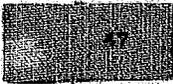


WAR Refugee Board, Volume 3
(Folder 3 of 4)

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January 20, 1944

Mr. DuBois

J. W. Pehle

I would appreciate it if you would have prepared a draft of instructions to the persons to be designated as special attaches.

I suggest the instructions include the following points, among others:

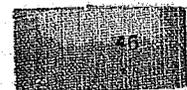
- (1) Indication that the text of the new Executive Order and press release together with circular instructions have been sent to the mission in question and copies thereof should be obtained by the attache.
- (2) An indication that this work should at least constitute the attache's principal task.
- (3) An outline of the assignment of the attache on the following lines:
 - (a) To work with and assist private agencies who are operating in this field whether the agency be American, foreign or intergovernmental.
 - (b) To develop and assist in the development of programs to accomplish the policy of the Order, including both open and clandestine operations.
 - (c) To report constantly on progress and obstacles and to forward suggestions.
- (4) Indication that we will remit funds for operating expenses and authority in the attache to employ personnel locally to the extent needed, including both American and non-American citizens.
- (5) Authority from the Secretary of the Treasury under the Trading With the enemy Act in the attache to authorize private agencies who are bound by our Trading With the enemy Act to communicate with enemy territory to carry out the purposes of the Order.

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Amplifier



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War Refugee Bd -

Report to President
March 20, 1944

The task assigned to the War Refugee Board is the immediate rescue and relief of the victims of enemy oppression who are in imminent danger of death. The Board has already initiated numerous measures which, if fully implemented, will result in the saving of many lives. Each measure has been based on two general principles. First, the Board is of the opinion that at this stage of the war, the measures most likely to result in saving the lives of those victims of enemy oppression who have thus far survived Hitler's campaign of extermination are programs designed to change the actions and attitudes of the enemy, particularly his satellites, functionaries, and subordinates. Secondly, the Board believes that there is real opportunity for bringing many refugees out of German controlled territory.

In its effort to halt persecutions, the Board has obtained the cooperation of the Office of War Information and an attempt is being made to convince the people in Germany and in the satellite countries of the seriousness with which we view this matter and of our determination to forestall further extermination of the Jews and other persecuted minorities and to facilitate their escape. With the same purpose, the State Department at the Board's request has sent instructions to our Missions in the neutral countries the declared policy of this Government to take all possible measures to end persecution, our determination to rescue its victims, and our attitude toward those Governments which persist in collaborating with Hitler's program to exterminate minority groups.

The Board's program to rescue refugees from enemy occupied Europe involves complex and difficult problems. Their release must be obtained from the enemy, neutral countries must be induced to grant them asylum and transportation must be provided to move them to havens.

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If rescue operations are to involve more than a trickle of refugees making their way clandestinely to neutral territory, the enemy or his satellites must facilitate the escape of the refugees. Some of the satellite countries are at present granting exit permits to refugees, chiefly to children. In western Europe, very few refugees have been able to obtain Nazi consent to their departure. The War Refugee Board through the measures referred to above hopes to induce the satellite countries in particular to permit many more refugees to leave their territory.

The Board has sought by humanitarian appeals to the neutral countries of Europe to obtain asylum for refugees escaping from enemy occupied territory. In general, these neutral countries have been unwilling to accept additional refugees unless they are given assurances that the refugees will not be a charge upon the countries accepting them and that they will be re-evacuated at the earliest possible moment. The War Refugee Board has given such assurances and is taking steps to obtain havens for refugees outside the neutral countries, to which refugees can be moved, thereby making room for additional refugees in the neutral countries contiguous to enemy territory.

In the Balkans where refugees cannot be evacuated to a contiguous neutral state, transportation becomes an important factor in rescue operations. Mainly through the efforts of the Board's special representative in Turkey, facilities for evacuating some refugees from the Balkans by rail have been obtained. The Board's representative there is also participating in negotiations to obtain ships to evacuate refugees from the Balkans to Turkey by sea.

A detailed statement of the measures taken by the Board follows:

1. Obtaining the Cooperation of other Governments in carrying out our Refugee Policy.

A. Instructions to Missions.

All our Missions abroad have been advised of the declared policy of this Government with respect to war refugees and have been instructed to seek the cooperation of the governments to which they are accredited in effectuating that policy. They have been asked to report both the extent to which such governments are willing to cooperate and the nature of any special obstacles which may stand in the way of cooperation. Many of the requested reports have already been received and some of them set forth concrete measures which these governments are willing to adopt to aid in the execution of our policy. These reports and suggestions are at present being considered by the Board.

