, he has been instructed not otherwise for the present to alter existing regulations and practices with respect to admittance and care of persecutees in the U.S. zone. In view of the mounting difficulties which the displaced person problem is causing the U.S. army, I sincerely hope that we may count on you and your organisation to assist in limiting to the very minimum the number of persecutees who seek refuge in our zone."

154. The other document is a brief memorandum dated August 9, 1946. As a memorandum for Mr. Connolly, that was Matt Connolly, who was assistant to President Truman, and it is signed by Dean Acheson, Acting Secretary of State: "I refer to your memorandum of July 29, enclosing a letter dated July 26th to the President from Senator Kilgore urging that U.S. zonal borders not be closed to Jewish Persecutees. A note addressed to the President by the Secretary of State on July 26, outlined the results of a conference on this subject between the Secretaries of State and War. At this meeting, it was agreed not to authorize the closing to persecutees of the U.S. zonal borders except those from the British zone in Germany and the French zone in Germany and Austria. On July 31, General Hilldring wrote to the five leading Jewish organisations, of which the American Jewish Conference was one, telling them of this decision. There is no objection by the State Department to approving the request of Senator Kilgore." Signed by Dean Acheson.

155. Two days after the conference of July 22nd, that is on July 24th, I left Washington for a three week trip to Europe. My ultimate destination was Geneva, where I was to participate as part of the U.S. delegation to the Fifth UNRRA Council meeting, but I had arranged to spend the first two weeks in Germany and Austria visiting some of the d.p. camps and conferring with various officials of the United States Army and of UNRRA in Germany and Austria. My first destination was Frankfurt, but I stopped in Paris, that would have probably been July 25th, and I made it a point of going to see Ben-Gurion and Rabbi Stephen Wise, while I was in Paris.

156. At the meeting I had with both of them at the same time, I told them what had happened during the past week in

Washington prior to my departure, and I stressed how very important it was, in my opinion, to maintain the proper balance in relations with the U.S. army in Germany and Austria, to avoid pushing the military authorities just over the edge into pressing that much harder for closing of the borders. I sensed that the situation was so delicately balanced in Washington that the attitude of Jewish leaders such as Ben-Gurion and Rabbi Wise, not only their own behaviour but in passing the word along appropriately, could make that much difference. They were both extremely cooperative and understanding and subsequent events showed that they had grasped the situation exactly as it was.

157. I have in my files (and this is skipping ahead by about a month) copies of three releases by Headquarters U.S. Forces, European Theater, all dated August 23, 1946. These were statements made at a luncheon for American Jewish leaders following a conference with General Joseph T. McNarney at Frankfurt on Friday, August 23, 1946. Rabbi Wise stated among other things: "The major Jewish organisations are profoundly grateful for everything done by the United States Army for the liberation of European Jews and for the asylum granted to the recent victims of persecution. There is no nobler record in all the tragic annals of the Jews than that which has been written by the United States Army in the emancipation and the care of these people. We are aware of the difficulties faced by the sharply reduced U.S. forces in Europe and are all the more grateful for the continued care and acceptance of these victims of persecution. The fact that these persecutees seek out areas governed by the U.S. forces is testimony to the high record of the benevolence and justice of the American army. This goes beyond physical care, it is a symbol of the spirit of democracy and freedom associated with the United States of America which sustains these people with hope." And then there were a number of other paragraphs along the same lines.

158. Similarly, Rabbi Philip S. Bernstein made comments which were highly laudatory of General McNarney and his staff and the policies of granting asylum to Jewish displaced persons entering the U.S. zones. General McNarney responded in a very sympathetic way and in a way indicating his own pride at the asylum which had been given in U.S. zones. I might

just read this into the record because it might not be available from other sources. "Since V.E. day, 100,510 Jewish persecutees have been granted haven and care in the U.S. zone in Germany. It has been my policy not to deny haven to Jews fleeing from persecution. Although it is not my function as Commanding General of USFET to arrange for organized mass transfers of non-German populations to the U.S. zone Germany, I continue to grant shelter and care to persecutees filtering into the zone. Furthermore, I have authorized General Clark, Commanding General of the United States Forces, Austria, to send 19,000 recent infiltrees into the U.S. zone of Germany. These people are now coming into Germany. I have authorized similar movement of recent Polish Jewish infiltrees from Berlin to the U.S. zone of Germany. I have just granted permission to General Frank Keating, Commanding General, Berlin district, to send 19,000 to the U.S. zone, Germany. Wherever possible I authorized movements to reunite families.

159. "Despite food shortages, I have continued to authorize a higher caloric content of food rations to persecutees because of their special sufferings and needs than to any other group in Germany. Despite crucial housing shortages, the Army has found shelter for the growing number of recent infiltrees. It will continue to do so although the grave lack of housing facilities in the zone may force some lowering of standards. I have welcomed and continue to welcome the assistance of civilian agencies for the administration and care of displaced persons. The Army invited UNRRA to take over the administration of the camps and desires that it continue this activity. It made other plans only when UNRRA leaders announced their intention of discontinuing. I am now gratified by the decision of UNRRA to continue into 1947.

160. "The Army appreciates also the assistance of such private agencies as the American Joint Distribution Committee and the Jewish Agency for Palestine. We envision a larger program of service for them in the near future. I am impressed with the growing sense of responsibility and self-discipline among the displaced persons. It is my intention to give them greater opportunities of self administration. I regard this not only as inherent in the democratic process

which the American armies represent, but also as a means of restoring a sense of human dignity and self respect to those who suffered cruel persecution at the hands of the enemies of democracy." This is the end of General McNarney's statement. Just as a footnote, I am sad to have to interject at this point that last week the obituary columns of the papers here carried long stories announcing General McNarney's death.

161. Now let me come back to the trip that I was taking to Germany and Austria after I had left Paris on approximately July 25th following my conference there with Ben-Gurion and Rabbi Wise. When I got back to Washington after the entire trip, I dictated some personal notes to my secretary, which she transcribed but I just kept in my files without circulating. They contained some frank and detailed comments about personalities, and while I do not have, I think, any more independent recollections about what I did during those two weeks or about the people that I met then, I'll reflect it in these notes. I think that the notes contained more detail than if I simply reminisced on the basis of my recollections. So, perhaps the most advisable thing to do would be to read these notes and then comment on them later on if it appears necessary, as I get to the end.

162. "My itinerary was: Paris, Frankfurt, Berlin, Munich, Berchtesgaden, Salzburg and Vienna. List of persons visited: Paris - in addition to those I have already indicated, Mr. George Warren. Frankfurt - Colonel Mickelson, Major General Bull, Lieutenant Colonel Frost, Colonel Baker, Major Neiman, Mr. Paul McCormack, Chaplain Major Rackmann, Mr. Rediger, Consulate General, Mr. Buhrman." That's the end of the list of persons in Frankfurt. "In Berlin - Mr. Don Heath, Lieutenant Colonel Messik, Mr. Muccio and Mr. Bruce Lockling. Munich - Mr. Wilkinson, Consulate General, Mr. Armstrong, Mr. Beghtol, Lieutenant Colonel Fogarty, Marshal, Mr. Sam Zisman, Director of the 5th District of UNRRA, Mr. Harold Dodge, Mr. Sid Stein, Mrs. Broom, Mr. Joseph Taylor, Deputy Director United States Zone UNRRA, Mr. Atkin, Coordinator of Jewish Affairs UNRRA, Mr. Joseph Zwischenberger. In Salzburg - Mr. Duncan White. In Vienna - Brigadier General Ralph Tate, Lieutenant Colonel McFeeley, Major Montgomery and Mr. Ware Adams." I should interpolate that in practically

all of the places that I went, I had very strong introductions from General Hilldring as, in effect, his own personal representative.

163. Notes on Frankfurt are: "My general impression of the USFET G-5 staff is that it is below the standard required for such an important job. Colonel Mickelson, though now Assistant Chief of Staff G-5, constantly injects himself into displaced persons matters. Although he is a charming person, he is erratic and unstable and appears to be responsible for most of the inadequacies of the army in handling the delicate d.p. situation. The present Chief of the d.p. division, Lieutenant Colonel Frost, a former New York social worker, appears to have a keen and sympathetic understanding of the entire situation. However, he is dominated by Colonel Mickelson and does not appear to have the force necessary to achieve desired results. The rest of the d.p. staff appears to have a very defensive, almost pouting, attitude toward d.p.s.

They feel that they have been subjected to undeserved criticism and public pressure and consequently display a hostile attitude toward most of the d.p.s and civilian organisations such as UNRRA and The Intergovernmental Committee on Refugees.

164. "Major General Bull, General McNarney's Chief of Staff, has a complete grasp of the d.p. situation but it is not clear to what extent he sets the military policy. I had the definite impression that the military at Frankfurt headquarters would not look sympathetically on requests by UNRRA and would not place the requisite amount of pressure upon military organisations in the field. I was particularly unfavourably impressed by Paul McCormack who had dealt with d.p.s in Washington when he was on the staff of the War Refugee Board. McCormack has since worked with the I.G.C. but is now attached to the G-5 d.p. staff. He met me at the airport and immediately began a tirade against UNRRA and the I.G.C. and the various Jewish organisations. During the course of my stay at Frankfurt, he lost no opportunity in making unsavoury remarks and innuendos on the whole Jewish infiltration problem. He adverted to impending pressures, which would be exercised by Catholic groups in the United States, seemingly at his instigation, in complaint against the more favourable treatment being accorded to Jewish d.p.s.

165. "Colonel Mickelson was extremely unsympathetic to UNRRA at all levels and tried to convey the impression that the military were carrying the entire d.p. burden. He indicated it would be almost a matter of indifference to the military whether or not UNRRA would be authorized to continue d.p. activities until the IRO could take over. Colonel Mickelson seems to have been embittered by the attitude of the Eastern European countries and now takes the attitude that we will stick by our own policy regardless of what is said about it. He said that the greatest obstacle to repatriation of Polish d.p.s was not the London Poles, but the Catholic priests in each of the camps. He said that he had no intention of dispensing entirely with the services of the London Poles, but they were gradually being removed as official liaison officers."

166. "My hour and a half conference with General Bull was devoted largely to the problem of Jewish d.p.s, since we had discussed this subject at a three hour conference in Washington last April. General Bull told me about the impending recognition by General McNarney of the Central Jewish Committee. Although this organisation will not have the right, as it has requested, to make formal representations to foreign governments directly, it will be recognised as the official body representing Jewish d.p.s. General Bull said that they had found the Central Jewish Committee extremely valuable and responsible during the past few months and that incidents in Jewish d.p. camps had been kept at a surprisingly low minimum. I discussed the infiltration problem with General Bull and told him about the conference the previous Monday with Secretary Patterson, Mr. Acheson and General Hilldring. General Bull said that while General McNarney seems to want to be of the utmost assistance in offering refuge to Jews fleeing Eastern Europe, it was felt this could not be done with the available facilities of the theater. I discussed with General Bull the possibility of diverting part of the influx to Italy. General Bull said that he was in favour of such a policy. He stated that Rabbi Philip Bernstein was in Poland for the purpose of ascertaining the extent of the influx. General Bull spoke very highly of Rabbi Bernstein."

167. "I arranged for Colonel Frost to attend the UNRRA Council meeting as a consultant to the American delegation on the assumption that authority would be forthcoming from the War Department. Colonel Frost and other members of his staff went over the long list of questions which we had submitted from Washington. The staff is preparing studies based upon these questions and Colonel Frost will bring with him to Geneva all available material."

168. This next paragraph is not really germane to the problem of Jewish d.p.s but in the interest of completeness I will include it anyway: "I learned in my discussions with the USFET staff that there has been a deplorable lack of clarity and confusion of channels on the subject of the London Poles. General Morgan has written directly to General McNarney on the subject and General Bull or General White has replied to General Morgan. In addition, Director General LaGuardia has written directly to General McNarney and General McNarney replied directly to the Director General. No copies of any of this correspondence were available in the State Department in spite of the fact that a very acute political issue was involved. Moreover, the USFET staff stated that they were surprised at our governmental policy to eliminate the London Poles in as much as Colonel Tony Biddle had returned from Washington after discussing this matter there, and had reported that the Department desired the London Poles to be kept in positions of influence."

169. "During my stay at Frankfurt, I paid a visit to the Zeilsheim Jewish D.P. camp in the company of Chaplain Rackmann. This is the camp which is shown to all visitors and I understand that it is by no means typical. It consists of private buildings and communal homes in the middle of a German village. There is a very impressive monument erected by the D.P.s in memory of the 6,000,000 Jews who were exterminated by the Nazis in Europe during the war. There is also a synagogue, a theater and a children's home. There are a number of different Jewish groups within the camp, for example, a group of Polish partisans, a group of concentration camp victims and a group of prospective immigrants from Poland. Part of this latter group had obtained visas to Bolivia which were apparently to be used only for the purpose of obtaining an exit permit. An amusing sidelight was caused by General Bull's concern about whether those going to Bolivia would find themselves insecure in the light of the revolution which had just taken place in that country."

170. "On Sunday afternoon, Chaplain Rackmann and I paid a visit to a newly established children's camp in Lindenfels, about a two hours drive from Frankfurt. Two well appointed hotels had been taken over in the middle of the village of Lindenfels. They had been in operation only about a week and were used exclusively for Polish Jewish children coming into the U.S. zone. Most of these children had been left with Polish peasants by the parents who had been exterminated by the Nazis. They were rounded up in Poland by young Jewish D.P.s who left Germany for that purpose and who had to ransom each of the children from the Polish peasants. The ages varied between 5 and 15. The young Jewish leader of about 25 who had brought out these children singlehanded pointed out one little girl of 7 who had walked 30 kms. in the final day. We inspected the rooms in both hotels and found them extremely satisfactory. Each room had about 3 beds with linen and there were adequate kitchen and toilet facilities. Supplies were still scarce but while we were there, a representative of the Zeilsheim camp came with a donation of rations from the inhabitants of that camp. The children appeared to be extremely well disciplined in spite of what they had been through, and in the second hotel put on an impromptu songfest for our benefit. There were about 100 children in each of the two hotels."

171. "Munich - My general impressions of the Munich area are as follows: 1. The UNRRA field personnel are doing a splendid job. They are alert, experienced and sincere. Most of them are terribly overworked. 2. The personnel of the Consulate General are biased against the Jewish d.p.s and are not capable of transmitting an objective appraisal of the situation to the Department (that's the State Department). 3. The military have a police approach to the d.p. problem which results in many incidents of mishandling of the situation. I was appalled by the ignorance and bias of the Consulate General on the subject of d.p.s.

172. "Mr. Wilkinson had only the vaguest notion of what UNRRA was, and what the function of the U.S. delegation at the Council meeting would be. However, he had some very definite notions which he expressed to me on the subject of d.p.s. He said that the high ranking army officers with whom he is in constant contact are terribly disturbed about the preference being given to Jewish d.p.s and about the influx of infiltrates. Their attitude, in which he concurs, is that

the effect of this infiltration is to cause a serious disruption of the German economy. The Jews, he said, are responsible for a good deal of black market activity, although he acknowledged that crimes of violence were committed by non-Jewish d.p.s. He said that the only solution to the problem of Jewish d.p.s was for our government to obtain guarantee of good treatment by their countries of origin and to force them all to return there. Mr. Wilkinson said that the two people in the Munich area who knew most about the d.p. problem, primarily with respect to Jewish d.p.s, were Colonel Fogarty and Mr. Beghtol.

173. "At Mr. Wilkinson's request, Mr. Armstrong arranged for me to see Colonel Fogarty, Provost Marshal of the Munich area, and he took me through a secret passage to his office. I conferred for about an hour with Colonel Fogarty, a former New York State Trooper. Colonel Fogarty spoke mostly about Jewish d.p.s. He called upon his well-dressed German secretary named Margie to produce the files on Jewish d.p.s. He showed me charts indicating the incidence of minor crimes, such as violations of ration regulations, in the vicinity of Jewish d.p. camps. He said there was no trouble with Jewish d.p.s as far as crimes of violence were concerned. Colonel Fogarty said the Stars and Stripes (that's the G.I. newspaper) was becoming increasingly pro-Jewish and produced a list of articles which had appeared over a period of several months in the Stars and Stripes. Every day the Stars and Stripes seem to have an article on the Jewish question, so they must obviously be pro-Jewish, said Colonel Fogarty. Fogarty said that up until now, the Bavarian people had shown remarkable forbearance in their reactions to the influx of Jewish d.p.s. However, in view of the fact that 10,000 SS troops are about to be released, there would very shortly be a deterioration of the situation.

174. "You have to hand it to these SS men, they sure have guts, he said. Fogarty described the discipline of the SS defendants who had been sentenced to death for participation in the Malmedy massacre of American POWs. When I asked Fogarty why these tough SS troops were being released at a time like this, he said that the decision had been made by higher

authorities. Fogarty showed me a set of memoranda which he had prepared from time to time to his superior officer on the subject of Jewish D.P.s. All of these looked fairly familiar and I recalled that I had seen them in slightly different form in the State Department after they had been transmitted by Ambassador Murphy. One memorandum was on the organization and purpose of the Central Jewish Committee. This, however, omitted a paragraph appearing in the version sent to the State Department which had described Zalman Grinberg as a person who used Communistic propaganda techniques, although he had never openly declared he was a Communist. Other memoranda gave descriptions of incidents involving Jewish D.P.s, all of them angled in favour of the M.P. Fogarty remarked that it was, of course, common practice among M.P.s to describe injuries which they had caused as resulting from activities of the victims. My conversation with Mr. Beghtol, Political Adviser of the Consulate, threw an interesting light upon Fogarty's remarks and upon the material which Ambassador Murphy's office has been forwarding to the Department from Berlin. Beghtol showed me a folder of memoranda which he had prepared and forwarded to Ambassador Murphy in Berlin. Upon perusing this material, I discovered that it was very similar to the memoranda which Fogarty had prepared and which I had seen in the Department. I noticed particularly, however, that Beghtol's memorandum on the Central Jewish Committee contained the innuendos about Grinberg's Communistic techniques whereas they had been missing from Fogarty's. 175. "Beghtol seemed flattered when I told him that I had read all these memoranda in the Department. When I asked him what the sources of his information were, and particularly how he had time to make objective investigations in view of his own busy schedule, he replied that he received most of his material straight from the M.P.s. My discussions with Fogarty and Beghtol on this type of reporting led me to conclude that there is no value whatsoever to be attached to reports received by the Department from Ambassador Murphy's office on the subject of D.P.s in Bavaria. Beghtol's attitude toward Jewish d.p.s may be summarized as follows: The Jewish d.p.s are flooding the U.S. zone, are rioting without any provocation, and murdering people solely for the purpose of calling attention to their plight. He said that the Jewish

D.P.s were responsible for many black market violations, and he expressed particular horror and indignation over the fact that the Jews were draining the German economy by bartering goods for jewels and foreign currency which they might use when they left Germany. Beghtol said that the patience of the Bavarians had been taxed to the limit and that they were becoming increasingly hostile to the idea of having large numbers of Jewish D.P.s living among them."