B. Appointment of Special Representatives and Attaches.

The Board has designated representatives who will serve as special attaches to our Missions on refugee matters in Turkey, Spain and Switzerland. A representative has also been designated to serve in French North Africa.

C. British Cooperation.

Our Embassy in London has requested the active support of the British. The British have stated that they are pleased at the establishment of the Board and will give it their support. They have sent instructions to their diplomatic representatives asking them to cooperate with our men. A report of the concrete measures we have initiated and propose to take has been sent to Ambassador Winant for submission to the British, with the view of obtaining parallel action by the British on these matters.

D. Russian Cooperation.

At the request of the Board, the cooperation of the Russian Government has been solicited. The Board feels that Russian assistance can be particularly helpful in (a) bringing pressure on the Axis satellite countries to desist from further collaboration in Hitler's program.

and (b) assisting in solving the transportation problem in the Black Sea area.

A. Cooperation of Neutral Governments.

To open the way for a flow of refugees from occupied areas into Turkey and Spain, we have asked our ambassadors to request the Turkish and Spanish Governments to relax their border and other controls and publicly to announce their willingness to accept refugees. We have indicated that we will arrange for the maintenance of refugees in Turkey and Spain and for their transportation to other temporary havens.

The Board is endeavoring to get increased cooperation from Switzerland by having her accept additional refugees from occupied areas. The Swiss are also being asked to approach the German Government and insist that they continue to recognize the validity of certain passports issued by various Latin American Governments to refugees now interned in France; non-recognition of these passports by the Germans would be preliminary to their deporting these refugees to Poland.

II. Measures Directed at Changing the Actions and Attitude of the Enemy.

Since the best chance of saving the greatest number of Jews and other victims of enemy oppression from death lies in the possibility of changing the actions and attitude of the enemy, particularly within the satellite countries, at the request of the War Refugee Board, the State Department is making appropriate representations through neutral channels to the Bulgarian, Hungarian and Rumanian Governments to desist from deporting Jews to Poland and to assist in their escape. Similar representations are being made through the Vatican to the President of Slovakia. This Government's determination to carry out its policy of rescue will be brought home to the satellites not only to give them a clear view of our attitude but also to make apparent to them the opportunities which exist for assisting in the execution of our policy.

The Office of War Information, at the request of the Board, has started a program to bring home to the people of Germany and occupied countries our determination to forestall further exterminations and to facilitate the escape of the persecuted peoples.

III. Rescue and Relief Programs and Specific Projects Facilitated by the Board.

A. Movement of Refugees through and from Spain.

To induce the Spanish Government to accept more refugees, the Board is proposing the establishment of reception centers for new refugees close to the Spanish-French border. The Board is willing to make the necessary arrangements for the maintenance of such centers and for the immediate retransfer of the refugees in these centers to havens outside Spain. The Board is taking steps to expedite the removal, on a compulsory basis, if necessary, of refugees now in Spain to the UNRRA camp near Casablanca which is ready to receive them, but still empty.

B. Evacuation into and through Turkey.

There are at present about 50,000 Jewish refugees in Transnistria who had been deported from Rumania and who are in extreme danger because they are in the path of the retreating German army. The Board is making every effort to facilitate their removal from this area to Rumania and to sustain their lives pending evacuation. With the consent of Ambassador Steinhardt, the Board's representative in Turkey has approached the Rumanian Minister to Turkey in an endeavor to obtain protection and aid for these people. The Rumanian Minister has promised to take the matter up immediately with Bucharest and stated that he would recommend to his Government that efforts be made at once to transfer the Jewish refugees from Transnistria to the interior of Rumania, although he admitted that might not be possible because of the military situation in that area.

Lack of transportation facilities is one of the main obstacles to evacuating any numbers of refugees from the Balkans, and the Board's representative has been making every effort to obtain ships and rail facilities for this evacuation program. Negotiations are pending for the charter of one Turkish vessel and the purchase of another for transporting refugees from Constanza across the Black Sea to Turkey. In his conversations with the Rumanian Minister, the Board's representative was assured that upon the arrival of evacuation vessels at Constanza, the necessary transportation and exit visas would be provided promptly for 5,000 Jewish children. Arrangements have also been made for the rail transportation of 150 children every 10 days from Bulgaria to Palestine via Turkey.

The other main obstacle to evacuation of refugees from the Balkans is the unwillingness of the Axis satellite countries to grant exit permits. Prior to the establishment of the Board only a few refugees were getting through to Turkey. It is hoped that the pressure now being brought on the satellite governments will result in their permitting large numbers of refugees to escape to Turkey and other areas of safety.

C. Reinstating Turkish Citizenship of Refugees in France.

The Board's representative in Turkey has taken steps to save some 10,000 Jews in France who have been threatened by deportation because they have been divested of Turkish nationality by operation of Turkish law. The Turkish Government has been asked to extend protection to these Jews by reinstating their Turkish citizenship. The British Ambassador in Turkey has agreed to support our request and to urge the Turkish Government to make the necessary representations to the Vichy Government.

D. Specific Projects.

Several private organizations in this country have been authorized to carry on relief and evacuation

operations in occupied Europe. The Board has recommended and there have been issued by the Treasury Department licenses permitting the representatives of these organizations in Switzerland to engage in the necessary communications with persons in enemy territory, and to finance their operations by the acquisition of the requisite local currency from persons in enemy territory, if necessary, against payment in free exchange. The State and Treasury Departments and the Board have taken the position that in these cases the saving of lives is paramount to the possibility that certain amounts of free exchange may become available in enemy territory. Among the rescue and relief projects sponsored by private organizations, which the Board has facilitated, are the following:

1. Evacuation from France to Switzerland.

(a) Evacuating Abandoned Jewish Children. One of the rescue programs which has been licensed involves several thousand abandoned children in hiding in France who are presently subject to deportation to Poland. While efforts are being made to sustain the lives of these children in France, they cannot be brought into Switzerland in large numbers unless the Swiss Government has some assurance that the children will be evacuated after the war. The Board has recommended to the State Department that this Government assure the Swiss that American visas will be issued to 5,000 children entering Switzerland from France and that such visas will be renewed as necessary. \$400,000 has already been sent to Switzerland to finance the evacuation of these children from France and to feed them pending their evacuation.

(b) Evacuation of Scholars, Christian and Political Refugees. Steps were also taken by the Board to facilitate the operations of several private organizations engaged in the rescue and relief of scholars, Christian and political refugees trapped in France. Treasury licenses were

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issued on the recommendation of the Board to provide funds in Switzerland with which to carry on this work.

(c) The World Jewish Congress Program. The Board has worked out with the World Jewish Congress a program to evacuate refugees from France and Rumania into Spain, Switzerland, and North Africa. Appropriate licenses have been issued by the Treasury Department authorizing the necessary operations up to a total cost of \$100,000, of which \$25,000 has already been sent to Switzerland.

2. Evacuation from Poland to Hungary.

The Board has approved a program of the Union of Orthodox Rabbis of the United States and Canada to evacuate Jews from Poland to Hungary. The Union has been authorized to communicate with and to send funds to persons in Hungary who are in a position to assist refugees in crossing the Polish borders into Hungary where a large Jewish community is ready to help the refugees and aid in their absorption into the Hungarian economy. \$100,000 has been sent to Switzerland to cover these operations.

3. Evacuation of Children from France into Spain and Portugal.

Recent reports have indicated that several hundred children could be evacuated from France into Spain and Portugal through the assistance of professional guides at a cost of \$250 to \$300 per child. The Board in conjunction with the American Jewish Joint Distribution Committee worked out a program for the rescue of these children and upon the Board's recommendation appropriate licenses have been issued permitting the necessary operations up to a total cost of \$100,000 for Spain and \$25,000 for Portugal.

4. Rescue and Relief of Political and Religious Refugees in Norway, Czechoslovakia, Poland and France.

The Board has worked out with the CIO War Relief Committee, and the United Nations Relief of the AFL programs for the relief and rescue of refugees in Norway, Czechoslovakia, Poland and France. The United Czechoslovak Relief and the American Relief for Norway, Inc. have been designated to carry out these programs which will involve the expenditure of \$150,000 and \$200,000 by the respective organizations. The Board has obtained the requisite approval of the President's War Relief Control Board and has recommended that the Treasury Department issue the appropriate licenses.

5. Feeding Program for Internees in Rumania, Hungary, Croatia and Czechoslovakia.

The International Red Cross has indicated to the Intergovernmental Committee in London its urgent need for funds to purchase foodstuffs for distribution to internees in Rumania, Hungary, Croatia and Czechoslovakia. The Board thereupon approached a large private organization in this country which agreed to provide \$100,000 at once. This sum has been remitted to Switzerland under a Treasury Department license which permits the purchase of the needed foodstuffs in Hungary and Rumania as well as in neutral countries.