176. I am continuing to read from some rough notes which I dictated when I returned from my trip to Austria and Germany in late July and early August 1946: "Mr. Wilkinson had previously told me that most of the D.P.'s coming from other countries, particularly the Jewish D.P.'s, were coming for the purpose of taking up permanent residence in Bavaria because it was such an attractive region. Beghtol said that the military government officers despaired of reviving the German economy so long as they were forced to make accommodations for Jewish D.P.'s and so long as black market activities continued. My discussions with key UNRRA personnel indicated that they possessed an understanding attitude toward the D.P. situation. Instead of fighting the problem, they recognized the existence of the problem and exerted every effort to achieve the best possible solution under the circumstances."

177. "I spent most of my time with individuals who had been personally recommended by Mr. Richard Winslow, assistant advisor on refugees and displaced persons in the Department, who had formerly been a UNRRA field director in the Munich area. The UNRRA people spoke bitterly about the lack of cooperation received from the Army and the lack of understanding by the Army of how to handle displaced persons. The UNRRA people had encountered strong opposition by the Army whenever an attempt was made to secure adequate accommodations for displaced persons."

178. "In some instances the Army had taken over for their own purposes suitable facilities which were far in excess of their own requirements. In other instances the Army resisted measures which would have inconvenienced the Germans. The UNRRA people were particularly incensed at the failure of the Army to remove S.S. and other prisoners from luxurious quarters."

179. "In the company of Mr. Dodge, Transport and Housing officer of UNRRA, I visited the famous Funk Kaserne on the outskirts of Munich. I was shown around by the temporary director, a Mr. Dawson. The installation was formally a German signal corps camp and has been developed within the last few months into a highly efficient processing center."

180. "Three types of activities are processed here: A. Immigration to the United States, B. Repatriation, and C. Infiltration. The processing for immigration is handled entirely by UNRRA in connection with voluntary agencies. The U.S. Consulate General has only nominal responsibility. The repatriation of displaced persons, mostly Poles, is organized in this camp, and most of the D.P.'s from Bavaria desirous of returning are processed through the Funk."

181. "I was particularly impressed by the facilities for handling infiltrees. One entire section of the camp is devoted to this purpose. I followed the course of processing a group of infiltrees from the time that they arrived at the camp until the time that they left for other destinations in Bavaria. The processing is organized so that it may proceed at any hour of the day or night. After registration, the infiltrees are given a medical examination and necessary food. They are accommodated in barracks with double-decker bunks and mattresses. Most of the barracks are sanitary and adequate for the purpose. One or two, however, which are reserved for overflows, are in poor condition. This fact is recognized by the camp director who takes the position that they would only be used in case of emergency, in which case it would be better to use them than not to have any facilities available at all. Much to my surprise, at the time that I visited the Funk Kaserne, there were at least eight hundred unused bunks in the infiltree section."

182. "Mr. Dawson explained that the improvement of facilities throughout the camps had been due to a system of barter by D.P.'s with cigarettes held out as the primary inducement. He stated that there had been no difficulty at all in getting the D.P.'s to work."

183. "A few nights before my visit, a severe windstorm had blown off a few roofs, but they had been repaired completely within twenty-four hours. The D.P.'s had just completed a

large swimming pool which was scheduled to open officially on the following day."

184. "Other discussions with UNRRA officials revealed an extreme reluctance on the part of conscientious and able UNRRA personnel to work for the Army in the event that the Army should take over D.P. administration before the IRO. The same persons were in agreement that UNRRA administration was much too top heavy at the present time and that it would be very desirable to pare down the many layers above them. They were apprehensive, however, that the impending slash in UNRRA personnel might simply make available a lot of dead wood for the key positions in the new IRO."

185. At this point I have two-thirds of a page blank, which might be just coincidental. I rather think, though, that I deliberately left this section blank because around that time, and about that place, I had met with one of the underground Bricha leaders whose name I probably never even knew and I certainly don't remember. This was when I was with one of the UNRRA people. We met close to the border of Austria, as I recall, and we simply exchanged the latest information. I tried to tell him whatever I could about the border situation as viewed from my vantage point in Washington, such as it was. He was very well informed and obviously he was one of the prime movers and knew pretty well what was going on.

186. Coming back now to my rough notes, this is a continuation of the area in and around Munich: "While in the company of Mr. Harold Dodge in Munich, I visited briefly the Deutches Museum. This building is now used mainly for the purpose of processing infiltrees as they arrive in Munich. It is used primarily as a transient center and an effort is made to prevent the D.P.'s from staying too long, thus depriving newcomers of overnight facilities. Dodge told me of an interesting incident which is rather typical of the military attitude towards some of the D.P.s. He said that one Friday afternoon a few hundred Jewish infiltrees arrived and the usual arrangements were made to provide overnight lodging for them. On Saturday morning, Dodge notified the team director that the infiltrees were to be transported to the Funk Kaserne where accommodations were awaiting them. Dodge acknowledged

that it was an oversight on his part to arrange for the Jews to be moved on Saturday."

187. "It seems that consternation overcame them when they were told that they had to move on Saturday. It was decided that the women and children would be allowed to ride in the trucks, but the men offered to walk the entire distance to Funk Kaserne. Dodge said that the next thing he knew he received a frantic telephone call from the Provost Marshal saying that a group of Jewish D.P.s was pouring out of the Deutches Museum preparing to start a riot in Munich. Dodge implored the Provost Marshal to let him handle the situation and upon investigation he found that it was simply a case of the male Jewish D.P.s walking peacefully through town with their baggage in order not to violate their Sabbath."

188. "I say that this is typical of the military approach to the D.P. problem, because I had many similar instances described to me by reliable UNRRA personnel."

"Whenever there is a tense situation in or around any of the camps, the tendency of the military is to surround the camp with M.P.s and to try to handle the situation with bayonets or threats. On numerous occasions, dangerous incidents have been averted when UNRRA officers have succeeded in inducing the military authorities to let them handle the situation as a social welfare problem by direct contact with the camp leaders and the Jewish D.P.s."

189. "I had the distinct impression that the military in Austria handled this type of situation more intelligently. For example, Major Montgomery described an incident which had been averted at the Rothchild Hospital. A large number of Jewish infiltrators were notified that they were to depart on a particular train. They refused to do so and the Provost Marshal notified Major Montgomery that he intended to use the M.P.s to force them on to the train. Major Montgomery asked that he be allowed to handle the situation. Upon discussing the matter with the camp leader, he ascertained that the D.P.s had planned an important meeting for that particular day and did not want to leave until the following day for that reason. Montgomery arranged to have the train postponed until the following day, and there was no trouble whatsoever in getting the D.P.s aboard the train."

190. Now I have a little note here to add the following few sentences to my interview with Beghtol: "Beghtol stated that there was no question, but that all of the incidents and riots in Jewish D.P. camps were prearranged. He also said that while there were a few sincere idealists among the UNRRA workers all the others were opportunists who were indulging in widespread black market activities and who were in Germany only for what they could get out of it."

191. Now for the section in Vienna: "Colonel MacFeely had explained to me that Major Montgomery of his staff had established excellent relations with the Jewish leaders in Vienna and as a result there were no incidents involving Jews. He said that Major Montgomery had completely won their confidence, and as a result, a smooth working relationship had been established. I verified this by my discussions with Major Montgomery and by a visit in his company to the former Rothchild Hospital, now a transient center for Jewish infiltrees."

192. "On the way to the Rothchild Hospital, Major Montgomery told me that personally he was very anti-Semitic, but he had his orders and he regarded it as his duty to carry them out. He acknowledged that he had derived considerable personal satisfaction from being able to accord so much assistance to Jews fleeing from Eastern Europe. He said that the Jews were always extremely grateful for the slightest effort on their behalf."

193. "At first they had not trusted him, but he had gradually won their confidence and now they concealed nothing from him. It must be recognized, he said, that these people are desperate and they will continue to come into the U.S. zone whether or not they are legally permitted to do so. Accordingly, the only way to handle the situation is to accept the infiltrees as a fact and do the best under the circumstances to provide the necessary care, transportation, and accommodations."

194. "When I arrived at the Rothchild Center, I was introduced to the camp leader who was the leading figure in the Jewish Underground. He informed us that twelve hundred infiltrees had arrived the previous night and that eighteen hundred more were expected that day. This large influx was due to the opening of the Czech-Polish border which had been officially closed until that time.

195. "There was an air of quiet efficiency about the place and nobody seemed to be particularly excited or frantic about the necessity of handling such large numbers on such short notice. The Center is the former Rothchild Hospital that was partially bombed, but renovated sufficiently to provide ample facilities for medical inspections and temporary accommodations and feeding."

196. "A Jewish D.P. who bore a concentration camp number on his left forearm was the Chief Medical Officer. At my request, he provided me with the following statistics on Jewish infiltrees during the month of July 1946: A total of fifteen thousand five hundred were processed during the month. Of this number 591 were pregnant women, 645 nursing mothers, 824 children up to six months, 444 children between six months and three years, 420 between three and six years, 480 between six and twelve years. There were 558 cases of tuberculosis among the fifteen thousand five hundred."

197. "The general feeling among the Americans in Vienna is one of extreme disillusionment with respect to dealing with the Soviets. From every person that I talked to, I learned that relationships in the Control Council and in all the other quadrupartite bodies were extremely strained. The D.P. question was very acute at the moment, because the Soviets had refused to consider a treaty for Austria until all of the D.P.s had been removed from Austria."

198. "Colonel MacFeely described to me a meeting of the D.P. directorate at which he had listed various categories of D.P.s remaining in the U.S. zone in Austria. Subsequently, he stated, the minutes of the meeting as prepared by the Soviets misquoted his remarks and attributed to him the statement that there were large numbers of Soviet citizens, including Baltics and Ukrainians who were remaining. In spite of the fact that Colonel MacFeely forwarded to the Soviet member a memorandum correcting the minutes, Marshal Zheltov wrote to General Clark that Colonel MacFeely had admitted that there were large numbers of Soviet D.P.s remaining in the U.S. zone. In spite of the fact that Clark corrected this mistatement in a letter to Zheltov, Molotov proceeded to transmit the same misinformation to Mr. Byrnes.

199. "Ware Adams showed me a telegram which Clark had sent to Secretary Byrnes in reply to a suggestion by Byrnes that a quadrupartite commission on D.P.s be formed in order to investigate the subject in Austria. Clark vigorously took the position that such a commission was unnecessary because all of the facts were already known and it would only be a fishing expedition by the Soviets. He stated particularly that he had found it necessary to ban Soviet repatriation liaison officers from the U.S. zone after he had received incontrovertible evidence that they were being used for intelligence purposes rather than for the purpose of stimulating repatriation."

200. "MacFeely stated that the Soviet liaison officers had dissuaded rather than persuaded Soviet D.P.s. Until they were banned, they would appear in the camps in military uniform, armed, and would harangue the D.P.s and threaten them with dire consequences if they refused to return."

I should interpolate at this point that these references are not to Jewish D.P.s but rather to D.P.s who came from various parts of the U.S.S.R. and from the Baltic areas and who refused to be repatriated to those areas.

201. "MacFeely acknowledged that there were still London Poles left in positions of authority. He said that General Anders was too close a friend of General Clark for it to be otherwise."

202. "I conferred with General Tate, Clark's Deputy, for an hour and a half. Speaking on the basis of his experience with the Soviets in Vienna, he said that we could expect a long list of charges in the UNRRA Council meeting and that the only way to minimize their effect was to reply vigorously and factually as soon as they were made. He authorized Colonel MacFeely to attend the UNRRA Council meeting in order to supply such information as might be necessary."

203. Now on the infiltration question. "General Tate stressed that it was General Clark's policy to accept all Jews who came and to facilitate their transit through Austria. He said that figures just received from Rabbi Bernstein after his trip to Poland indicated that large numbers of Jews might be expected from Poland, through Austria, for the rest of the summer and the fall. But General Tate said that it might be necessary to

turn out some of the Volksdeutsche from the camps in order to provide accommodations for the Jewish D.P.s. Every effort, he said, would be made to handle the problem, in spite of its magnitude. He said that Colonel Mickelson had been to Vienna in order to try to persuade them to support USFET in requesting authority to close the borders.

USFA (that is U.S. Forces Austria) had refused to do this because they believed that it was impossible to close the borders effectively and consequently it would be better to regularize the flow.

204. "I discussed with General Tate the possibility of diverting some of the flow into Italy. This would be opposed by the British because of the Palestine situation, but would be extremely advantageous to both American national interests and to the Jewish D.P.s.

"UNRRA and the Jewish Voluntary agencies, such as the JDC, could take care of these persons in Italy and the Italian people were known to be more friendly to Jews than either the Germans or the Austrians. There would be no logistical burden upon General Lee (he was the Chief U.S. officer, Army officer, in Italy at the time), but it might be expected that his British colleagues would place pressure upon him to join with them in directing the Italian government to prevent such an inflow.

205. "I told General Tate that I had discussed this matter with General Bull, who had expressed himself as being in favor of such a move. General Tate said that he agreed with me and that the JDC would certainly be prepared to help the Jews, since they had previously approached General Tate with a request that he ask the Italian government to allow the Jews to cross the Italian border. As a result of our talk, General Tate directed Colonel MacFeely to prepare a cable to the War Department suggesting that the Italian Government be approached on a diplomatic level with a request for permission for the entry of Jews passing through Austria. I suggested to General Tate that it might be advisable for General Clark to speak personally to General Lee about this problem prior to receipt by General Lee of any cable from the War Department on this subject."

"General Tate said that he was leaving in a few days for a vacation in Italy and that he would endeavor to see General Lee on this matter when he was there.

206. "I discussed the problem of the Volksdeutsche with Colonel MacFeely, Ware Adams, and General Tate. The Volksdeutsche constitute the largest category of D.P.s still remaining on hand in Austria. I pointed out that they were ineligible for resettlement by the IRO and that therefore their future disposition might be decided in the near future just as well as six months or a year from now. I suggested that USFA bring this problem squarely to Washington and they agreed to do so."

207. "My trip to Berlin was not particularly fruitful as far as D.P.s are concerned. I spent most of my time with Bruce Lockling, the D.P. expert on Ambassador Murphy's staff. He introduced me to Mr. Muccio and Mr. Heath, both of whom I talked with briefly."

"My general impression was that our people in Berlin are very far removed from the realities of the D.P. situation and that they are neither sympathetic nor understanding nor influential with respect to this problem."

208. "Colonel Messick, with whom I talked briefly, was primarily worried about the fate of UNRRA's Central Tracing Bureau. He thought that it would be a big calamity if this agency should cease to function, as apparently UNRRA plans. He thought that my most important mission at Geneva would be to prolong the life of the Central Tracing Bureau. Colonel Messick had previously told me that the Central Tracing Bureau would be abandoned by UNRRA and that he intended to continue its activity by using German employees."

209. Finally, I made a list of seven general recommendations:

- "1) A directive should be issued to USFET and USFA concerning termination of use of London Poles in any capacity whatsoever.
- 2) UNRRA should be continued for the purpose of camp administration until the IRO can take over.
- 3) A combined State-War Department-UNRRA mission should be sent to Germany and Austria for a period of about a month with full authority from their respective organisations

to investigate handling of the D.P. situation and direct that necessary action be taken to effect improvements.

- 4) General McNarney should be requested to appoint a high ranking military officer with an understanding of the D.P. problem whose sole responsibility would be to insure that necessary measures are taken for repatriation.
- 5) The theaters should be kept better informed as to current resettlement plans and development of international organisations in the field of D.P.s. A weekly summary should be sent to the theaters on these subjects.
- 6) A firm stand should be taken by Washington on the subject of Jewish infiltration. USFET should be informed that the borders will not be closed to Jewish infiltrees and that it is USFET's responsibility to insure that appropriate arrangements are made for their reception.
- 7) Certain personalities on military and diplomatic staffs lacking the proper understanding of the D.P. problem should be removed from any positions where they can influence policy or administration."

And that is the end of my rough notes made when I returned in the summer of 1946.

210. Before proceeding chronologically to review some other developments on the infiltration question, I want to back track a bit to June 1946.

211. This is an instance where the Palestine situation became mixed together with the Jewish Displaced Persons problem. I will read now several paragraphs from the same interrogatory of July, or rather answers to interrogatory, in the State Department of July 29, 1949. These paragraphs were also in connection with questions about my relationship with Dave Wahl. And I was citing what I am about to read as among the instances where I had worked very closely together with him with the full knowledge of the State Department.

212. This section is headed: "Technical Plan for Movement of One Hundred Thousand Jewish Displaced Persons to Palestine, June, 1946."

213. "In April 1946 the Anglo-American Committee on Palestine recommended that immigration certificates to Palestine be issued by the end of 1946 to one hundred thousand Jewish

displaced persons in Germany, Austria and Italy. The President publicly endorsed this recommendation while at the same time reserving judgment on some other aspects of the report."

214. "In June 1946, as a result of a series of diplomatic exchanges, agreement was reached with the British that a technical committee designated by each government would meet promptly in London to work out tentative plans for the movement of one hundred thousand Jews to Palestine in the event that a satisfactory political settlement was later reached on other aspects of the report."

215. "Mr. Averill Harriman, then Ambassador to Great Britain, was designated as head of the U.S. technical committee. Two members of the mission were designated by the Department (that is, the State Department), Mr. Evan Wilson on the Palestine Desk and Mr. Lawrence Cramer in General Hilldring's office. Mr. Cramer, formerly Governor of the Virgin Islands, had had an impressive experience with displaced persons on the staff of SHAEF and USFET. Mr. Cramer was designated on the morning of a Saturday early in June and immediately arranged to lunch with me that day."

216. "We discussed the whole situation at lunch and agreed to meet at his house Sunday morning together with Geoffrey Lewis, also on General Hilldring's staff, for the purpose of drafting the outline of a plan which Mr. Harriman could present to the President."