6. Relief of Refugees in Shanghai.

Relief is presently being afforded to 10,000 stranded refugees in Shanghai pursuant to licenses granted to two private organizations by the Treasury Department at the Board's request. These licenses authorize the borrowing of local funds in Shanghai against a promise on the part of the American organization to repay after the war.

7. Relief of Destitute Jewish Children in Rome.

The Board has facilitated a program for the relief of destitute Jewish children in Rome. Under this program which is now in operation, funds are put up by private organizations in the United States and remitted to the British Minister to the Vatican via the British Foreign Office. Arrangements are now being made for future remittances of this nature to be made directly from the United States.

IV. Temporary Havens of Refuge.

One of the chief difficulties encountered by the Board in its endeavor to carry out our declared policy of rescuing oppressed peoples from enemy territory is that of finding havens of refuge. In order to induce the neutral countries contiguous to enemy territory to accept additional refugees, it is necessary to assure them that ultimate havens elsewhere will be found for the refugees. One of the Board's purposes therefore is to be in a position to assure such neutrals that refugees admitted by them will speedily move in transit to other places of refuge. The Board has submitted to the State Department for consideration by the British Government a proposal to establish such havens of refuge in Tripoli and Cyrenaica. The possibility of establishing other havens of temporary refuge is being explored by the Board with the thought that, even if refugees are only accorded the same privileges which are granted to prisoners of war, this would be preferable to leaving them to die in occupied Europe.

HRP:VH:lab 3/20/44

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MAR 10 1944

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Memorandum for the File:

While we all realize that the War Refugee Board in its five weeks of operation has barely scratched the surface of the problem, the following are a few of its more outstanding accomplishments:

1. The Bulgarian bottleneck has been broken by our arrangements for the rail transportation of 150 children every 10 days from Bulgaria to Palestine via Turkey. This small step may have important implications in the whole Balkan refugee situation.

2. To open the way for a flow of refugees from occupied areas into Turkey and Spain, we have asked our ambassadors to request the Turkish and Spanish Governments to relax their border and other controls and publicly to announce their willingness to accept refugees. We have indicated that we will arrange for the maintenance of refugees in Turkey and Spain and for their transportation to other temporary havens.

3. To induce the Spanish Government to accept more refugees, we are taking steps to expedite the removal on a compulsory basis, if necessary, of refugees now in Spain to Camp Marechal Lyautey near Casablanca which is ready to receive them, but still empty.

4. We received word that it might be possible to evacuate 1,000 refugees from Constanza, Rumania, across the Black Sea to Turkey, if a guarantee could be made to the Turkish Government to replace an available boat, in case of its loss. Within 24 hours the War Refugee Board obtained commitments from War Shipping and Lend-Lease and our representative in Turkey was authorized to give the necessary assurances to the Turkish Government.

Admiral Land has ordered Myron Black, Field Director of War Shipping, from Cairo to Ankara to assist Ira Hirschmann, our representative in Turkey, on the Black Sea shipping problem.

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5. Several actual evacuation operations within occupied Europe are now under way as the result of our facilitating the speedy transfer of funds, the use of free exchange in enemy territory and the necessary communications with enemy territory. Specifically, projects under the auspices of private organizations have been commenced to bring refugees from Poland and Slovakia, where they face imminent death, into Hungary, a place of relative safety, and to transfer persecuted people from France and Rumania into Switzerland.

6. O.W.I., at our request, has started a program to bring home to the people in Germany and the satellite countries our determination to forestall further exterminations of the Jews and other persecuted minorities and to facilitate their escape.

7. For the first time, this Government now has 25 professional employees working full time on this problem.

8. At our request the State Department is making appropriate representations through neutral channels to the Bulgarian, Hungarian, and Rumanian Governments to desist from deporting Jews to Poland and to assist in their escape. Similar representations are being made through the Vatican to the President of Slovakia.

REPORT TO THE WAR REFUGEE BOARD

As you know, the Board has already initiated many measures which if fully implemented may result in saving the lives of refugees. These measures have been based upon two general principles:

(1) We believe that at this stage of the war there is a chance of saving many Jews and other victims of enemy oppression from death through an organized and concentrated program designed to change the actions and attitude of the enemy, particularly his satellites, subordinates and functionaries. The Office of War Information is cooperating with us in our efforts to convince the people in Germany and the satellite countries of the seriousness with which we view this matter and of our determination to forestall further extermination of the Jews and other persecuted minorities and to facilitate their escape.