217. "Mr. Lewis, Cramer, and I spent all day Sunday at Mr. Cramer's house working on this plan. The basic element in the plan was to carry out the President's public commitment in support of the Anglo-American Committee's recommendation that one hundred thousand Palestine certificates be issued to displaced persons by the end of 1946. At the conclusion of our discussion late Sunday afternoon, it was decided that it would be advisable for us to check the technical details of the plan with a representative of the Jewish Agency for Palestine, since major elements in the plan were assurances of certificates by the Jewish Agency in Germany, Austria and Italy and the rate of absorption into Palestine by the Jewish Agency."

218. "At that time, the representative of the Jewish Agency for Palestine was Mr. Eliahu Epstein, now Israeli Ambassador Eilat, whom I had met casually, but did not know well. Mr. Wahl knew him well. In the presence of Messrs. Lewis and Cramer, and after they had approved of the idea, I telephoned Mr. Wahl at his home and asked him if he could arrange for us to meet with Mr. Epstein that evening. Mr. Wahl undertook to do this and telephoned back at Mr. Cramer's to say that it had been arranged."

219. "I asked Messrs. Lewis and Cramer whether they would care to come along with me, but they did not think that this was necessary and suggested that I go alone. Accordingly, that evening I spent several hours with Messrs. Epstein and Wahl going over the details of the outline plan which we had drafted."

220. "The outcome of the meeting was successful in that we were assured that the Jewish Agency would undertake the commitments which we had allocated to it in the draft plan."

221. "On Monday morning I reported fully my discussions to Messrs. Cramer and Lewis. At Mr. Cramer's request, I arranged for him to have lunch with Mr. Epstein, and he told me later that he had found his discussion with Mr. Epstein extremely helpful in preparing him for his mission. This, then, was a situation where Mr. Wahl proved extremely helpful to the United States in carrying out our official policy. Later in London, Ambassador Harriman's staff consulted with representatives of the Jewish Agency in London."

222. "This is reported in telegrams to the Department and in the report of the technical committee, for example, London's number 6231, June 22, 1946, and Palestine: Combined Study of Anglo-American Committee." It should be noted that the final plan adopted by the Anglo-American Technical Committee after weeks of negotiation did not differ significantly from the outline which Messrs. Cramer, Lewis and I drafted on the Sunday referred to."

223. Now I also have in my files a letter dated 18th July 1946 in handwriting to me from Geoffrey Lewis on the stationery of the Cabinet Committee on Palestine and Related Problems, the United States of America. This was the famous

Grady-Morrison Committee and Geoff Lewis had been sent over as one of the Staff Assistants. I believe it was on my recommendation, because he was a very close personal friend of mine and General Hilldring had sought my advice on some of these appointments.

224. In any event, the letter was written to me from the American Embassy, London. The first paragraph deals with purely personal matters and is of no relevance here. I'll begin reading the second paragraph:

225. "I think matters are progressing as well as could be expected here. I feel certain that the admission of the one hundred thousand will be agreed to, but the rate remains to be decided. On that point there seems to have been some change in the British attitude since I was last here. They now seem willing to put more faith in the plans of the Jewish Agency, and to admit that perhaps immigrants could be absorbed faster than their, that is the English, figure of four thousand per month. All this is, of course, tentative and based on low level discussion."

226. "The big point of discussion right now appears to be the form of Government which Palestine is to have. Partition or Cantonization with fairly independent Jewish and Arab provinces?"

227. "The sixty-four dollar question there, of course, is what are the boundaries to be. Two or three schemes are being thoroughly discussed in sub-committees. No doubt these discussions have been reported back to the Department. I think that it is obvious that whatever comes out, neither Jews nor Arabs will be entirely satisfied, but the Americans are certainly pressing for a solution which will meet most of the Jewish desires."

228. "I saw Hector MacNeil with Dr. Grady yesterday. He is quite a guy. He was pleased with the progress re Brazil and with the U.S. promise to admit a special quota of D.P.s up to fifty thousand. They would like to see us make the figure larger and stress their contribution to the general problem in taking care of the two hundred and thirty thousand Poles of Anders Army who they say would otherwise be D.P.s. They are also trying to get us to stress the importance of prevailing upon as many German Jews and others to remain in Europe. They don't want to have us undertake to resettle,

outside of Europe, all who wish now to leave there. Signed Geoff."

229. I believe I have already mentioned my close association with Rabbi Philip Bernstein. During the period that we have been considering, and afterwards, I remained in very close contact with him, sometimes directly, sometimes indirectly, sometimes by a kind of osmosis where we both seemed to know independently what had to be done and the best way of doing it.

230. I found in my files a few interesting documents dating back to September 1946 which illustrate a kind of synthesis of the various steps that have been taken and the various approaches that had been made.

231. On the stationery of the War Department, Office of the Assistant Secretary, and under date of 21 September 1946, I have a memorandum for General Hilldring signed by Howard C. Peterson, the Assistant Secretary of War. The memorandum reads as follows: "I attach a proposed press statement by Rabbi Philip S. Bernstein, Advisor on Jewish Affairs to Generals McNarney and Clark. I am sending this to you for State Department clearance on its publication because of the remarks therein on the Palestine situation. It is my intention to release the statement through the War Department as soon as possible. It may be, in making such a release, the War Department will wish to state that the views expressed by Rabbi Bernstein are not necessarily the views of the Department. I would appreciate your clearance on this as soon as possible on Monday, September 23."

232. I see that I am reaching near the end of this side of the cassette, so rather than read Phil Bernstein's press statement on this side of the cassette, I will read the much briefer return memorandum to Assistant Secretary Peterson from General Hilldring which I prepared.

233. Well, first of all, under date of September 23, there is a brief memorandum from myself to General Hilldring by the War Department of the attached proposed press statement by Rabbi Bernstein. "I have cleared sections on Palestine with Evan Wilson, NEA, who concurs. If you agree, I suggest that you phone Mr. Peterson and then send attached memo to him in confirmation."

234. This is the text of the memorandum for Assistant Secretary of War dated September 23, 1946 which I prepared for General Hilldring's signature:

"In confirmation of my phone call to you today, I am pleased to advise you that the State Department had no objection to the release by the War Department of the proposed press statement by Rabbi Philip S. Bernstein. Sincerely yours, J.H. Hilldring, Assistant Secretary."

235. Now I am going to read the proposed press statement because I do not know whether it has been made available to you through other sources. I think it is a very good summary both of the factual situation and of the point of view which proved most effective in keeping the borders open to incoming Jews.

236. "The press statement of Rabbi Philip S. Bernstein of Temple B'rith Kodesh of Rochester, New York, Advisor on Jewish Affairs to General Joseph McNarney, USFET, and General Mark Clark, USFA. (That is U.S.F.A., for United States Forces Austria.)

"Rabbi Bernstein has just returned to this country (that's the U.S.A.) for a brief period."

237. "The United States Government has provided the outstanding example of practical humanitarianism in the post War period through the granting of haven and care to persecuted, fear-stricken Polish Jewry. The Kielce pogrom of July 4th destroyed what little sense of security that surviving Polish Jews still retained."

238. "No influence could keep most of them from fleeing Poland, which had become the graveyard of not only their families, but also of their hopes. The President of the United States, the State Department, the War Department, and the United States Armed Forces in Europe have earned the undying gratitude of Jewry for granting shelter and care for these refugees."

239. "For over six weeks they poured across the borders at the rate of a thousand a day. In the past week the numbers have been reduced to five hundred a day. It appears that the big push is over and that the bulk of those Polish Jews who felt that their lives were in jeopardy and that their futures were hopeless have already found safety in occupied territory governed by the United States forces."

240. "This recent influx of Polish Jews, which has doubled the number of Jewish displaced persons in the United States controlled areas, imposed great responsibilities and difficulties on the United States Army. Its personnel and appropriations have been drastically reduced. It was required to absorb these people in areas facing acute housing and food shortages. It was compelled at the same time to receive vastly larger numbers of expelled Germans from Czechoslovakia and other lands.."

241. "It has maintained in U.S. zones, Germany and Austria, a total of seven hundred and fifty thousand displaced persons, over eighty per cent of whom were non-Jewish. Despite these difficulties, the Army in Germany and Austria has continued to grant haven to these Jewish infiltrates. Despite difficulties, its basic policies of care remain unchanged."

242. "It continued to grant a differential and food rations favoring the surviving victims of Nazi persecution. General McNarney has granted official recognition to the Central Committee of Liberated Jews, which in effect reestablished an official Jewish community in an area from which Hitler proclaimed he had forever abolished them."

243. "This is in line with the Army policy of granting increased responsibility and status to these displaced persons. The rapid influx has, however, brought about some lowering of the housing standards under the circumstances of sudden mass migration. This was unavoidable. These standards should be raised without delay, particularly as winter approaches. The appropriate military authorities have given assurances of their intentions to do so."

244. "In this vast task of absorbing nearly one hundred thousand additional displaced Jews in a few months, there has been no basic issue between the Army, UNRRA, and the Jewish Agencies upon the operating level. The Army has from the beginning steadily indicated its desire and need for UNRRA. It has persistently urged UNRRA to remain in the displaced persons field. It only began to make plans for its own direct employment of UNRRA personnel when it was informed by responsible UNRRA leadership of their intention to eliminate this

program. The Army was much relieved when the UNRRA Council decided to continue its displaced persons activities until the IRO would be ready to take over."

245. "Although there are inevitable operational problems in the field, and although there may be some structural defects in the apparatus, there has never been any question about the Army's eagerness to have an international civilian agency with a social work approach assume the major responsibility for the care of the displaced persons."

246. "Contemplating the announced intention of UNRRA to withdraw from displaced persons activities in the first half of 1947, it is now imperative that the Army grant increasing responsibility to Jewish voluntary agencies for the care of displaced persons and to the displaced persons themselves."

247. "These displaced Jews, although terribly discouraged and disappointed by the delays in their resettlement, have not cracked under the strain. There has been a steady improvement in their attitude toward work. Originally, the survivors of the concentration camps had neither the strength nor the desire to work in Germany. Today, too, the displaced Jews refuse to work to improve the German economy. This attitude is understood and respected by the authorities. However, they are ready to do productive work for the Army and its dependents, for UNRRA and the displaced persons themselves."

248. "On the occasion of the recognition of the Central Committee of Liberated Jews, its leaders offered to General McNarney the organized will of the Jewish displaced persons to work within the framework of the above conditions. Plans are now in process further to implement this will to work."

249. "Considering all that these surviving Jews suffered at the hands of the Germans, there has been surprisingly little friction between the two groups. The small number of incidents that have occurred have been marginal and do not represent fundamental trends. Jews and Germans live side by side in many towns and cities without any disturbance of the peace. In many camps, Germans are employed for special functions, including that of vocational training. This is not to minimize the unforgiving hatred of the Jews for those who murdered their

families and despoiled them. Nor is it meant to overlook the unchanged German attitude, as reported by Army intelligence. However, both Jews and Germans have established a temporary, though uneasy, pattern of living peaceably as neighbors."

250. "On the whole, the relations between the Jewish displaced persons and the military have been as satisfactory as could be expected under the circumstances. The basic Army policies have been good. Such difficulties that have arisen occur out in the field on the local level. Attempts are now being made to strengthen the mutual understanding of G.I. and D.P. in order to reduce such incidents to the minimum."

251. Then there is a parenthetical statement that "As part of this process of orientation, the attached article on the Jewish displaced persons by Rabbi Philip S. Bernstein is to appear in "Stars and Stripes" on September 29th and subsequently in all the unit papers." End of parenthesis.

252. "However, although there has been no major deterioration of morale as might recently have been anticipated, it must be indicated that the morale rests primarily on hope. Over ninety per cent of the Jews in the United States zones in Germany and Austria are sustained by the hope of resettlement in Palestine. The effects of a possible negative decision on Palestine would be too terrible to contemplate."

253. "In regard to resettlement in Palestine and elsewhere, the following statistics are significant: Jewish displaced persons in U.S. zones in Germany, one hundred and thirty thousand three hundred (130,300); Jewish displaced persons in U.S. zone in Austria, thirty three thousand nine hundred and one, (33,901); Jewish displaced persons in British zone, Germany, approximately 23,000; Jewish D.P.s in French zone, Germany, approximately 2,000; Jewish D.P.s in British and French zones Austria, approximately 3,000; Jewish D.P.s under UNRRA in Italy, approximately 9,000; Jewish D.P.s in France, approximately 7,000; and Jewish D.P.s temporarily in European continental countries, approximately 10,000."

254. "It will be noted that these present Jewish displaced persons in continental Europe alone total over 200,000.

The original proposal for one hundred thousand immigration certificates to Palestine is only a first step. Even if implemented immediately, it would leave a larger number unsettled. It is the solution of the total European Jewish problem which must be undertaken at this time. Certainly no opportunities should be neglected to open immigration possibilities to various countries, especially to the United States. Certainly everything possible should be done to secure legal rights for Jews in all countries. However, it has become overwhelmingly clear that Palestine remains the one fundamental realistic possibility for the settlement of the problem."

255. "In these recent months, I have spoken to the heads of many governments about the temporary dispersal of the flow of refugees from Poland. There has been some modicum of success in these undertakings, but always at the insistence of the Governments on the basis of a temporary haven in their countries. Not a single one of these governments would consider the granting of permanent settlement to these Jews. It has become clear to me beyond all doubt that there has been no fundamental change in the attitude of exclusiveness and futility which dominated the Evian and Bermuda conferences and which were ultimately responsible for the needless loss of innumerable Jewish lives."

256. "A bold, determined statesmanship concerning Palestine is needed now. In the long run, it will be less expensive in money, irritation, and life for the United States Government now to assume the necessary responsibilities and risks in order to achieve a just settlement in Palestine, than to temporize."

257. "I have talked with many thousands of Jewish displaced persons about this Palestine problem. Nearly all of them want to go there. They are tired of being pushed around. They insist on going to their own land and starting life on their own terms. They are prepared for some compromise in the political settlement along the lines of partition in a viable area of Palestine, but all of them insist on Jewish control of Jewish destiny, namely a Jewish State, even if necessary in a reduced area of Palestine."

258. "The United States Government which now bears the responsibility for the care of the great majority of Jewish D.P.s in Europe has the right and the duty to insist upon an early, positive settlement of this problem. It also has the opportunity and the obligation in my opinion to assume its share of the responsibility."

That is the end of Rabbi Bernstein's press statement.

259. At about the same time as the date of Rabbi Bernstein's press statement, the British Government was continuing to exert considerable pressure upon the U.S. Government to stem the flow of Jewish infiltrates into our zones of Germany and Austria.

General Hilldring had somehow or other worked up a very direct personal relationship with Hector McNeil, who was then Minister of State. I can't recall what caused the close relationship between the two, but they prided themselves, each of them, in not being professional diplomats, (Hector McNeil, as I recall, was formerly a newspaperman) and, as a result of not being professional diplomats, they could talk straight from the shoulder to each other.

260. I have in the files a very interesting document referring to a conference at the State Department on September 25, 1946. I remember one part of this conference very vividly myself because the conference took place basically between General Hilldring and Hector McNeil, but it was in General Hilldring's office and I was the only other person on his staff, or from the State Department, who was present.

261. Mr. McNeil was accompanied by a number of other British officials, whom I will name later. What I recall so vividly was that Mr. McNeil seemed to have rather a phenomenal memory and covered a long list of items on his agenda without reference to any notes whatsoever, and he would tick off each new subject as he came to it. And I remember how jolted I was when he came to one item and said as an introduction to it, "Jews".

262. I don't think he had any reason to believe at the time that I was Jewish myself. Of course, General Hilldring knew this, but as I say I still remember very vividly how blunt and frank he was in expressing himself. I would not,

as a result, trust my own objectivity in recalling what he said, but very fortunately I have a few things which I will read from.

263. One is the original of a letter dated October 3rd, 1946, on the stationery of the British Embassy, Washington, D.C., and at the top there is a reference number 4318/5/46, and this is a personal letter addressed to me as "Dear Fierst", and signed "Hugh Ripman". I read this first primarily to show that the minutes of the meeting which I am describing were personally approved by Mr. McNeil.

264. This is the brief letter: "Dear Fierst, I enclose ten copies of the record of the conversation at the State Department on the 25th of September between Mr. McNeil and General Hilldring as I promised you. I am sorry that there has been a delay in providing you with these copies, but I had to take them up to New York on Saturday to clear them with Mr. McNeil and I have only just received the duplicated copies."

265. "You will see that some amendments have been made, but I do not think there is anything of substance. I should be glad if you could confirm to me that the record in its final form represents from your point of view a correct account of the conversation. Yours sincerely, Hugh Ripman."

266. I judge from this, although I frankly have no independent recollection, that I had gone over a draft of the minutes prior to his sending them up to Mr. McNeil.

267. Now the attached document, which was mimeographed, is headed "Record of Conversation Held at State Department on 25th of September, 1946". "The following were present: Mr. H. McNeil, Sir George Rendel, Mr. Makins (incidentally, he was subsequently British Ambassador to the United States) Mr. Ripman, and Mr. Rob, General Hilldring, Mr. Fierst."

268. I will skip over the items which do not deal with the subject at hand, but just mention them. Number one was Yugoslav displaced persons in Italy; number two, Baltic displaced persons in Denmark; and then we come to number three, which is headed "Westward movement of Jews from Eastern Europe into the American zones of Germany and

Austria. "Mr. McNeil drew attention to the continuing embarrassment to the British Government caused by the westward flow of Jews from Eastern Europe and said that he presumed that the United States authorities would deny all facilities to such Jews."

269. "General Hilldring said that the United States Government had tried to discourage this movement by various means, including representations to the governments concerned and to Jewish organizations in the countries of origin. However, information available to the United States Government indicated that Jews were fleeing Poland because of acute Anti-Semitism which was rife in that country. In such circumstances, the United States authorities had given and would continue to give haven to such persons."

270. "According to the evidence available, the volume of the movement was diminishing, having fallen from over one thousand to under five hundred a day into the United States zones of occupation. Sir George Rendel suggested that an Anglo-American commission investigate the condition of Jews in Poland. General Hilldring stated that from the United States point of view, this would be unnecessary because the United States already had accurate information on the subject. Mr. McNeil said that there were, according to his evidence, some UNRRA personnel involved in assisting this movement by illegal means. Sir George Rendel clarified this point at the request of General Hilldring, by explaining that the evidence in question did not point to participation by UNRRA personnel in any underground movement, but rather to assistance afforded by them to Jewish persons who had entered the U.S. zones."