(2) We are convinced that there is a real opportunity for actually bringing many of these people out of German controlled territory. We are determined to do what we can to bring these people out, in as large numbers as possible. In this connection, it may be noted that the War Shipping Administration has been cooperating with us in our efforts to solve the shipping problem.

The Major Difficulty.

To make this program a real success, however, it is essential that one major difficulty be overcome at once. The crux of this difficulty lies in the single fact that the United Nations have not been prepared to supply even temporary havens of refuge for substantial numbers of the persecuted peoples of Europe, particularly the Jews.

The tremendous significance of this fact will be seen from the following:

(1) Weakness in our program to get the enemy forces to desist from their policy of extermination.

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Whatever the United Nations may do to try to undermine the Nazis' determination to exterminate the Jews and other minorities has a great inherent weakness if it is clear to the enemy forces and to the whole world that the United Nations would not be willing to receive these peoples even if the enemy released them. Our actions, if not our words, have made it clear that such is the case. The Bermuda Conference turned down the suggestion that an immediate approach be made to Germany to release the Jews, and the conclusion is inescapable that some fear that the Germans might dump the Jews on the Allies if we offered to take them.

The enemy must not be given the pretense of justification that the Allies, while speaking in horrified terms of the Nazi treatment of the Jews, never once offered to receive these people if the Germans released them. The moral aspect of the problem is pre-eminent and we should leave no stone unturned to make that issue clear. The willingness of the United Nations to receive these people could be brought home with such force to every German and to every man in German controlled territory that the Nazis, even if reluctant to desist from their massacres, may feel a pressure difficult to resist.

(2) Weakness in our program to actually bring the oppressed victims out of enemy territory.

The Board has no intention of turning down any project for the rescue of refugees facing death solely because of the problems which may be involved in finding a temporary place to put these people once they escape from Hitler.

However, the fact that we do not now have a place where we can assure that these people can go, at least temporarily, in as large numbers as possible is actually interfering to a great extent with our efforts to bring these people out of enemy territory.

An examination of the two major programs of evacuation which the Board has undertaken makes this eminently clear.

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(a) Evacuation into and through Spain.

In order to facilitate the evacuation of as many refugees as possible from occupied areas to Spain, the Board requested Ambassador Hayes to approach the Spanish Government, on humanitarian grounds, with a program designed to encourage the entry of more refugees into Spain. The Board suggested that the refugees now in Spain be removed as rapidly as possible to Camp Lyantey at Fedhala, Morocco, which is now empty, and that the Spanish Government maintain reception centers for new refugees. The Board indicated its willingness to make the necessary arrangements for financing these refugee centers and to assume responsibility for removing refugees from these reception centers to other places. As a part of this program, the Spanish Government would be asked to relax its border and other controls and by appropriate means indicate its willingness to accept refugees.

In commenting upon this program, Ambassador Hayes states, among other things:

"It is my feeling that Spanish Government could best expedite release of refugees from German controlled areas of Europe by directly approaching German Government with offer to grant transit or temporary residence visas to refugees wishing to leave those areas in much the same way that it has recently effected release of above mentioned Sephardic Jews the ultimate destinations for such refugees to be arranged by the War Refugee Board or other such organization. It should be emphasized, however, that sympathetic consideration of Spanish Government to such a proposal can hardly be expected until there is found more adequate solution to problem of destinations for these refugees than provided by Fedhala project in order that effective evacuation of stateless refugees still in Spain can be expeditiously accomplished and assurances given Spanish Government that all refugees admitted to Spain in future under such arrangement would be removed without delay to further destinations."

Even if the obstacles which the French Committee is placing in the way of a speedy evacuation of refugees to the camp at Fedhala can be removed, it is obvious that the limitations which exist upon placing refugees in such camp are such that we are in no position to satisfy the Spanish Government that we will take refugees, particularly Jews, off of their hands in unlimited numbers and without delay. The difficulties being created by the French in connection with the use of this, the one refugee haven which now exists, are, incidentally, directly traceable to the apparent belief of the French that large numbers of evacuated refugees are to be dumped in North Africa and that none are to be taken to British and American territories.

We can not get the Spanish Government to receive large numbers of Jewish refugees unless we can find some other place to which these refugees can be speedily removed.

(b) Evacuation into and through Turkey.