271. "Mr. McNeil asked whether General Hilldring would speak to Mr. LaGuardia in this connection. General Hilldring again emphasized that the policy of his government had never been to encourage the Western movement of Jews from Eastern Europe, but rather to grant a refuge to any persons who were impelled by fear of persecution to move into the United States zones. His government wished to insure that all doors were open to Jews who wished to emigrate from Eastern Europe. He instanced the case of Brazil,

where he had persuaded the Brazilian Minister of Immigration to accept Jews on an equal footing with any other category of immigrant.

272. Mr. McNeil said that he was glad of this qualified assurance and he again suggested that General Hilldring should mention the matter to Mr. LaGuardia.

273. Item number four was reception in Brazil of demobilized Polish troops; item number five, interim measures pending establishment of the IRO. I will not read the whole section under that, but there is one little item of passing interest.

274. "Sir George Rendel mentioned that it had recently been decided in London to reduce the scale of rations of displaced persons in the British occupation zone in Germany to the German civilian standard, and to arrange for compulsory work. General Hilldring pointed out that for domestic reasons, among others, the American Government could not carry out a similar policy. They must continue the care and maintenance of displaced persons in their zones of occupation on the existing standards or else close the camps."

275. Item number six was preparatory work on IRO organization; item number seven, additional staff for the Intergovernmental Committee on Refugees; and item number eight, finance; and number nine, British contribution to the IRO.

276. I believe it was shortly after this conference, but I am not exactly sure of the date, that an incident occurred which strained a good many relationships.

Back in the early part of January, 1946, there had been an international fuss when Lieutenant General Morgan, the head of UNRRA in Germany and Austria, had made some uncomplimentary remarks at a press conference about Jewish Displaced Persons. At that time, Governor Herbert Lehman had been Director General of UNRRA and for various reasons which we will not go into here, Governor Lehman did not remove General Morgan. However, in August of 1946, General Morgan had sounded off again and at this time the head of UNRRA was the fiery former mayor of New York, Fiorello LaGuardia. LaGuardia fired General Morgan and temporarily

supplanted him with one of his Jewish assistants, named Meyer Cohen.

277. The British were furious about this and Hector McNeil at one point had asked General Hilldring for assistance in nominating a successor informally. Mayor LaGuardia was having a great time twitting the British lion's tail and he told the British that he would seriously consider appointing any Britisher who was also approved by the United States Government.

278. Around the time we are talking about (again I don't remember the date exactly, but it was some time in September 1946, I believe, or maybe early October 1946), the British Embassy submitted to us, that is General Hilldring, the name of a man who was for many years a British official in the Colonial Office in India. He was a former High Commissioner, I believe, in India. His name escapes me.

279. We did some background research on him and frankly did not have too much to go on. But I discussed the situation very thoroughly with General Hilldring and gave him my negative reaction to this gentleman, not on the ground of any specific information that we had about him, but because of his Colonial Office background. I pointed out that, distinguished though he might be, he would be taking over this job, for all practical purposes, under the direct authority of the British Colonial Office, or at any rate, the British Government.

280. General Hilldring agreed with this and took upon himself the unpleasant task of notifying the British that, however admirable this individual might be, he was not really the kind of person that we thought ought to be appointed to that position. He and I were scheduled to go up to New York, particularly to Lake Success, where the United Nations was centered at that time, on a particular day and we had a very busy schedule. That was the day, among other things, when we were to notify the British of our objection to their nominee.

281. I'm sorry that I don't have the exact day when we went up there. Oddly enough, I have a scribbled page or two which was a memorandum, an earlier memorandum, a draft of a memorandum, from me to General Hilldring giving what

was called the tentative itinerary for Friday. I was to meet him at eight o'clock in New York at Penn Station for breakfast and then we were to drive to Lake Success. From nine thirty to eleven we were to meet with John Winant and then from eleven to twelve thirty we were to meet with Hector McNeil and Philip Noel Baker.

Under that meeting, I had four items which were to be discussed: Whether the British would support IRO, the budget of IRO, the nature of the interim commission and the fourth item, successor to General Morgan.

282. Originally, we were to have lunch with Mr. Winant from one to two o'clock, but then we set up a rather elaborate luncheon for delegates from Latin America, in order to give them a pep talk about supporting the IRO. As a result of that, and some other things which I do not remember, the schedule was re-arranged considerably. Our meeting with Hector McNeil and Noel Baker was deferred until after the lunch for the Latin Americans. I'll come to the rest of the schedule later on because it is pertinent.

283. In any event, what we had not reckoned with was that we would have to drive a considerable distance to get to the luncheon for the Latin Americans. It was arranged at some hotel out in Long Island, and we also had not reckoned with the leisurely approach that so many of their representatives had to arriving at the lunch and getting to the point where they would be willing to listen to a few remarks by General Hilldring. Also, quite a bit of wine flowed and with one thing and another, by the time General Hilldring finished his remarks and the two of us took a car to come back to the U.N. Lounge, Delegates Lounge at Lake Success, we were very late for our appointment with Messrs. McNeil and Noel Baker.

284. I still remember vividly tagging along with General Hilldring as he strode toward the waiting British delegates. These were quite important British officials, and they had a rather large entourage with them at the time. Meanwhile, as a result of rearranging the schedule, we were to meet in New York with Mr. Winant and later with Mayor LaGuardia, and this was a long drive from Lake Success to New York.

Running that far behind, we realized we could not spend more than a minute or two with the British, and they also gave rather superficial evidence of being annoyed at having had to wait so long, and presumably they had other appointments.

285. In any event, General Hilldring went striding directly toward them, and without making any apologies for having been late, simply explained that he was running behind schedule and we had to leave almost immediately for New York City and so would not be able to go over the various items that he did want to speak to them about. One of them asked how about this man we asked you to consider as a successor to General Morgan? Then General Hilldring said, well he seems like a very fine fellow. He virtually said nothing more than that, and then shook hands, and then we both left.

286. As we were walking away, I said to him, in some amazement: "General, I thought you were going to turn this fellow down." and he turned upon me and literally snarled, "Well, I didn't say we approved him." and I said "General, I'm sorry, but I am sure that these gentlemen went away with the impression that you were conveying the official approval of the U.S. Government." And Hilldring said, "I did nothing of the sort." And he was really sore at me, and I must say I was a little bit sore at him.

287. In looking back, as I have on this incident, or I did at the time, it's really the only time that I can recall that there was ever any unpleasantness between us. I didn't know whether he had too much wine to drink or whether I had had too much wine to drink, but I felt very certain in my own mind that if I had been Hector McNeil or Philip Noel Baker or anyone on their staffs standing there at that time, that I would have interpreted General Hilldring's remark as conveying the approval of the U.S. Government.

288. At any rate, we went on to New York, had a session with Mr. Winant and then very late in the afternoon we called upon Mayor LaGuardia in his office in New York. At that time, of course, he was no longer Mayor, he was the

Director General of UNRRA. He had his main office in Washington, but also some kind of subsidiary office which was available to him when he was in New York. We just chatted very briefly, and then he invited the two of us to come along with him to his club for a drink where we could talk at greater leisure.

289. He had his car waiting for him in front. Actually, it was not a ride of more than a few blocks. I remember it quite well, because the three of us were sitting in the back seat and LaGuardia kept on interrupting his conversation with us by giving directions to the driver as to where to turn, where to stop, and avoid this car and so on, well, what we Americans call "back seat driving".

290. He took us to what was called the Engineers Club around, I think it was, around forty-first street, or forty-third street. The place was quite deserted and we had a table to ourselves, and we ordered a round of drinks. Looking for the moment at the notes that I made in connection with General Hilldring's tentative itinerary, I see that there were seven items that we had to discuss with him. Number one was successor to General Morgan. I might just read the others as a matter of interest, although my story does not deal with them. Number two was negotiations with War Department and Italy re entry of additional D.P.s. Number three, personnel and UNRRA reorganization. I see I've crossed out a few of them, a few other items, but the remaining ones were: coordinated repatriation campaign and formation of a State-War-UNRRA Committee.

291. In any event, after the drinks were served, LaGuardia asked General Hilldring whether we had arrived at any decision about this person whom the British had nominated for his consideration. General Hilldring, to my amazement, but I'm sure with the best faith in the world, told LaGuardia squarely that we had looked into this chap and while he seemed like a possibly fine fellow personally, we had great misgivings about his being subject to the direction of the Colonial Office, and that we had just come earlier that afternoon from a meeting with Hector McNeil and Philip Noel Baker, where General Hilldring had informed them that the United States Government did not approve of

this particular person.

292. LaGuardia seemed to be quite delighted with this, and thought that for the time being he would continue to be satisfied with Meyer Cohen as the Acting Chief. As I recall, General Hilldring did not come back to Washington that day, but went directly to Arizona with his wife for a brief vacation.

293. In his absence, all hell broke loose on this particular subject. Fortunately, I had confided to his Deputy, Ernest Gross, my misgivings about the way General Hilldring had handled this particular matter, and his dealings with both Hector McNeil and Mayor LaGuardia. So it was not that great a surprise when we received in the Department two highly inflammatory and emotional letters. One was from Mayor LaGuardia to General Hilldring and the other was from Hector McNeil to General Hilldring. I am not sure about the exact sequence of the two letters, and I don't have the texts available to me, but my recollection is that they arrived within a day or two of each other.

294. The one from LaGuardia was to the effect that Hector McNeil was a big liar, that McNeil had had the nerve to call LaGuardia to convey to him the approval of the U.S. Government for the man that he had suggested to LaGuardia. LaGuardia had then proceeded to tell him in no uncertain terms that General Hilldring had told him directly that this was not the case, that this man was persona non grata to the U.S. Government, and he went on to make some typically LaGuardia adverse comments about British integrity.

295. The letter from Hector McNeil was along the same vein except that LaGuardia's name could be substituted for that of Hector McNeil.

296. The impossible responsibility of drafting the replies to both of these letters was assigned to me, and to this day I have no idea how I managed to finesse the situation.

297. I would now like to describe a little incident which had a rather profound psychological and practical effect on General Hilldring and also on the formation of policy in the late fall of 1946.

By that time, the United States Government was heavily embroiled in a controversy with the British over permission for one hundred thousand Jewish D.P.s to enter Palestine.

We also had, aside from the Jewish displaced persons, many other D.P.s still on our hands in Germany and Austria. These were the so-called non-repatriables.

298. The U.S. Government had concluded that it would be necessary to set up an international refugee organization to continue to care for these people, not only to repatriate those who could still be persuaded to return to their former countries, but also to resettle the others.

299. A preparatory commission had been at work and the matter was coming up before the General Assembly of the United Nations late in the Fall of 1946. It was recognized at the time that the major financing for this organization would have to come from the U.S. Government.

300. Also, on the immigration side, we in the State Department recognized that if any real progress was to be made in resettling the great bulk of the displaced persons still in our hands, both non-Jewish and Jewish, something would have to be done about changing the immigration laws of the United States.

301. From the point of view of organizing world opinion against the British stand on Palestine, we felt it necessary to show that the United States was also prepared to do its share in relieving the displaced persons problem through accepting D.P.s as immigrants to the United States.

302. Also, from a strictly humanitarian point of view, although most of the Jewish D.P.s had evinced a strong desire to go to Palestine, there were quite a few who had relatives in the United States, sole surviving ones in many cases, at least the Jewish D.P.s were the sole surviving remnants of families with relatives in the United States, and we wanted to launch appropriate legislation to give them an opportunity to get into the United States as immigrants.

303. And so it was that in November of 1946, it was arranged that General Hilldring would meet with the U.S. delegation to the General Assembly and describe the displaced persons problem and the solutions open to us. I was to accompany General Hilldring to this meeting in New York.

304. I have a memorandum, a brief memorandum, dated November 8, 1946 which I sent to General Hilldring, which refers as the subject to "Trip to New York on Monday", so that while I have not consulted a calendar, I would guess that the actual meeting of the U.S. Delegation took place on whatever Monday followed November 8, 1946, which I would guess to be approximately November 13th.

305. I would like to read just one paragraph of this memorandum, which will establish the setting: "There will be a one hour meeting of the entire Delegation beginning at nine A.M. It will probably be attended by Senator Austin, Senator Connoly, Senator Vandenberg, Adlai Stevenson, John Foster Dulles, Congressman Eaton, who will probably be the Chairman of the House Foreign Relations Committee, Representative Helen Gahagen Douglas and Congressman Bloom. The amount of time to be allotted to the subject of D.P.s depends upon events in the General Assembly between now and then. I am informed that most of the Delegation is comparatively uninitiated on the subject of D.P.s with the exception of Mrs. Roosevelt and Senator Vandenberg. Because of the influential future position of many of them, it will probably be best for you to talk generally for five or ten minutes on the importance of the D.P. problem, the necessity of an international solution through the IRO, and the outlines of the proposed budget. It is suggested that you explain that the various intricate technical questions will be discussed during the course of the day with members of the Delegation specifically interested in them. There will undoubtedly be a good many questions from members of the Delegation at the meeting covering the points we have been discussing lately."

That is the end of the paragraph in my briefing memorandum.

306. As I recall, the General did a really masterful job in presenting concisely and movingly the displaced persons problem that we were faced with in Germany and Austria and also to a certain extent in Italy. He ended up by stating categorically that the problem could not be solved unless the United States took the lead in financing the proposed

new International Refugee Organization and also amended its immigration laws so as to admit a substantial number of D.P.s into the United States.

307. As soon as he was finished, both Senator Vandenberg and Congressman Bloom jumped on him. I'm not sure in retrospect which one came first. Congressman Bloom at that time was Chairman of the House Foreign Affairs Committee, and I believe the election had just taken place, which had been won by the Republicans. As reflected in the paragraph I read earlier, it was expected that Congressman Eaton, a Republican, would be taking over from him in the new Congress, which became the famous Eightieth Congress that President Truman later campaigned against. In any event, both Senator Vandenberg and Congressman Bloom pointed out that they were personally very sympathetic to the plight of the displaced persons and would like to do as much as possible to help them, but that apparently General Hilldring had no inkling of the true sentiment in the Congress on the subject of immigration.

308. They both said that the feeling in Congress against immigration was so intense, that if any bill was submitted, no matter how moderate, which looked toward increasing the number of people who could come to the United States, undoubtedly the opponents of immigration who were in, by far, the great majority would attach a rider to it banning all immigration to the United States. This was how intense the feeling was at the time.

309. I don't remember whether either or both referred specifically to a kind of Anti-Semitism in the Congress at the time, but whether they referred to it overtly or not, this was certainly apparent to most of us who were listening to these two influential gentlemen. That is, they were not of course reflecting their own personal Anti-Semitic feelings, but the feeling rampant in the Congress at the time, which of course Foreign Minister Bevin, at approximately that period, had also been publicly referring to.

310. General Hilldring stood his ground and bravely indicated that if the feeling was as intense as indicated, it

simply meant that we all had to work harder to change it. I think this meeting had, as I indicated earlier, a profound effect on General Hilldring for a number of reasons. 311. One was, since he was a man of action, he recognized what the real obstacles were to getting legislation through, both to authorize United States participation in the International Refugee Organization and to admit a larger number of immigrants to the United States. And so he was galvanized into action to throw his considerable weight behind proposals and plans and programs to change the attitude of Congress.

312. The other important effect upon General Hilldring was that it convinced him that we had really been on the right track in bending our efforts, as far as Jewish displaced persons were concerned, in the direction of pressure on the British to admit as many as possible into Palestine. He had already discovered in his negotiations with Latin American Representatives that, while they spoke beautiful words, when it actually came to taking Jewish D.P.s as immigrants, they really did not carry out in practice what they had indicated in flowing language they would recommend to their governments.

313. And so, while General Hilldring continued his efforts to get suitable legislation of a non-discriminatory nature through the United States Congress, and was very influential along those lines, realistically he was reinforced in his policy of concentrating his efforts along the lines of Palestine. And later on, when he became an important member of the U.S. Delegation to the General Assembly in the Fall of 1947 on the specific problem of Palestine, I think that he was able to use with great effectiveness the information and experience which he had acquired back in the days which we have now been discussing.

314. As an example of the kind of action which General Hilldring took right after the meeting that I have been describing, I would like to refer to a few parts of a memorandum dated November 14, 1946 which I sent to General Hilldring under the title of "D.P. and Relief Program".

315. I had begun by saying, "To follow up our visit to New York, the following action is recommended. 1) by General Hilldring, A) Speak to Judge Patterson and Mr. Peterson re Army costs for D.P.s in Germany, Austria and Italy. (I enclosed a tab for details.) B) Speak to Roger Makins and Sir David Waley re British Army costs for D.P.s in Germany, Austria and Italy. (I attached a tab for details.) C) Speak to Mr. Clayton (this was Will Clayton, Under Secretary of State) re Future U.S. Foreign Relief and Loan Costs. D) Speak to Mr. Acheson, Congressman Martin (the Speaker of the House, or about to be the Speaker of the House) and the President about immigration legislation." There were various other assignments on which action had been recommended, but in connection with the immigration legislation, I attached a tab which reads as follows:

316. "Legislation on Immigration. 1) Conference with Mr. Acheson. A) Report Conference with Senator Vandenberg, Congressman Bloom, and Mrs. Roosevelt. B) Suggest informal conference with Congressman Martin prior to conference with President. C) Suggest Department of Justice investigate whether President can take any additional action without legislation. 2) Conference with Congressman Martin along lines of conference with Senator Vandenberg. 3) Conference with President. A) Report conferences with Vandenberg and Martin. B) Suggest that President call informal conference of leaders of key groups, labor, veterans, minorities, and Congressional leaders, to determine nature and extent of his program on immigration."

317. I do not have any written records or specific recollections of follow-up actions on these recommendations, but knowing General Hilldring as I do, and as I did, I am sure that he followed these recommendations very closely and very effectively.

318. In one of the earlier cassettes, I referred to an interrogatory which the State Department had submitted to me, and which I had answered in July, 1949 dealing among other things with my relations with David Wahl.

At this time I would like to read a few more excerpts from that interrogatory. Some of them fit into this sec-

tion chronologically, others not quite, but I am afraid that if I do not get them on the record that I will lose track of them as I go along.

319. What I am about to read consisted of some additional answers beyond those which I have already referred to, to the question, or rather to the allegation, that I had divulged classified information to Dave Wahl which had come into my possession through my position in connection with the Palestine problem, the displaced persons problem, and the International Refugee Organization. And, in my general answer, before I got into details, I had acknowledged frankly that I had most certainly divulged classified information to Dave Wahl in connection with those various subjects, but that in all instances the divulgence of such information had been duly authorized, was pursuant to my official duties, and was in furtherance of the interests of the United States.

320. I mentioned a number of specific instances earlier, such as the problem of infiltration in the Spring and Summer of 1946, and the technical plan for the movement of one hundred thousand Jewish displaced persons to Palestine in June 1946.

321. I doubt that I have any independent recollection of, or additional details, with respect to what I am about to read. So I will just read more or less at dictation speed. It should be borne in mind, of course, that at the time I submitted this material to the State Department, I was primarily defending myself against accusations or imputations and I was not recording material for future use in an oral documentation project at the Hebrew University.

322. "The first item deals with incidents in the Spring of 1946. Because of the extremely tense situation with respect to Jewish displaced persons, frequent incidents occurred which were often exaggerated by the press, coming as they did at a time when American Jews were overwrought about the catastrophic losses to Jewry during the War, and when the United States was engaged in diplomatic negotiations with Great Britain on the Palestine question. It was deemed a matter of high policy for us to minimize the consequences of such incidents.

323. "We found on the basis of experience that the reliable Jewish groups could be persuaded to adopt a calm approach to the subject if they were made to feel that the Government in Washington was doing everything possible to investigate and correct inadequate situations."

324. "Accordingly, with the sanction of General Hilldring, I used to encourage representatives of any Jewish organizations to come to me with any grievance or query, rather than to deliver a blast at the Secretary of War, or Secretary of State, which would then be released to the press."

325. "This policy did not always work, but it did work on surprisingly many occasions. In retrospect, I cannot think of a single instance where Mr. Wahl did not act fairly and competently in handling these situations. In fact, I was often amazed myself at his ability to keep his organization in New York from flying off the handle simply upon my assurance that we were doing everything possible to remedy the situation and that blasts in the press in New York would do more harm than good."

326. "As examples of the type of situation to which I refer, I would cite the incidents which occurred at Stuttgart on March 29, 1946 and at Landsberg on April 28, 1946. In the former, one Jewish displaced person was killed and three seriously injured when German police, with the consent of the U.S. Military authorities, staged a raid on a Jewish Displaced Persons Center in which it was alleged that widespread black market activities were being carried on."

327. "A considerable number of U.S. troops had to be called on to quell the ensuing riot. As a result of a long exchange of cables with the theater and a very extensive investigation in the theater, severe disciplinary action was taken and the policy on use of German police in the Jewish displaced persons centers was revised."

328. "The second incident was precipitated by a rumor, which later turned out to be without foundation, that two young Jewish guards at an outlying installation at the camp had been kidnapped. Several thousand inmates of the camp swarmed out of their quarters and started beating up German civilians."

329. U.S. military police finally brought the situation under control, arresting twenty Jewish displaced persons in the process. Those arrested were later tried and sentenced by a military court. Both of these explosive incidents were discussed frankly and successfully with Mr. Wahl, as well as with other Jewish representatives, in an effort to get them to appreciate the difficulties of conducting an investigation and the importance of bearing with us during the process.

330. "It should be noted that, as an aftermath of the Stuttgart incident, the theater cabled that it saw no objection to notifying the Jewish groups of the change of policy with respect to the use of German police in Jewish displaced persons camps."

331. Now another item: "Change in Ration Policy for Jewish Displaced Persons, January 1947." "Since the end of hostilities, the Jewish displaced persons in our occupied zones have been entitled to receive an extra ration above those received by non-Jewish displaced persons, in view of the emaciated condition of many of them when they were liberated, or when they arrived in the zones. By the end of 1946, however, it appeared no longer necessary to continue this extra ration except in individual cases where it was actually needed. Moreover, in view of the impending U.S. legislation for participation in IRO and admission of displaced persons, it was deemed advisable to wipe out this differential before we approached the Congress. The War Department, however, anticipated a terrific blast from Jewish organizations as soon as this policy became known, and therefore was most anxious for us to take the matter up with them in advance in such a manner, if possible, as to persuade them of the importance of acquiescing in this change of policy."

332. "Mr. Gross (and that was Ernest Gross) as General Hill-dring's Deputy, was handling this matter in General Hill-dring's absence and had been receiving many telephone calls from the War Department on it. At the same time, Mr. Robert

Fisher of the Civil Affairs Division of the War Department had been in frequent touch with me.

333. "After the necessary clearance was received from the War Department, I took up the matter with Mr. Wahl, pointing out the factors mentioned above. Mr. Wahl undertook to present the situation in as favorable a light as possible to the key Jewish organizations in New York."

334. "He must have done this very effectively, for much to our surprise, the basic decision was accepted, although we were requested to postpone its implementation until the Spring. The War Department decided against this, but the new policy was not put into effect until March 1, 1947. There were no important repercussions when the change of policy was officially announced shortly thereafter."

"It will be noticed that I kept Mr. Gross informed of my discussions with Mr. Wahl."

335. Now another item, the April 21 directive, that is April, 1947: "One of the most significant developments of United States policy regarding displaced persons was the so-called April 21 Directive which closed the displaced persons camps to further admittance except in hardship cases. This policy was approved by the President upon the recommendation of Acting Secretary Acheson and the Secretary of War."

336. "This was regarded in advance as likely to be a particularly hard blow at future Jewish refugees, since it would mean that those who entered our zone after that date would not be allowed into the displaced persons camps."

337. "Most of the documents on this subject were classified at the time as Secret. In spite of this fact, and perhaps largely due to the success we had enjoyed before, dealing with the respective Jewish organizations, the War Department was extremely anxious that we discuss the situation with the respective Jewish groups before General Clay made his announcement."

338. "I took the matter up with the Jewish organizations through the medium of Mr. Wahl. Among the arguments that I used to persuade the Jewish organizations to accept the

news calmly were: A) that the action was necessary to show the Congress that the IRO would not be an indefinite open-ended proposition. (The IRO Participation Act was then pending) and B) that it was necessary to show the Congress that there would be a limit to the number of displaced persons for whom resettlement plans in the United States might later have to be made."

339. "Hearings on the Stratton Bill were soon to begin (This was the bill to admit four hundred thousand displaced persons to the United States.) I also pointed out the safeguards in the directive for allowing Jewish voluntary agencies to take care of refugees who arrived after April 21, 1947 and for allowing border-to-border transit through the zone." Then I attach some of the pertinent documents on the situation, and go on to say: "Again the unpleasant news was accepted by the Jewish groups with a maximum of understanding and a minimum of recrimination."

340. Another incident, the Stratton Bill Testimony, May 1947: "In preparing for the House hearings on the Stratton Bill, HR2910 to admit four hundred thousand displaced persons, the Department of State became concerned at the report that many of the numerous Jewish Organizations interested in the proposed legislation planned to send their own individual witnesses to the hearings. This was regarded by the Department as disadvantageous from two points of view: 1. It would unduly prolong the hearings, and 2. It might convey an unfortunate, erroneous impression that most of the displaced persons were Jewish."

341. "I discussed this situation quite frankly with Mr. Wahl, who represented the American Jewish Conference on the Washington Strategy Group of the Citizens Committee on Displaced Persons. I pointed out that Rabbi Philip Bernstein was being flown back from Germany to testify on the Jewish aspects of the displaced persons situation on behalf of the War and State Departments, and that he would more than adequately represent the viewpoints of the Jewish organizations."

342. "Mr. Wahl was very appreciative of the factors involved and undertook to do what he could with the various organizations in New York. It later developed that all of the interested Jewish organizations agreed to designate

former Governor Lehman as their joint single spokesman, with the understanding that any organizations desirous of submitting memoranda to be included in the record might do so."

343. "Whether this decision could be attributed fully or partially to Mr. Wahl's efforts, I do not know, since we had discussed the same situation with representatives of the Citizens Committee. My own personal feeling is that without his intercession, we might have found it difficult to achieve the desired result."

344. Next Item: Revercomb Resolution. Revercomb was a Senator from West Virginia, very anti-Jewish Displaced Person, but Chairman of the Subcommittee on Immigration. "Revercomb Resolution, August, 1947. It will be recalled that Senator Revercomb's tactics to prevent passage of any displaced persons legislation in 1947 involved submission of a resolution, S.Res. (Senate Resolution) 137, to authorize him to conduct an investigation into the entire immigration situation, including Displaced Persons. The Department was categorically opposed to this resolution, particularly in its original form. With the strong personal support of Secretary Marshall, Mr. Goldthwaite Dorr, Mr. Ben Brown and I worked days, nights, and week-ends to prevent passage of the resolution. We finally failed to prevent its passage, but did at least succeed in having the membership of the Investigating Committee broadened to include some potentially sympathetic senators, and the terms of reference of the Committee changed to require a separate report on displaced persons by a particular date."

345. "During this campaign, we used every device we could think of and mobilized into action everybody who could possibly swing a vote. Mr. Wahl was one of those among many who did his best to help. I remember that he had a good contact with Senator Lucas (Senator Lucas was the Majority Leader^{and} Senator from Illinois) and also, to our surprise, with Senator Taft."

346. "In the latter connection, I remember telephoning him at his home, that is Mr. Wahl, around midnight before the Saturday when Congress adjourned to tell him that the indi-

cations were that Senator Taft was weakening in his resolve to prevent the resolution from passing. Mr. Wahl said that he would work on the situation the first in the morning. As it turned out, he was not successful because Senator Taft was not prepared to continue opposing the resolution at the price of allowing Senator Revercomb to block other important items on the consent calendar (that would be the Senate Consent Calendar)."

347. Two other brief items: One, the Quoddy Project in September, 1947. "During the Summer of 1947, the Department became heavily involved in a series of negotiations with Senator Brewster (that was Senator Owen Brewster of Maine) concerning a plan of one Frank Cohen to bring about one hundred thousand displaced persons, mostly Jewish, to Quoddy for "training" prior to resettlement in South America. (Quoddy, I should explain, was a place on the coast of Maine where there are extraordinarily strong tides.)"

348. "For many reasons, the Department was unsympathetic to the plan, but was not in a position to say so directly. It developed during the numerous discussions that Mr. Cohen had not consulted any of the Jewish organizations with respect to his plan, although the great bulk of the Jewish displaced persons problem was involved in it."

349. Accordingly, in the course of a long letter dated September 19, 1947, Assistant Secretary Saltzman (that's Charles E. Saltzman, who succeeded General Hilldring as Assistant Secretary of State for Occupied Areas) advised Senator Brewster that the Department was consulting with Jewish organizations concerning Mr. Cohen's project.

350. "Meanwhile, I took this matter up independently with Rabbi Bernstein and Mr. Wahl, both of whom were scheduled to attend a meeting of the representative Jewish organizations in New York. They each reported to me subsequently that the matter had been taken up by the meeting with the result which we had desired. (The timing of this project, September, 1947, was obviously not very propitious as far as concentrating attention on desires of the Jewish displaced persons for Palestine. We were also, as I recall, very suspicious that Frank Cohen was not motivated by humanitarian instincts, but wanted to develop the project

at Quoddy for other purposes and thought that this was a good public relations gimmick to get some cheap labor and some sympathy and probably some Government funds.)"

351. The final item in this series, also dated September, 1947, refers to a testimonial to General Hilldring. "The major Jewish organizations were so appreciative of General Hilldring's fairness in dealing with them in the War and State Departments that they had planned to give a testimonial luncheon in New York, early in September, after his retirement from office."

352. "Also, the American Jewish Conference had planned to devote a special issue of the Record (that was the title of their publication) in the Fall to General Hilldring. However, when the General was requested by the President to become a member of the Delegation to the United Nations in September, 1947, he asked me, before this became a matter of public information, to arrange discreetly to have the luncheon cancelled so as not to embarrass him or the United States Government in connection with the Session of the United Nations."

353. "This I arranged to do through Mr. Wahl. Also, on my own initiative, since General Hilldring was not aware of the forthcoming testimonial issue of the American Jewish Conference Record, I urged Mr. Wahl who had previously told me about it, to cancel the special issue, despite the fact that he had apparently put a great deal of work into it already. He agreed to do this and did."

354. As I reach toward the end of this side of cassette number six, I might just note that at some time when I reach the subject approximately, chronologically, I will tell perhaps the most fascinating inside story of how General Hilldring came to become a key member of the U.S. Delegation to the General Assembly in September, 1947.

355. I shall now relate the story of how General Hilldring came to be named by President Truman as a member of the U.S. Delegation to the General Assembly in the Fall of 1947.

356. One morning, I believe it was late in August, 1947, I had a telephone call from a close personal friend of mine who was then a rather middle level official in the State

Department working in a different building from mine. He asked me whether I would be free for a few minutes to get a breath of fresh air and take a walk with him.

357. I met him outside of the main State Department Building and we took a walk for a few blocks. During this walk, my friend told me that he had absolutely authentic information that the membership of the U.S. Delegation to the General Assembly for the Fall of 1947 was about to be announced, and that a deliberate effort had been made by the pro-Arabists in the State Department to have the make-up of the Delegation such that it would not be able to reflect effectively President Truman's policy on Palestine.

358. I do not remember the name of the person who was slated to handle the Palestine question at the General Assembly (I later recalled that it was George Wadsworth), but his name was, I believe, mentioned to me and I could recognize from it that that person would, as had been suggested to me by my friend, not be very sympathetic to President Truman's announced position. I gathered from my friend that it was anticipated that a good deal of maneuvering would be done by the U.S. Delegation in a way which would again not reflect the President's position.

359. He was telling me this because he knew that I had a contact in the White House which I might want to use. Incidentally, at some later time, I learned that he thought that my contact was Clark Clifford, when as a matter of fact it was actually Dave Niles.

360. My friend told me that time was of the essence, and that unless something were done immediately to designate a more appropriate person for this position on the U.S. Delegation, the announcement would be made public and it would then be very awkward to make any changes.

361. The name of General Hilldring came up between us as an ideal person, instead of the other one who was slated to be named. I do not recall at this late date, after our rather brief discussion, whether it was my friend or I who came up with the name of General Hilldring. In any event, I decided to act upon it immediately.

362. As soon as I returned to my office, I arranged to see Dave Niles immediately. At this point, my office was in

the main State Department Building, which was about seven or eight blocks away from Niles' office in the adjunct to the White House, then referred to as "Old State". I got over there as quickly as I could, and explained the situation to Dave Niles.

363. I pointed out that General Hilldring had written to President Truman in the middle of June, announcing his plans to resign as Assistant Secretary of State for personal reasons, effective September 1st. Shortly thereafter, the President had reluctantly accepted General Hilldring's resignation as of September 1st, and the exchange of letters between them had been made public.

364. I told Niles that I knew from my own close personal association with General Hilldring that he had really been looking forward eagerly to leaving the Government. He had stayed on in the Government after the War only out of a deep sense of duty. His wife was not very well, and he himself was not in an ideal state of health. His financial resources were quite limited and, somewhat enviously I believe, he had seen so many of his fellow high ranking officers from World War II step into lucrative jobs in industry, and he felt that he had been left behind.

365. I knew that he was personally loyal to President Truman and very sympathetic to the Jewish position on Palestine, but I told Niles that it was unlikely that he would accept the appointment unless some arrangement could be made to assure General Hilldring that, at the end of his service at the Fall session of the General Assembly, he would find suitable opportunities which would be arranged for him to make up for the lost time financially.

366. Niles, as always, grasped the situation immediately and swung into action. In retrospect, I find it somewhat difficult to reconstruct the exact sequence of events. Somehow in my mind it seems that they all took place within the same day. That is possible, but it is rather unlikely. However, I doubt that more than several days were involved in what happened thereafter.

367. As soon as I returned to my office in the State Department, I went around to see General Hilldring's secretary,

with whom I had a close personal working relationship. I told her somewhat cryptically that, just between us, there was a possibility that General Hilldring might be receiving a call from the White House asking him to come over there.

I asked her to let me know privately if this happened. At this point, as I recall, General Hilldring was in the process of winding up his affairs at the State Department. 368. Sure enough, shortly after my private conversation with her, she told me very excitedly that General Hilldring had been summoned to see President Truman. (A year or so after dictating this cassette, I met her at General Hilldring's funeral. She told me then that she remembered the event vividly because President Truman had himself placed the call to General Hilldring, and she had answered the phone.) Some time after that, not very long I believe, the General returned to his office and immediately sent for me. He said he had a very sensitive subject to discuss with me, but knew that he could trust me because of our close association in the past and our common understanding of the Jewish D.P. and Palestine situation.

369. With an air of great confidence, he told me that he had just returned from a session with President Truman at the White House. The President had summoned him, he said, because he felt so strongly about his position on Palestine, that he wanted to make sure that it would not in any way be frustrated by the membership of the U.S. Delegation to the General Assembly.

370. The President had said that he wanted somebody handling the problem whom he could trust one hundred per cent and who would be responsible directly to him, the President of the United States. Therefore, the President said, he had concluded that he could not have complete confidence in somebody who might be selected for this position by the Department of State. And he wanted General Hilldring to take on this terribly important and difficult assignment.

371. General Hilldring went on to say that he thought it quite remarkable that President Truman had been so personally solicitous of General Hilldring's welfare. Before the General had had an opportunity to explain to the President

that he simply had to carry on with his September 1st commitment to leave the Government for financial reasons, the President had explained to the General that he fully realized his financial situation and what a terrible burden it would be upon him to postpone beyond September 1st his getting into the financial or business world to make up for the many long lean years.

372. The President said that he quite understood this position, but in view of the crucial importance of having the General handle the Palestine question at the General Assembly for the President, the President was confident that arrangements could be made so that as soon as the General Assembly session was over and the General retired into private life, he would have some lucrative financial opportunities open to him.

373. The President had said that his Assistant, David Niles, who incidentally was present at this conference I believe, had already looked into the situation and would talk privately to General Hilldring about what would be arranged. General Hilldring had then met alone with Dave Niles, and Niles had told General Hilldring in no uncertain terms that there would be no problem whatsoever arranging for suitable employment in industry for General Hilldring after his service upon the Delegation.