One of the greatest opportunities for actually bringing people out of Hitler's control exists in the areas adjacent to Turkey and the Black Sea. It is known that in Transnistria, Rumania and Bulgaria there are substantial numbers of refugees in imminent danger of death. There are strong indications that the Rumanian Government at least will permit a substantial number of refugees to leave Rumania.

We have requested that a program for evacuation through Turkey similar to that suggested for evacuation through Spain be presented to the Turkish Government. Through the War Shipping Administration and the Foreign Economic Administration we have already guaranteed to the Turkish Government that if they use one of their ships for this purpose, this Government will replace such ship if lost.

In view of the fact that Palestine is the principal if not the only place to which refugees can now be removed from Turkey, it must be expected, if other havens of refuge are not found, that the British will strongly oppose the evacuation of large numbers of Jewish refugees to Turkey. This

was made clear by the British in December 1943 when the Foreign Office objected to the issuance of a license by this Government authorizing the World Jewish Congress to remit money to Switzerland for the rescue of Jews from France and Rumania. In stating their objection to even the preliminary financial arrangements, the Foreign Office expressed its concern with "the difficulties of disposing of any considerable number of Jews should they be rescued from enemy occupied territory," and indicated the view that all rescue operations will be greatly hampered by the difficulties of finding accommodation in the countries of the Near East for any but a very small number of Jewish refugees.

This situation obviously interferes to a major extent with the Board's program for evacuating persons in the Black Sea areas.

Recommendation.

It is essential that we find at once a temporary haven of refuge where substantial numbers of Jews and other war refugees can be put if rescued. Even if none of these refugees were ever actually sent to such place, the mere announcement that such a place existed might spell the difference between success or failure in the task which faces us.

As you know, one of the specific recommendations made at the Bermuda Conference was that the British Government consider the question of admitting refugees to Cyrenaica. Moreover, in July 1943 the President expressed a definite interest in the possibility of establishing refugee havens in Cyrenaica and Tripolitania. This matter was again mentioned to the British in January of this year. Although we are again pressing the British on the use of Cyrenaica and Tripolitania, it seems doubtful whether any agreement can be reached in a short enough time to do any good.

Even if this refuge could be obtained at once, it is important to note that the United Nations will have lost the tremendous psychological effect of an offer to give temporary asylum to refugees in their own territories, sending them

instead to the former colonies of a conquered enemy.

I am also convinced that we cannot expect the British, the Russians or others to receive refugees into their territories unless we ourselves are prepared to take such steps. The situation in this respect is best expressed by the reply of the Government of Nicaragua to our request that they cooperate with our policy of rescuing refugees. That Government has informed us that "Nicaragua sympathizes with that policy and that it will permit the entry of war refugees under the same conditions as the United States and in a number proportionate to the population of both countries."

I therefore recommend for your urgent consideration that this Government take the lead at once in this humanitarian cause and announce to the world that it will provide temporary havens of refuge in this country for all oppressed peoples escaping from Hitler - these people to be placed in camps established in this country and to remain there until the termination of the war, at which time they will be returned to their homelands.

I am not unmindful of the political and other difficulties which may attach to any effort to bring refugees to the United States. I am convinced, however, that any difficulties which may arise in connection with this proposal are far outweighed by the moral and humanitarian considerations involved.

The following significant points should be borne in mind in connection with the proposal:

(1) Under this proposal refugees would be treated in effect as prisoners of war. They would be received outside the regular immigration procedure and kept in camps until the end of the war. The sole consideration involved in bringing such refugees into this country would be whether such action would help to save their lives or the lives of other refugees.

(2) No violation or attempt to evade immigration laws would be involved since the people would remain only until the termination of the war and would not come in under the quota system. In fact while in the camps in this country all such persons would be ineligible for admission under the immigration laws.

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(3) There could be no objection on security grounds any more than in the case of prisoners of war.

(4) The principal United Nations involved have already agreed that each of them will receive after the war its nationals who have fled for their lives and have been given asylum in other countries. These nations have also agreed that it is a part of their settled policy to assure such conditions in enemy and enemy occupied countries as will permit the return thereto of all persons displaced therefrom who have sought refuge elsewhere. This agreement, already concurred in by the United States, Great Britain, the Soviet Union, Luxembourg, Yugoslavia, Norway, The French Committee, Greece, Belgium, Poland, Czechoslovakia, and the Netherlands will make clear to the people of the United States that such refugees as may be accepted in camps here will be returned to their homelands at the end of the war.