374. General Hilldring felt very touched personally by all this. First of all, because it indicated that the President of the United States reposed such complete confidence in him. And secondly, he felt that the question of employment in industry after his service on the Delegation had been handled very effectively and discreetly. There was no implication at all that he would be paid any sum of money for services which he did not render. What had been made clear to him was that he would be given opportunities, he would be assured opportunities, which might otherwise not have been easy for him to gain access to or which he might have lost by being out of circulation an additional few months.

375. Parenthetically, I might just say at this point that after the General Assembly session ended, General Hilldring

was named to be the President of General Aniline and Film Corporation, which at that time was being administered by the Attorney General of the United States since it had been taken over during World War II as alien property. Also, if I recall correctly, he was given a directorship of a Chicago company. However, the main financial benefit which accrued to the General was his opportunity to serve, as he did for several years, as President of General Aniline and Film Corporation.

376. Coming back to the session I had with General Hill-dring immediately after his summons to the White House, the General went on to tell me that he realized the very difficult situation he would be in during the months ahead. He knew that there were powerful elements in the State Department which were either opposed to the President's policy on Palestine or at least not very sympathetic to it, and they would lose no opportunity to water down or frustrate his policy.

377. He felt that he needed a personal assistant at the General Assembly whom he could trust completely, and also he wanted to make sure that there was someone back in the State Department watching out for situations which might be hostile to him in carrying out the President's policy. He said that he would like nothing better than to have me come to New York as his assistant, but frankly since I was myself Jewish, this would limit my effectiveness on his behalf.

378. I told him that I fully understood this and agreed with him on it. He then asked me to give careful immediate attention to recommending to him someone who could fill that role. I did this, and I recommended two people to him, each of whom served part of the time in New York with him. I forget the exact sequence of the two. One of them was Geoffrey Lewis and the other was Ben Hill Brown.

379. As a result of this relationship with General Hill-dring, I was able throughout the Fall of 1947 to keep in close touch with him and, I think, to be somewhat helpful to him.

After the General Assembly resolution supporting the partition of Palestine was passed in November, 1947, many

responsible Jewish leaders and representatives from time to time told me that, had it not been for General Hilldring's presence on the U.S. Delegation, the outcome would probably have been entirely different. I myself, on the basis of my own close observation at the time, would agree with this assessment.

380. My files on subsequent correspondence with General Hilldring are rather fragmentary. In most cases, I believe I do not have copies of my own letters to General Hilldring. At that time, he was usually in Phoenix, Arizona, and since I was writing to him unofficially, I usually wrote to him in longhand and the letters, all of the letters, that I have from him to me are in his longhand, which is incidentally rather difficult to read.

381. In each case, I will not read the entire letter because there were a good number of personal comments, or comments dealing with other things which were transpiring in General Hilldring's life or in the State Department, which are not relevant to this particular history of events.

382. The first item is a letter dated December 22, 1947 from General Hilldring to me. He said: "Dear Herb, I have agreed to talk to the U.J.A. in Los Angeles on January 11. They want me to repeat my Atlantic City talk virtually as I gave it there." Incidentally, this was a talk that was given in December, I believe, of 1947, after General Hilldring had completed his services both in the State Department and in the General Assembly.

383. "I would like", he says, "however, to include a new paragraph with some spot news value. I have in mind the following ideas: A) Point out the significance of economic union, the importance of it to the Arab State and the loss that will befall the people of the Arab State if they refuse to organize a State and adhere to the provisions of the Economic Union." (Parenthetically, I might point out, of course, that General Hilldring was referring to the Arab State under the Partition Plan which had been approved the previous month by the General Assembly.) B) Partition is not (not is underlined) a U.S. plan nor an American-Soviet plan as is now being inferred by opponents of partition. Partition is a decision of the United

Nations arrived at in an orderly, methodical, and democratic manner and subscribed to by thirty-three nations of the Earth. It is, in fact, the greatest single achievement of the U.N. to date in world statesmanship and cannot be belittled by attempting to impugn to it low motives in the realm of world power politics. C) There is great need for statesmanship on all sides, U.N., U.K., Jewish, and Arab. There is need for healing the breach between the U.K. and the Palestinian Jews in the interests of both. There is need, in the interest of the future welfare of the new Jewish State, for the leaders of the Jewish people to seek an amicable agreement and understanding with the leaders of the Arab people of Palestine and with all Arab leaders. There is need, urgent need, for the United Nations to lend its offices and prestige in bringing about these reconciliations promptly and in this work it has every right to expect the maximum assistance of the member nations of the United Nations."

384. And General Hildring went on to ask if I had any further ideas to pass along to him. I answered him on December 29, 1947 and I do have a copy of that letter, in the course of which I said: "With respect to your U.J.A. speech in Los Angeles on January 11th, I am wholeheartedly in favor of adding the three sub-paragraphs contained in your letter. I've given considerable thought to what else you might say, in the light of reactions to your Atlantic City speech and events which have occurred since then. My only suggestion is really a further refinement of your sub-paragraph B and of your previous comments on the nature of the current and future disturbances in Palestine

385. "It is, of course, most important to stress, as you have^{ve} that the amount and character of violence in Palestine should not be exaggerated and should not frighten away potential supporters. However, I think that it might be well to condition your predictions of minor future violence upon strengthening the nascent Jewish State. Complete unstinting support in all respects both by the U.S. Government and by donors to the U.J.A. would not be acts of partisanship. As a result of the U.N. decision, the entire prestige of the U.N. is at stake. Therefore, the strongest possible support

given to the Jewish State will uphold and enhance the prestige and authority of the United Nations." That is the end of the pertinent parts of that letter.

386. I have another letter from General Hilldring dated January 21, 1948, in his handwriting. The first page and a half is not relevant to the problems at hand. He then goes on to say: "I have taken note of your wise conclusions as to Palestine. I will ponder your suggestion as to what I can do from here." Incidentally, I have no recollection of what those so-called wise conclusions were, but they were obviously something subsequent to what I quoted earlier from my letter to him.

"I will ponder your suggestions," he says, "as to what I can do from here. I am leaving Phoenix on March 16. After a two-day conference in Chicago, I leave for St. Louis on the 20th for a U.J.A. talk on the 21st and will arrive back in Washington on the 23rd. The issue as to the Palestine decision is crystal clear. It hasn't in fact anything to do with Palestine anymore. If six small nations in the Near East can frighten thirty-three nations of the Earth into abandoning their just convictions calmly and deliberately arrived at, the U.N. is a cooked goose. It might just as well fold up and go home. I will figure some way of getting this idea over where it counts."

387. Then the following month, February 17, 1948, also in General Hilldring's handwriting to me, there is this letter, and I do not have a copy or even a recollection of what I wrote to him which evoked this response:

388: "Dear Herb, Thank you for your lucid and frank letter. I was glad to get it for several reasons, one of which is that I always like to hear from you. Another is that I get a clearer picture from you than from other informants, and I wish to assure you that I have other informants, many of them. For instance, in the last few days Mr. Morgenthau, Mrs. Roosevelt, and Ben Cohen have called me on long distance. As I see the situation at present, there is very little that any outsider can do. As you point out, A) the President says there is no change in U.S. policy, B) the Secretary (that is the Secretary of State) reaffirms this as far as State thinking goes, C) Forestal says he is not attempting to undermine the policy. If this is so, no one

has anything to worry about so far as the actual policy-makers are concerned.. In any case, no one can or should challenge the sincerity of these declarations. To do so is self-defeating. I want to make this point most strongly."

389. "During the U.N. debate, the incessant cry of insincerity that was flung at the U.S. Government by important people was a great handicap to the cause of partition. It made important people in the Government angry and served no useful purpose at all. We have, then, only one problem: A pro-Arab attitude of people down in the Department (that, of course, is the State Department). There is only one cure for that, and that is to have on the inside (that's underlined), someone who can see and point out both sides of the issue day in and day out, week in and week out. He must, however, be inside, he must have official status and he must be there ten hours a day. You know this as well as I do. Anyway, that's the problem, Herb, and that in my opinion, is the only answer to it. I would like to try to do that job again if I could, but physically I just can't take it. My U.N. experience convinced me that I am not capable of that kind of work. I do not mean that I cannot do anything. I can, I have, I will, but what I can do will have little effect on the basic problem. I am sure I am right and I believe that you will agree with me. Let me hear from you again please."

390. As of the time we had that correspondence, there was a good deal of discussion about whether the United States would stand firm in its support of the General Assembly November 1947 Resolution in the face of Arab opposition. Subsequently, of course, the situation deteriorated and American policy was very wobbly.

391. I bore in mind the wise advice of General Hilldring in the letter which I have just quoted, and I brought this at the appropriate time to the attention of Dave Niles. In the end of April, 1948, General Hilldring was prevailed upon to come back to the State Department as a Special Assistant to work on Palestine affairs.

392. I have a brief press release dated April 28, 1948 of the Department of State which I will read because it does give some dates of previous service which I may have been somewhat vague about. "The Honorable John H. Hill-

dring, former Assistant Secretary of State for Occupied Areas, today accepted appointment as Special Assistant to the Secretary of State for Palestine Affairs. General Hilldring served as Assistant Secretary of State for Occupied Areas from April 17, 1946 until his resignation on August 31, 1947. He was appointed an Advisor to the United States Delegation to the Second Session of the General Assembly of the United Nations on September 10, 1947 and four days later was appointed an Alternate Representative on the Delegation, in which capacity he was a principal spokesman for this Government on matters pertaining to the Palestine question. His service was terminated on December 2, 1947. General Hilldring is at present in San Francisco, California."

393. I do not have the texts of letters that I wrote to General Hilldring after the announcement that he would be taking on this position, but I do have the draft of a letter which I sent to him and I guess that my letter must have followed the draft either exactly or fairly closely. Anyway, I will read it simply because it may reflect the kind of ideas which were being thought of at the time. This would have been immediately after the announcement of his appointment of April 28th, 1948.

394. "Dear General, Congratulations and commiserations. You've got a bear by the tail, as you well know, but I'm very optimistic that you can handle the situation with sensational results. I'd like to be the first to chat with you upon your arrival. If you should want me to fly out to Phoenix for the week-end, I'm at your service. Please telephone."

"Meanwhile, here is a brief preliminary estimate of the situation as I see it. 1. The Arabs are thoroughly demoralized both inside and outside of Palestine. 2. The Jews in Palestine can now handle the situation without foreign troops except perhaps in Jerusalem. Without diplomatic and arms support, they could defeat the Arabs. With full fledged diplomatic and arms support, they would probably avoid all but minor violence by the overwhelming show of force. 3. There is no real chance of a truce except for

the Old City of Jerusalem. 4. The U.S. Trusteeship Plan does not answer the major troublesome questions of immigration, land transfer, duration and enforcement. Therefore, it has little if any chance of being accepted. 5. The fundamental error in recent policy..."

395. I am continuing to read from the draft of a letter which I wrote to General Hilldring in the end of April, 1948. "5. The fundamental error in recent U.S. policy has been the assumption that deterioration of the situation would compel the Jews and Arabs to agree under pressure of the United Nations. The people here still think, or say from day to day, that they are on the verge of achieving agreement. This is nonsense."

396. "And now for a program. First, as to policy: 1. We tried unsuccessfully to implement the Partition Plan peacefully. 2. We tried unsuccessfully to develop alternate peaceful solutions of a temporary nature. The truce and trusteeship are the two examples. 3. We have never officially abandoned Partition. 4. We must now ask the United Nations members to cooperate in giving effect to the U.N. Partition Plan with a minimum of force. If there is enough cooperation particularly by the U.S., foreign troops will not be necessary. This cooperation should take the form of assisting those who carry out the Partition Plan, except by foreign troops, and withholding assistance from those who oppose the plan. 5. Diplomatically, we should exercise heavy pressure on the British to restrain the Trans-Jordanian Army and on the Arabs to show that we mean business this time, and on the Jews to keep them within the framework of the Partition Plan. 6. A U.N. commission should be in Palestine constantly for the purpose of observing and reporting. 7. A commission should be established to develop bold plans for a Near Eastern economic development program. 8. I have my doubts about a volunteer international constabulary. It is much better than a group of armed units from different countries, but both should be avoided if possible."

397. "Second, as to personnel. (That is, the first was as to policy, and now the second as to personnel.) 1. This will be your major problem. It is most important to get

the right start, since time is so short. 2. In Washington I believe you should have a small, hard hitting, trust-worthy staff consisting of a personal assistant, Joe Frank, or Goff Lewis, U.N. expert Harding Bancroft, legal expert, Len Meeker, and Near Eastern expert, Frazier Wilkins. On the negative side, it is absolutely essential to exclude McClintock, here or in New York."

398. (McClintock was Robert McClintock.) "Procedurally, it is essential that all matters affecting Palestine in any conceivable way be cleared with you, and that you report directly to the Secretary or the Acting Secretary. This should be straightened out immediately with the Secretary and Lovett (Lovett was the Under Secretary of State at the time.) 3. In New York, the best fellow is Phil Jessup. Austin and Sayre are harmless if properly instructed. Rusk you know, Ross is like him, Kopper (that was Samuel Kopper) is biased and ineffective and should be assigned to something else. There are a few other helpful people there all raring to go as soon as they get some decent leadership."

399. "Third, as to procedure. 1) NEA (that stands for Near Eastern Affairs) should be requested to prepare for you a complete file on the whole subject since November 29, 1947. 2. After a day in Washington, you should spend a day in New York talking to all echelons of our Delegation." Then I went on to say: "These are sketchy highlights, please forgive their dogmatic character. I'd be glad to amplify, but there is much that cannot be put in writing. To sum up, if you're moving quickly and decisively, you can turn the tide. Knowing you and the situation, I am sure of that." Then I said in a P.S. "You are a real hero to take on this assignment."

400. That is the end of my draft of a letter to General Hilldring at the end of April. Apparently I wrote him some other notes of which I do not have a record, because I have a letter in his own handwriting, a very brief letter, dated May 27, 1948 which says in part: "Dear Herb, Many thanks for your cordial and friendly and helpful notes of the past four weeks. I regret that I was not permitted to put your advice to better use, but this in no way diminishes my gratitude to you for your exclusive information."

Please don't pass it on, I shall be back in Washington on June 10th. I hope to see you shortly after I get back."

401. I do not recall exactly what happened around that time, but my recollection is that General Hilldring, on account of his health, was unable to do much with the assignment that was given to him. The time period, of course, coincides with the Declaration of the State of Israel and the outbreak of fighting immediately thereafter.

402. Now, skipping ahead a bit, since I have been concentrating on correspondence I had with General Hilldring in connection with his role on Palestine, I have a long letter from him in his own handwriting dated January 20, 1949 which is particularly interesting because of his assessment of Dr. Chaim Weizmann.

403. I gather from the context of General Hilldring's letter, and also from another draft that I have of some remarks prepared for President Truman in connection with the first visit of Chaim Weizmann to the United States as President of the State of Israel, that I had been asked by Dave Niles to prepare a draft of remarks which President Truman might make either at a testimonial dinner for Dr. Weizmann or in connection with ceremonies in his honor. In any event, I don't consider it worthwhile for these immediate purposes to excerpt in any way my own draft, but I think it is quite interesting for historical purposes to quote a little bit from General Hilldring's letter to me concerning his feeling about not having been invited to whatever festivities there were, and then to read in detail his account of his relations with Dr. Weizmann and his assessment of him.

404. In his letter to me, Hilldring said: "Is Dr. Weizmann going to be present at the testimonial dinner? If so I wonder why I was not invited, but even if he is not going to be there, I wonder why I wasn't invited. I could write a book about Dr. Weizmann, which of course I won't do in this letter. However, I can give you a thumb-nail sketch about my impression of the man which might help you in preparing some remarks for the President."

405. And then follows about three and a half pages written in General Hilldring's handwriting of his comments about Dr. Weizmann. This is what he said:

406. "During my days in the United Nations, I (and the "I" here, of course, is General Hilldring) came to the conclusion that I had never known a person before for whom I had developed so deep an affection so fast as I did for Dr. Weizmann. The answer I found in four of his outstanding qualities. They are humility, courage, a deep understanding of human nature and intelligence."

407. "As to the first of these, humility, his humility and modesty are amazing. In the most trying of moments, when the average man was excited and angry and explosive, Dr. Weizmann was calm and patient toward his opponents, and tolerant and respectful of their views. And because he knows people, he could adopt those attitudes in the midst of a boisterous and angry meeting without arousing antagonism in any of his zealous and valuable partisans. I have seen him operate in such circumstances, time and time again. As he spoke, commotion gave way to calm, heat to light, emotion to reason, vengefulness to charity, and most important of all, of course, the weakness of nervousness and tension was supplanted by the solid strength of composure and intelligent deliberation."

408. "After one such experience, a friend of mine said to me that he had never witnessed a finer demonstration of leadership than Dr. Weizmann displayed at the conference we had both just attended. Yes, of course, but my friend had not put his finger on the single quality which had made it possible for Dr. Weizmann to gain complete mastery of these aroused and angry men. His modesty and humility did. It simply overpowered them. By no other approach would he have quieted them and controlled them."

409. "As to his courage, I refer of course to that rarest kind of courage, moral courage. Dr. Weizmann has it in great abundance. As I watched him and listened to him through the months, I used to say to myself, with an inward smile, "Old Corregidor himself".

410. "As you probably know, Corregidor is an enormous rock jutting out of the floor of the ocean at the mouth of Manila Bay. From the West, the mountainous surf of the China Sea pounds furiously and futilely against "Old Corregidor". Behind Corregidor lie the calm waters of Manila Bay."

411. "I could give you a dozen inspiring examples of his courage, but I will mention only one to which you were a witness. In the middle of 1947, Dr. Weizmann was the guest of honor at one of the meetings of the annual U.J.A. Conference. As you will recall, Dr. Weizmann received a tremendous ovation. It was only two weeks after the historic U.N. decision of November 29. The crowd was jubilant, but it did have down to the last man one violent animosity. It hated with a violent fervor the U.K. and all of its works."

412. "Dr. Weizmann knew this. In a sense the meeting he was addressing was a celebration, the celebration of a great victory. There was a plethora of topics from which he could have chosen. Any one of which coming from his lips would have brought the audience cheering to its feet, but is that what Chaim Weizmann did? No, of course not. Here was an opportunity to serve his people and the cause of Israel, and he took it. He asked his listeners not to judge the British people or their Government in anger or in passion. Most Englishmen are our friends, he said, and those who are not friendly now to us will become so when they know the truth."