(5) This proposal is not without precedent and is in reality the same as that adopted in the case of civilian internees, including Jewish refugees, who have been brought here from Latin American countries and placed in internment camps.

(6) The humanitarian considerations which might be urged against the confinement of the refugees are answered by the simple fact that treating them as prisoners of war is better than letting them die.

The practical effect of such a step by the Government of the United States would be tremendous. Our allies would without doubt follow our lead. That this country, which has always been a refuge for the fugitive from injustice, oppression and persecution, should take the leadership in this matter would be in keeping with our heritage and with our ideals of liberty and justice.

In the hearts and minds of all peoples under Nazi domination and throughout the world such action might well have an effect tremendously favorable to our whole war effort and to our reputation as a nation which has always carried the torch in great undertakings.

I, therefore, strongly recommend that the Board approve this program, submitting it without delay to the President for his approval. Attached is a proposed memorandum to the President from the Board.

Attachment.

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3/6/44

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MAR 6 1944

Memorandum for Secretary Morgenthau

While we all realize that the War Refugee Board in its five weeks of operation has barely scratched the surface of the problem, you will be interested in the following of its more outstanding accomplishments:

1. The Bulgarian bottleneck has been broken by our arrangements for the rail transportation of 150 children every 10 days from Bulgaria to Palestine via Turkey. This small step may have important implications in the whole Balkan refugee situation.
 2. To open the way for a flow of refugees from occupied areas into Turkey and Spain, we have asked our ambassadors to request the Turkish and Spanish Governments to relax their border and other controls and publicly to announce their willingness to accept refugees. We have indicated that we will arrange for the maintenance of refugees in Turkey and Spain and for their transportation to other temporary havens.
 3. To induce the Spanish Government to accept more refugees, we are taking steps to expedite the removal on a compulsory basis, if necessary, of refugees now in Spain to Camp Marechal Lyautey near Casablanca which is ready to receive them, but still empty.
 4. We received word that it might be possible to evacuate 1,000 refugees from Constanza, Rumania, across the Black Sea to Turkey, if a guarantee could be made to the Turkish Government to replace an available boat, in case of its loss. Within 24 hours the War Refugee Board obtained commitments from War Shipping and Lend-Lease and our representative in Turkey was authorized to give the necessary assurances to the Turkish Government.
- Admiral Land has ordered Myron Black, Field Director of War Shipping, from Cairo to Ankara to assist Ira Hirschmann, our representative in Turkey, on the Black Sea shipping problem.

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5. Several actual evacuation operations within occupied Europe are now under way as the result of our facilitating the speedy transfer of funds, the use of free exchange in enemy territory and the necessary communications with enemy territory. Specifically, projects under the auspices of private organizations have been commenced to bring refugees from Poland and Slovakia, where they face imminent death, into Hungary, a place of relative safety, and to transfer persecuted people from France and Rumania into Switzerland.

6. O.W.I., at our request, has started a program to bring home to the people in Germany and the satellite countries our determination to forestall further exterminations of the Jews and other persecuted minorities and to facilitate their escape.

7. For the first time, this Government now has 25 professional employees working full time on this problem.

8. At our request the State Department is making appropriate representations through neutral channels to the Bulgarian, Hungarian and Rumanian Governments to desist from deporting Jews to Poland and to assist in their escape. Similar representations are being made through the Vatican to the President of Slovakia.

(Signed) J.W. Pehle


JHM:PH:hd 3/6/44

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Analysis of Messages Received by the President Following
Announcement of Establishment of War Refugee Board

1. Total number of letters and telegrams received 50
All messages received were favorable, expressing gratification for the creation of the Board and offering support and assistance.
2. 350,000 persons were involved in messages received from organizations specifying their membership.
3. 25 messages were received from large organizations not specifying their membership, including:

The American Jewish Conference
National Council of Jewish Women
The American Jewish Committee
Hadassah
Emergency Committee to Save the Jewish People
of Europe, Inc.
South African Jewish Board
American Defense - Harvard Group
Union of Orthodox Rabbis of the United States
and Canada
Agudas Israel World Organization

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WAR SHIPPING ADMINISTRATION
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March 7, 1944

Mr. J. E. DuBois
War Refugee Board
Room 172
Treasury Department
Washington, D. C.

Dear Mr. DuBois:

I thought you might be interested in
the attached.