413. "We should not even be angry at the British Government, because the majority of England's top officials are sympathetic to our cause. We have been set upon in recent years and months by a mere handful of willful, or spiteful, or weak London officials. And after the flush of our victory has passed, and the rancors of our recent struggle have subsided, I am sure that we will find it in our hearts, in the interest of accord within the family of nations to which, praise God, Zion now belongs, and in the interest of Zion herself, we will find sufficient bigness in the minds and hearts of Jewish men and women to forgive this little band of willful men."

414. "These are not his exact words (writes General Hilldring), but they are not far from what he said. It was one of the most inspiring and tense moments of my life. Most men don't experience many occasions like this because we are rarely privileged to witness greatness in

action. Whatever his listeners' inner reactions to his words, they sensed at once the enormous courage and goodness of the man who stood before them. He did not convert them, that was out of the question. He only meant to plant a seed of doubt in their minds, and that is all he did. Nevertheless, when he was through speaking, the auditorium trembled with their applause. It was the best proof I've ever seen of the force and power of courage."

415. "Because Dr. Weizmann is a scientist and a scholar, it might be assumed that he would be impractical, theoretical, or lacking in a keen appreciation of the human side of political and international affairs. Nothing could be farther from the truth. It was my official duty to maintain contact between the U.S. Delegation on the one hand and American Jewish groups and the Jewish Agency on the other."

416. "These groups were special pleaders, and they did not pretend to be anything else. I dealt with them for a month before Dr. Weizmann appeared on the scene. In spite of the fact that I was in general agreement with their aspirations, my association with these groups was a never ending battle of wits that kept me on my mental toes. That never was the case with Dr. Weizmann.

417. "The first time I saw him we had lunch together, just the two of us. He put me completely at ease. He told me that he was, and would always be, fully conscious of my position as a U.S. official. He would not therefore talk to me as though I were a Delegate or an agent of the Jewish Agency. In this atmosphere, he would appreciate from time to time the opportunity to present the Zionist point of view. He hoped that he would be able to convince me on the vast majority of the points we discussed, but of course he could not be sure. He was only sure, absolutely sure, that there would be times when I could not agree with him."

"From that moment on, of course, he was more useful in dealing with me - useful to Israel - than all of the other Palestine Delegates combined.

418. "It is no more necessary to discuss the intelligence of Dr. Weizmann than it is to defend the Ten Commandments. Listening to Dr. Weizmann is just like reading the accepted

textbook, and it does not matter what the subject is, if Chaim Weizmann agrees to discuss it. His meticulous and exact pronouncements of the truth coming from a humble, human, honest, and courageous man stamp him as one of the great leaders of our time."

419. And then General Hilldring ends his letter by saying, "I promised not to write a book, but I must have. I hope what I have said about Dr. Weizmann will give you some ideas." That's the end of the letter. I think it is a rather useful letter in terms of appraising the impact of Dr. Weizmann on the kind of official that General Hilldring was, and also on getting inside General Hilldring's own skin to see how he reacted to various methods of presenting the Jewish position to him.

420. In my letter of the end of April 1948, to General Hilldring, I had mentioned Dean Rusk and Robert McClintock. A few words may be in order here to clarify the reference. This was, as I pointed out before, shortly after the United States had unveiled its surprise Trusteeship Plan which undermined and undercut our previous position of strongly supporting the Partition Resolution of November 29, 1947.

421. I have a clear recollection of having been told in extreme confidence, but very authoritatively, that the Trusteeship Plan had been devised by a small group working under the direction of Dean Rusk, who was then the Director of the Office of United Nations Affairs, having succeeded Alger Hiss to that position. What sticks out in my mind most is that the Trusteeship proposal was handled so secretly that it was given to Robert McClintock to take personally to New York by train, rather than to be entrusted in any of the regular communications from the State Department to the U.S. Delegation to the United Nations.

422. Robert McClintock, incidentally, subsequently became United States Ambassador to various places, including Lebanon, and he was the Ambassador in Lebanon at the time, under President Eisenhower, that the U.S. troops were landed in Lebanon. The reaction of General Hilldring to Dr. Weizmann was quite similar to the reaction which President Truman had as a result of his contacts, both personally and through correspondence with Dr. Weizmann.

423. At this point, I would like to mention one very interesting responsibility which I had which bears upon the relationship of President Truman and Dr. Weizmann, and also bears upon the subsequent attitude of Dr. Weizmann to the British - in contrast to the moving plea for understanding which he had made to the U.J.A. Conference in December, 1947 and which had moved and impressed General Hilldring so much.

424. I have in my files an undated note on White House stationery addressed to me by Jeanette Gutches. This is attached to a typewritten copy of a two and a half page letter dated 5th November, 1948 on the stationery of the State of Israel, addressed to President Truman and signed by Dr. Weizmann.

425. The note to me, which must have been around November - well there is a reference here to holiday, so I would guess that it would be around the third week in November, about Thanksgiving time - "Mr. Niles asked that I pass the enclosed along to you for preparation of an appropriate reply. He would like it on his desk early Monday morning. I do hope it will not interfere too greatly with your holiday, or do you ever get one? Many thanks, Signed Jeanette." for Jeanette Gutches.

426. This letter came over to me with the note on a personal basis, and, of course, did not go through State Department channels. The letter is, I'm sure, (or a copy of Dr. Weizmann's letter) is, I'm sure, in the Archives of the State of Israel and I will not quote it in its entirety. However, two aspects of it are of particular interest. President Weizmann had seized the occasion of President Truman's surprise reelection over Governor Dewey to congratulate him and then to plead the cause of Israel which was then greatly in jeopardy because of proposals in the United Nations to detach the Negev from the area which had been allotted in the Partition Plan to Israel.

427. In the third paragraph of his letter to President Truman, Dr. Weizmann said: "The most important requirement at this moment is that this unreal and untenable truce be brought to an end and be supplanted by a speedy and enduring peace. Over two months ago, we asked the mediator to call both sides to the conference table, but the other side

rejected our offer. We have no aggressive designs against anyone and we are at any moment ready to negotiate a peace settlement."

428. "Our enemies have failed in their efforts to beat us by brute force, although they outnumbered us by twenty to one. They are now endeavoring, through the medium of the Security Council, to undermine the decision taken by the General Assembly last November and to deprive us of the undeveloped areas of the Negev which offers space for new homes for many thousands of our uprooted people and which will remain a desert land if they are annexed by the neighboring Arab States as is evidently intended. This is the real purpose behind the Security Council's Resolution introduced by Great Britain, which to my deep regret was supported by the American Delegation."

429. "We have no choice but to oppose this design, which would destroy last November's decision of the General Assembly and would reduce us to a state of permanent insecurity and vulnerability." And then the following paragraph:

430. "I pray with all my heart that you, Mr. President, may use your high authority to put an end to these hostile maneuvers. We have successfully withstood the onslaught of the Arab States who were sent against us by the British almost like a pack of hired assassins. I am saying this with deep pain because I have throughout my life been deeply attached to Great Britain and have suffered for that attachment. But the evidence unfortunately all points in this direction, and even as I write, we are receiving constant reports of Great Britain rearming the Arabs to enable them to restart hostilities against us. Having failed in her efforts to wipe out our young Commonwealth, she now appears bent on detaching the Negev from our State."

431. "I feel emboldened to ask for your intervention in this matter, remembering the deep sympathy and understanding which you displayed when I had the privilege of stating to you our case on the Negev and displaying to you maps showing its potentialities for settlement. It was with a deep feeling of elation that I left you on that day, and it is this which now encourages me to plead for your intervention to prevent this part of the country which was allotted to us last November from being detached from our State."

And then Dr. Weizmann explains briefly why the Negev is so essential to Israel.

432. I have among my papers the rough draft which I prepared of the proposed reply by President Truman to President Weizmann's letter. I will read the proposed reply exactly as it is in this draft. First, let me explain that since I was not operating through State Department channels I had delivered, I guess it was a home-typed copy of the draft to the Office of Dave Niles by the early deadline which he had set. I tried in this letter, I recall, to imitate the style of President Truman and also to work into it some helpful policy in reply to President Weizmann's plea.

433. "Dear Mr. President: Today, the first anniversary of the Partition Resolution, is a most appropriate time for me to answer your last letter dated November 5th. As I read your letter, I was struck by the common experience you and I have recently shared."

434. "We had both been abandoned by the so-called realistic experts to our supposedly forlorn lost cause, yet we both kept pressing for what we were sure was right and we were both proven to be right. My feeling of elation on the morning of November 3rd must have approximated your own feelings one year ago today and May 14th and on several occasions since then. However, it doesn't take long for bitter and resourceful opponents to regroup their forces after they have been shattered."

435. "You in Israel have already been confronted with that situation and I expect to be all too soon, so I understand very well your concern to prevent the undermining of your well-earned victories. I remember well our conversation about the Negev to which you referred in your letter. I agree fully with your estimate of the importance of that area to Israel, and I deplore any attempts to take it away from Israel. I had thought that my position would have been clear to all the world, particularly in the light of the specific wording of the Democratic Party Platform. But there were those who did not take this seriously, regarding it as just another campaign promise to be forgotten after the election."

436. "I believe they have recently realized their error. I have interpreted my reelection as a mandate from the American people to carry out the Democratic Platform, including, of course, the plank on Israel. I intend to do so.

437. "Since your letter was written, we have announced in the General Assembly our firm intention to oppose any territorial changes in the November 29th Resolution which are not acceptable to the State of Israel. I am confident that the General Assembly will support us in this basic position. We have already expressed our willingness to help develop the new State through financial and economic measures."

438. "As you know, the Export-Import Bank has approved a substantial long term loan on a project basis. I understand that your Government is now in process of preparing the details of such projects for submission to the Bank. Personally, I would like to go even further by expanding such financial and economic assistance on a large scale to the entire Middle East, contingent upon effective mutual cooperation. In this connection, I would welcome your personal views as to the desirable scope of such projects and their effect on the State of Israel.

439. "Thank you so much for your warm congratulations and good wishes on my reelection. I was pleased to learn that the first Israeli elections have been scheduled for January 25th. That enables us to set a definite target date for extending de jure recognition.

440. "In closing, I wanted to tell you ~~how~~ happy and impressed I have been at the remarkable progress made by the new State of Israel. What you have received at the hands of the World has been far less than was your due, but you have more than made the most of what you have received and I admire you for it. I trust that the present uncertainty, with its terribly burdensome consequences, will soon be eliminated. We will do all we can to help by encouraging direct negotiations between the parties looking toward a prompt peace settlement. Cordially, H.S.T."

(And now at this point, I think I had better continue the rest on side B since we are reaching the end of side A.)

441. I was never told what happened to my draft of the letter for President Truman to send to President Weizmann. I guess

I assumed that it had been chopped up and redrafted, as invariably happens. Many years later, however, I happened to be reading a few of the chapters on Palestine in Volume II of the memoirs of Harry S. Truman.

442. I was quite delighted to read at page 168 the following brief paragraph after Mr. Truman quoted from a speech in Madison Square Garden on October 28, 1948 which had been very sympathetic to the State of Israel. Mr. Truman said: "In a personal letter to Dr. Chaim Weizmann, now the President of the State of Israel, I put these thoughts in more specific words."

443. "Dr. Weizmann, in a long and warm letter, had congratulated me on my election and on November 29, I wrote a reply. In many ways it sums up my feelings and my attitude toward the plight of the Jews and the emergence of the new State. This is my letter to Dr. Weizmann."

444. And then, on the bottom of page 168 and on page 169, there is reproduced the entire exact text of President Truman's letter to President Weizmann, prefaced by the security classification "Personal and Confidential". I will not quote this letter, since it is printed in its entirety on these two pages of the book. I cannot resist the comment, however, that with the exception of a few words, the text is exactly the same as the rough draft which I found among my papers, and which I dictated just ahead of these past few words.

445. Earlier in these recollections, I referred to an incident in October, 1946 which illustrated my close working relationship with Dave Niles and his own close working relationship with President Truman, as well as our consciousness of the impact of what we were doing in other fields upon our public position with respect to the British and their attitude toward Palestine.

446. I have now come across some papers in my files which give some further details as to the incident in question, which was, what to do about forty-eight Estonians who had arrived on the shores of the United States in two small open boats and who had been denied entry into the United States permanently because they had not had any visas. I think it worth putting in this record a few of these documents, because

in addition to illustrating the subjects I have already referred to, it illustrates the workings of the State Department at the time at the levels that we were operating, and the difficulties that we ran into from what I would call the entrenched bureaucracy.

447. The Palestine situation, as far as the bureaucracy in this case was concerned, was no factor, but the kind of resistance to carrying out Presidential policy by the Visa Division in the State Department was comparable to the kind of resistance which the President met on the hands of the pro-Arab bureaucrats in the State Department at the time.

448. It will be recalled that I had one morning come across an item in the newspaper that forty-eight Estonian refugees had landed in Florida without immigration visas. They had not wanted to go back to Russia, Russian controlled Estonia, and they were about to be deported. I had gone in immediately to see Dave Niles and presented this situation to him, both on a humanitarian basis and from the point of view of its adverse impact on world opinion at that very critical time. He had told me that the President was scheduled to have a news conference early that afternoon and if I would draft a statement for him to make, he would see if he could get it approved and issued.

449. I have a photostatic copy of my draft of this statement, and have compared it with the actual statement by the President and found that it conforms word for word. It is very brief so I shall read it. This is dated October 24, 1946. "Statement by the President: I have felt considerable personal concern over the forty-eight Estonians who recently displayed such courage and determination in crossing the Atlantic to our shores in two small open boats. This is the type of pioneering spirit that built this nation."

450. "This morning, the Attorney General stayed the order requiring these people to leave the United States. This order had been issued by local officials in conformity with existing immigration regulations when it was discovered that these people had not obtained entrance visas because of oversubscription of the immigration quota for Estonians. I have directed that all avenues be explored toward enabling this group to remain here if they so desire, so that they

may eventually become citizens of this country. The Department of State is now working on these details." That is the end of the statement.

451. Then I remember Dave Niles asking me shortly after the press conference: "Well, where do we go from here?" And I dictated a very brief statement, a very brief memorandum, to his secretary which was as follows. (I have a copy of this in the form that it came over to the State Department from the White House.) "The White House, Washington. Memorandum for The Acting Secretary of State. (Incidentally, that was Dean Acheson at the time.) I am enclosing a copy of a statement which I issued today in connection with the Estonian refugees. I would like you to do everything possible to arrange for them to remain here and become United States citizens. Please report to me personally what you are able to do."

452. And then I have a copy of a memorandum which is on the stationery of the Department of State, The Undersecretary. It is undated and simply says: "General Hilldring, you and Russell and I ought to meet on Monday on this instruction from the President. D.A." D.A. is for Dean Acheson. The Russell refers to Donald Russell, who was the Assistant Secretary for Administration (I believe that was his title, and the Visa Division of the State Department was under his jurisdiction.) There was attached to this brief note a copy of the memorandum from the President.

453. Then, on the date of October 30, 1946, I have a photostatic copy of a memorandum for the President which was signed by Dean Acheson on the subject of Estonian Refugees. I believe that I prepared this memorandum, but there are no drafting initials on it and so I can't be sure: "The following course of action is recommended to you with respect to the Estonians who are now in Florida: First, that instructions be issued to the immigration authorities not to deport these Estonians, and second, that as to their settlement in the United States, one of the following two methods be utilized: A) Sufficient visas be allotted out of proper sequence to take care of the forty-eight Estonians now in Florida. This can be done immediately, or B) Hold the

Estonians until Congress reconvenes and then request special legislation to admit these people into the United States. If you will indicate the alternative you desire us to take, I will see that your decision is carried out and that an appropriate news release is submitted to you. Administrative officers in the Departments of State and Justice who deal with visas and immigration have pointed out that the annual allotment of Estonian visas is only 116. There are in excess of forty-thousand Estonian refugees in Europe, the vast majority of whom desire to come to the United States. In consequence, the present quota for Estonia has been heavily oversubscribed by legal applications for entry into the United States. Signed, Dean Acheson."

454. Then, at the bottom in the lower left hand corner, there is a brief note, "Approve A. Signed, Harry Truman, October 31, 1946." And there is a check mark opposite A, which was to allot sufficient visas out of turn, out of proper sequence, to take care of the forty-eight Estonians.

455. This, however, was not the end of the matter. The Visa Division, which was in the State Department, and the Immigration authorities, who were in the Justice Department, kept on resisting carrying into effect the President's decision.

456. Before I read a couple more of these brief documents, I must recall an incident which I don't believe I have referred to before, which illustrates how General Hilldring could handle some of these troublesome officials and how he threw his weight around in the State Department.

457. The Chief of the Visa Division at the time was a man named George Haering, I believe his name was spelled "Haering". When General Hilldring had sent to George Haering a memorandum which I had prepared on the subject of these Estonian refugees and finding a way of allocating immigration visas to them, Mr. Haering had come back with an interminably long and involved memorandum to General Hilldring explaining why this could not be done.

458. Hilldring was furious when he received this and told me that he would handle the situation personally. He called up Haering and peremptorily summoned him to his office. At that time, General Hilldring was Assistant Secretary of State

and Haering was the Chief of a Division. However, Haering had very close personal relations with Congress and had been regarded as a kind of a kingpin in his own Division. After what I gather was a very stormy conference between the two of them in Hilldring's office, Hilldring called me in alone and told me with great gusto how he had handled Haering.

459. After Haering had explained all the reasons why it was not possible to find immigration visas for these forty-eight Estonians, he had asked Haering how much his salary was as Chief of the Visa Division. Haering puffed himself up and said "ten thousand dollars". (Incidentally, while this may not seem like very high pay by present American standards, at that time it was regarded as the top salary in the Government, I believe - if not the top, at least very close to it.) Hilldring then said, "Mr. Haering, any clerk being paid just a couple of thousand dollars a year can write a memorandum such as this and say that the regulations show that it is not possible to grant immigration visas to these forty-eight Estonians. But, when the President of the United States announces to the world that he has directed the State Department to explore all avenues toward enabling these people to stay here, the President and the taxpayers of the United States are entitled to feel that a man who gets paid ten thousand dollars a year for being Chief of the Visa Division will be able to use some imagination and ingenuity in carrying out these policies established by the President of the United States." And he then directed Mr. Haering to go back to his office and use his brain power and expertise to figure out a way of complying with the President's wishes.

460. Haering was very upset by this incident, and the General was quite exhilarated by it, and it did not take long for word to spread around the corridors of the State Department as to what had transpired. Anyway, getting back to the documentation, on November 1, 1946, I wrote a brief memorandum to Jack Peurifoy who was in the Under Secretary's Office at that time. The memorandum read: "Mr. Morrison of the Attorney General's Office declined to concur in the attached draft statement because, he said, he was waiting to see the Attorney General in an effort to get him to have the President reverse his decision. I suggest that Mr. Acheson phone the Attorney General and obtain his personal concurrence."

461. The draft statement of the President read as follows, "On October 24, I announced that I had directed that all avenues be explored toward enabling the forty-eight Estonian refugees who recently entered the United States without immigration visas to remain here if they so desired so that they might eventually become citizens of this country. I am pleased to announce that as a result of the joint efforts of the Secretary of State and the Attorney General, these refugees will definitely not be deported and will in due course be given immigration visas which will enable them to remain in this country."

462. And then there was attached a memorandum for Mr. Ayers, who was one of the Press Secretaries, or Personal Assistants, of the President, which read: "The attached draft statement by the President has been prepared by the Department of State and has been cleared by the Attorney General. I suggest that you attempt to secure the President's concurrence immediately." What happened thereafter was that Mr. Acheson did succeed in reaching the Attorney General and persuading him to go along with our position. And the closing chapter of this story is contained in a memorandum dated November 5, 1946 which I prepared for General Hill-dring's signature to Mr. Haering and it read: "Please comply immediately with the President's decision as indicated in the enclosed photostat to allot sufficient visas out of proper sequence to take care of the forty-eight Estonians now in Florida. Your action should include effecting the necessary arrangements with appropriate officials in the Department of State. For your information, there is also enclosed a copy of the President's statement of November 2nd, which was approved prior to issuance personally by the Acting Secretary and the Attorney General." Then I have a few copies in my file of newspaper clippings recounting the ecstatic reaction of the Estonians. One of the stories has a headline, "Happy Estonians Kiss Earth at News They Can Stay in the United States".

463. At this point, I should like to introduce another person whom I have probably not mentioned until this point. His name is Joel H. Fisher. Joel was a fairly close personal

friend of mine during the period of 1945-1946 and I was responsible for bringing him into a key position in the Intergovernmental Committee on Refugees.

464. First a few words as to Joel's background and personality. At the time he was probably a year or two under thirty. He was a very big bearish-looking fellow with a tremendous amount of energy. He could never sit still one minute. He was always pacing up and down, and gave the impression of being a bull in a china shop wherever he was. Actually, he was a very astute tactician and maneuverer and very expert in international financial transactions.

465. He had not previously been very active in Jewish affairs, or as far as I could tell particularly interested. He had been working in the Commerce Department as a relatively young lawyer at the time that Henry Wallace was Secretary of Commerce. During the latter part of 1946, it became apparent to us that the Intergovernmental Committee on Refugees, called the I.G.C., was really not performing the kind of function which had been envisaged for it when it had been set up in the thirties. I believe it had been established under British and U.S. initiative after the Evian Conference.

466. Not only was it not really assisting in a meaningful way in post-World War II refugee and displaced persons problems; but it was actually creating some problems for the J.D.C. and the Jewish Agency by preempting certain fields of activity and then not actually performing any useful role in those fields. We tracked down the top personnel of the I.G.C. who were responsible for this inaction as far as Jewish D.P.s were concerned, and the main culprits as far as we could make out were Sir Herbert Emerson, who was the top Director, and then a man named Kuhlmann, a Swiss who was one of the top Assistant Directors. I think he was called Senior Assistant Director.

467. The top American official was a rather stuffy, ineffective fellow named Patrick Malin. I believe that he was of Quaker origin and very decent personally, but both ineffective and quite taken in by the British leadership and social prestige of associating with a man who was titled Sir Herbert. Incidentally, Malin later became National

Executive Director of the American Civil Liberties Union. I believe he died a few years ago.

468. Sir Herbert Emerson gave the appearance of being a very affable humanitarian fellow, but it had become clear that insofar as meaningful assistance to Jews in Europe was concerned, he really took his orders from the British Colonial Office or the British Foreign Office.

469. And so, in the latter part of 1946, I had convinced General Hilldring that we should inject some new personnel into the I.G.C. to stir things up. One of the key people was Joel Fisher and I think from the moment he entered the office in London of the I.G.C. in perhaps the last week or so in 1946 until the time that he left sometime in the latter part of 1947, the I.G.C. was never quite the same.

470. I have quite a few letters in my files from Joel to myself which contain a good deal of background information about the times. Joel was frequently complaining that I did not write often enough to him, and he was right. I was not able to do so for a good many reasons, but particularly because I was working in the Department of State on some very highly sensitive matters which I could not correspond about.

471. Joel had no compunctions about writing just about everything that came to his mind, and hardly a week went by during that period in 1947 when I did not receive at least one letter from Joel. I will run through some of these and quote some of the aspects which bear upon the problems I have been discussing up to now. I will not refer to other aspects which might be useful to historians for entirely different purposes.

472. The first letter in my files is an extremely interesting one dated January 2, 1947, which is actually a copy of a long letter to Moe Leavitt, who was the Executive Director at the time of the Joint Distribution Committee. I was in extremely close contact with Moe Leavitt during the entire period and we often discussed matters which Joel brought either to his attention or to mine. I will not quote this letter of January 2, 1947 because I assume that the full text of the

original is in the files of the J.D.C. If it is not, I would be glad to make available a copy of my copy of the letter.

473. This was apparently Joel's first report on his initial impressions in dealing with the I.G.C. top personnel after he had arrived in England. And he describes in the letter the rather contemptuous remarks which Sir Herbert Emerson made about the J.D.C. and also the Jewish Agency. He also describes a conversation he had in Paris with a mutual friend of ours who is identified in the letter as the Deputy Chief of Finance in Austria; that would have been with the American occupation forces. The man's name was actually Arthur Marget, and this was about the process of slow liquidation by the French of much of the Hungarian gold train, the contents of which had been hidden in various places in Austria.

474. Just as an interesting sidelight, I will quote one paragraph of Joel's letter to Moe Leavitt because it refers to me. He says, "As the Washington Herbie" (I guess that is to distinguish me from Sir Herbert in London) "may have told you, we had some difficulty with Vaad Hazala, who had managed to get to Sir Herbert before I arrived and had gotten him all steamed up against the J.D.C. and J.A. (J.A. is, of course, Jewish Agency). His main object, of course, was to get the five-power agreement changed so as to have Vaad Hazala made a designated agency to receive reparation funds. I think I have gotten the thing back to its proper perspective, and Steven Klein, the Vaad Hazala representative, now knows that he must deal with Joe Schwartz (that's of the J.D.C., of course) on reparations, and his New York office must deal with you" (Meaning Moe Leavitt).

475. And then he goes on to say: "I cannot stress too much how eager Sir Herbert and the British in general are to hear complaints against the J.D.C. and J.A. I think they want an excuse to hold up the distribution of any reparation funds because they fear these funds may be used for illegal immigration (that, of course, referred to illegal immigration to Palestine). I have already assured Sir Herbert a number of times that the funds would not be used for these purposes, but the Meader Report has given him extra ammunition." This reference to the Meader Report was by a staff member of, I

believe, the Senate Immigration Committee, which had made a tour of the D.P. camps and had returned with some highly publicized accusations about the underground movement to Palestine.

476. Because it might not otherwise be available, I do think it would be worthwhile for me to read here an extract from a memorandum which Joel enclosed with his letter to Moe Leavitt. This was an extract from a memorandum of November 18, 1946 by Dr. Kuhlmann, the Senior Assistant Director of I.G.C., to Sir Herbert Emerson. This memorandum deals with Kuhlmann's activities to interfere with the flow of Jewish refugees in the direction of Palestine. The memorandum, the extract, begins with paragraph number six.

477. "I", that is Dr. Kuhlmann, "was surprised to note that the official monthly U.S. Military Government Report for August 1946 contained under the sub-head 'Settlement' references not merely to U.S. re-emigration of Jews under the Truman scheme, but also references to successful operations of 'Settlement' in France. The U.S. Chief of Displaced Persons and Prisoners of War Department, U.S. Ninth Division, comprising the whole of Bavaria, explained to me that he had successfully organized convoy trains of Jews, both former UNRRA camp inmates and freshly arrived persons from Poland, escorted by UNRRA and military personnel which had been able to go straight through to Paris via Karlsruhe, Kiel, Strassburg. In some cases, French transit had been granted by French Consular authorities on the basis of letters of promise of grant of visa by some Latin American or other Consulate. In some cases, no transit visa had appeared necessary. The officer was rather proud of the success of his travel orders and was convinced that he was doing a fine job in reducing the growing number of D.P.s in his area."

478. "The Chief of the P.W. and D.P. Division in the French-German zone was unaware of this traffic, as it goes straight through to Strassburg without crossing French occupied territory. Valentine Smith, Resident Representative in France, was informed by me (this is Dr. Kuhlmann) over the phone and I understand that the French have taken measures to stop these trains. In fact, Mr. Bousquet in Paris informed me

that he was making representations through the French Ambassador in Washington to the State Department."

479. "Seven, In Paris the French authorities have formally asked our representative to give administrative protection to those fresh Polish arrivals who wish to regularize their situation with the French authorities. For this purpose, the Ministry of the Interior has put at the disposal of Valentine Smith the official French convocation form to appear at the prefecture. Polish applicants freshly arrived are interviewed by special personnel speaking the Polish language and are filling out our standard registration form. They then issue to the applicant, once they consider him prima facie eligible, the above official form which enables the applicant to identify himself and justify his presence on French territory should he be asked for his papers by the police."

"From a brief examination of these forms I would estimate", said Dr. Kuhlmann in this memorandum, "that about fifty per cent of the applicants have escaped from UNRRA camps in the U.S. German zone without any authority or military exit and have entered French territory in clandestine manner. The other fifty per cent are persons who have come in organized train convoys with U.S. travel orders, etc. Most of the applicants have no other papers but their D.P. cards.

"When I visited Paris the system had just started to operate about 3 weeks ago and only approximately 400 persons had been interviewed. A queue of about 50-100 persons was waiting daily in the staircase and landings of the building causing the troubles which had led to our being given notice.

"It is queer that the number of persons desirous of regularizing their situation in France represents only a small percentage of the total number of fresh arrivals. The others, while filling hostels and hotels arranged for them by the Jewish voluntary bodies, seem to fade out like "water in desert sand", to use the expressing of M. Pages, head of the Aliens Division in the French Ministry of the Interior. It is generally assumed that many embark from France for Palestine, in some cases by taking a boat for non-Palestinian destination and transferring over to a special ship for illegal emigration traffic outside territorial waters.

480. "Eight, M. Bousquet informed me that the French Government had received representations from the British Government and that the French authorities were doing their utmost to satisfy legitimate British requests, but he recognized that police supervision was an extremely difficult matter and that "Refoulement" at the Eastern border had to be practised with discretion lest French public opinion would take sides in favor of the Jewish persecutees."

481. I shall conclude at this point by quoting passages from 2 letters which Joel Fisher sent to me from London in February 1947. They contain some historically interesting insights into the British Government's attitude toward Palestine at the time. There are also some interesting comments on the bleak Jewish resettlement problem at the time.

482. The first letter was dated February 13, 1947 and includes the following passages:

"1. As you probably know, Phil Bernstein arrived late yesterday afternoon secretly in London for the purpose of seeing what could be done for getting British officials to permit migration to Palestine. I have talked to him on the phone and I'll be getting together with him some time ~~tomor-~~^{tomor-}row, and will of course offer any assistance I can.

"2. I have been in close touch with the Agency people negotiating with the British on Palestine, and also with several of the Jewish M.P.'s. The formal Agency rejection went out today but although the Agency generally are very confident, the M.P.'s are very pessimistic. The basic assumption made by the Agency is that the British are really bluffing by threatening to hand the matter over to the U.N. The M.P.'s don't think this a bluff. The Cabinet should be meeting within the next few days to put forward a plan. The Debate in Parliament will not take place until after the plan is announced. The House of Lords Debate scheduled for Monday has been cancelled. In general, Creech Jones has been fairly sympathetic - Bevin's a son-of-a-bitch and Sir Norman Brooks a good Civil Servant who will take no position either way.

"Most of the responsible British Jews I have met in England still are very critical of the U.S., saying that we should have come forward right after the Anglo-American Palestine Commission report and said that we accepted the plan; and then made concrete offers to assist financially

and militarily. (With most British Jews/including Zionists/feeling this way, isn't it easy to see how they, the British Government, can get justification for their actions here?)."

483. The second letter is dated February 16, 1947 and contains the following passages:

"I spent all last evening with Rabbi Phil Bernstein and his legal adviser Major Abe Hyman and two more disappointed, unhappy people I have never encountered. I feel that Bernstein is truly a great man and Hyman seems to be very able indeed. Bernstein arrived on Thursday afternoon and saw Bevin alone on Friday morning for one solid hour immediately before Bevin's Cabinet conference at which the Palestine decision was made.

"At the conference Bernstein's general line was, forgetting political considerations - wasn't it possible to increase immigration as a humanitarian thing. He pointed out the fact that the people are already beginning to deteriorate in the camps and unless something is done to open up Palestine, they will deteriorate tremendously during the next winter. Bevin said that he thought nothing could be done in that respect. He changed the conversation over to a discussion of the issues of the plan he offered the Jewish Agency and of their reaction. Bernstein kept coming back to his humanitarian point, asking whether Bevin would listen if Bernstein obtained assurances from the Jewish Agencies not to raise the political question; Bernstein kept stressing he was only interested in the emigration into Palestine and was not interested in the political question. Bevin responded that the political question and the emigration question were definitely tied up and they could not be separated, and he refused to budge an inch.

"During the course of the conversation Bevin literally ranted at Truman, giving the usual "excuse" line; if Truman had not blasted on the 100,000 figure, he, Bevin, would have been able to work along smoothly with the Arabs, and the Arabs would have agreed to permit the 4,000 a month to enter. Bevin also wanted credit for the fact that British soldiers had not been shooting Jews in Palestine as the French had in Indo-China. Bernstein was very much impressed

with Bevin's knowledge of the issues and also his knowledge of the various Jewish leaders and also what they stand for. He told Bernstein he would never forgive Ben-Gurion and Shertok for their roles in helping terrorists' activities.

"As a result Bernstein was a very unhappy man last night - he will stay in London for at least several days and try to negotiate along the following lines: (His stay may be cut short because Herbert Hoover, who is now in Germany and who wants to see him, may insist he come back).

"1. On Monday, Parliament will begin debating on the decision to give the Palestine question to the U.N. There is the remotest chance that Parliament may vote the government down on this matter. Bernstein will see Churchill and some of the other opposition leaders to sound them out on this possibility, which is of course very remote.

"2. Even assuming that Britain will turn the matter over to the U.N. there is nothing to prevent them from still stepping up inflow of immigrants as an interim measure while awaiting a U.N. decision. This is another outside chance but a little more possible of accomplishment. In this connection he will see Creech Jones and will probably see Bevin again and Churchill again.

"I am impressed with Bernstein's approach and in view of the fact that all his appointments are being arranged by the Embassy, I think he is proceeding on a suitably high level, under proper high level auspices. Nevertheless, it may be a good idea from your end to get Marshall to send Bevin a personal message, asking that notwithstanding the decision to submit to the U.N., the British might step-up migration into Palestine. In view of what Bernstein reports of Bevin's attitude towards Truman (and which I have heard in many other circles as well) I think it would not be wise for Truman to send such a message.

"3. Assuming failure on number 2, Bernstein, only after obtaining permission from the Jewish Agency, would look into the possibility of resettling in other countries. In this connection I suppose you know the very bleak reports we have heard from South America on possibilities of Jews being admitted. From every South American country except Paraguay, our representatives have reports that the govern-

ments have actually or indirectly said that they did not want Jews to come in. With the exception of Brazil and Argentina which appear actually to be very bad, I still think something can be done in South America. I have literally cross-examined our people coming back and find that they base their decision on anti-semitism of the governments on conversations they have had with relatively minor bureaucrats. Moreover, although there are tremendous areas of un-inhabited land in South America e.g., the large and rich land in Venezuela, south of the Orinico River, none of our people have apparently asked the governments whether they would permit refugees to undergo group settlement (financed by private agencies) in this land. I know this might amount to second class citizenship, but my God! things look awful.

"I suppose you know what happened to the ship the "Gritti" in Brazil, financed by I.G.C. It sailed from Italy with a large number of refugees, including 97 Jews. All aboard had International Red Cross passports including visas. First, the Brazilians refused to let anyone disembark. After a National Catholic Welfare agent had made representations to them, they permitted everyone to disembark - except the Jews - who are now being held in the Brazilian "Ellis Island", where they will probably not be permitted to go ashore. The National Catholic Welfare fellow wrote to us saying "The Brazilians are not hostile on the Jewish question they are rabid". On the phone the other day to Paris, I heard from J.D.C. that the refugees, with proper Brazilian visas on one of their ships going to Brazil had met a similar fate and that the ship would probably have to return to Europe. I mention all this by way of hearsay and I am sure you are probably far more up-to-date on these two incidents than I am - but I mention them in relation to the point. While it is true that Venezuela will let in 15,000 people they have told Macaulay that at least for the first batches they would prefer not to have any Jews. The same thing goes for Chile where they told Macaulay that of the 100 families they would accept experimentally, they would prefer not to have Jews. Macaulay said he gave the right answer

i.e., "I.G.C. will not rule out Jews - it is a matter for the country's own Selection Teams, but I suggest there are also good skills among the Jews and this should be taken into consideration by the Selection Teams".

"As you know, the Australians have at least sounded like they wanted to throw open their gates, but I understand that recently they set down in connection with a ship leaving Rotterdam, a requirement that no more than 10% of the refugees on any one ship may be Jewish.

"I talked the other day with a Canadian M.P. and the Executive Secretary of the Canadian Committee for refugees. They told me that they expected Canada to open up further and to accept beyond their present requirement of refugees who have close relatives in Canada. This appears to be the only happy thing on the horizon. In addition to group settlement in South America, the U.K. general plans sound good and there is a possibility for the U.S. They tell me the Dominican Republic just ain't good to live in. Of course Paraguay is possible but there, the most intensive type of pioneering conditions would confront incoming people. Only large outlays of money like the Mennonites had could succeed in that miserable jungle.

"Frankly, I can't help but feel the cause of the Jews has been deteriorating the world over, and it is quite doubtful as to what, if anything, can be done. It certainly ain't pleasant."