Sincerely yours,

(signed) Arthur

Arthur M. Becker
Lt. Comdr., USNR
Assistant General Counsel

Enclosure

100568

The transfer of a vessel to a neutral flag, effected before the outbreak of hostilities, is valid, unless it is proved that such transfer was made in order to evade the consequences to which an enemy vessel, so made, is exposed. There is, however, a presumption, in the latter case, if not on board a vessel which has long had her flag of nationality, less than sixty days before the outbreak of hostilities, that the transfer is void. This presumption may be rebutted.

The Declaration of London, 1909, contains a detailed statement of rules and principles governing the transfer of vessels, and the effect of transfer. This Declaration is signed by the Governments of the United Kingdom, the United States of America, and other nations. The provisions of the Declaration are set forth in Article 1, which reads as follows:

CHAPTER I. TRANSFER TO A NEUTRAL FLAG

ARTICLE 1

The transfer of an enemy vessel to a neutral flag, effected before the outbreak of hostilities, is valid, unless it is proved that such transfer was made in order to evade the consequences to which an enemy vessel, so made, is exposed. There is, however, a presumption, in the latter case, if not on board a vessel which has long had her flag of nationality, less than sixty days before the outbreak of hostilities, that the transfer is void. This presumption may be rebutted.

Where the transfer was effected more than thirty days before the outbreak of hostilities, there is an absolute presumption that it is valid if it is unconditional, complete, and in conformity with the laws of the countries concerned, and if its effect is such that neither the cargo, nor the profits arising from the employment

...of the Declaration of London, which was not signed...

...of the Declaration of London, which was not signed...

...of the Declaration of London, which was not signed...

...of the Declaration of London, which was not signed...

...of the Declaration of London, which was not signed...

(c) If the provisions of the Declaration covering the neutral character of a vessel is determined by the flag, the vessel is entitled to fly...

SECTION VI - ARTICLES

ARTICLE 1

Subject to the provisions respecting transfer to another flag, the neutral character of a vessel is determined by the flag which she is entitled to fly.

The effect of the Declaration generally is discussed by Professor Hambro in his book, "The Law of the Sea", 1905, in the following language:

"Early in the world war Great Britain and France, though they had ratified the Declaration (of London), professed to adopt such of its novel provisions as were favorable to belligerents and simultaneously professed to reject such of its novel provisions as were favorable to neutrals; this mode of dealing with a non-ratified document was both questionable on general principles and contrary to one of the express provisions of the document itself. The Declaration as Declaration was never binding at all; the parts of it already parts of international law were binding irrespective of this unratified Declaration; the novel parts of it never became binding, and from a recognition of the old parts and an occasional insistence upon the novel parts it is a mistake to infer any recognition of the Declaration as Declaration at any time."

The history of the acceptance of the provisions regarding nationality and transfer is set out in Hyde's International Law (1922) Secs. 784, 785, 786 and 787. Hyde concludes that these provisions have been approved by the Naval War College and the Oxford Manual of Naval War. He further states, however, that the theory on which they are based should be re-examined because the desire to avoid the consequences of war is frequently, if not commonly, possessed by the vendor. The Executive Instructions for the Navy of the United States Governing Maritime and Naval Warfare, issued by the Secretary of the Navy on May 7, 1911, substantially repeats the Declaration of London in the following language:

CHARACTER OF VESSEL

"60. In the absence of evidence to the contrary, the neutral or enemy character of a merchant or private vessel is determined by the neutral or enemy character of the state whose flag the vessel has a right to fly as evidenced by her papers. (D. L. art. 57.)

TRANSFER OF FLAG BEFORE HOSTILITIES

"62. The transfer of a merchant or private vessel of a belligerent to a neutral flag is valid when completed previous to the outbreak of war, provided the transfer is made in accordance with the laws of the State of the vendor and vendee.

TRANSFER OF FLAG AFTER HOSTILITIES

"64. The transfer of a merchant or private vessel of a belligerent to a neutral flag during war is valid if in accordance with the laws of the State of the vendor and of the vendee and provided further that it is made in good faith with a complete divestiture of title by the vendor, that it is absolute, unconditional, with no continued interest direct or indirect of the vendor, with no right of repurchase by him, and is accompanied by a payment sufficient in amount to leave no doubt of good faith; and provided further that the ship does not remain in her old employment. (D. L. art. 56.)

The Courts, however, seem to rely upon the actual ownership or control of the vessel rather than upon the test prescribed in the Declaration. Hyde, supra, Sec. 784, notes 4 and 5. Walker's Pitt Cobbett's Leading Cases on International Law (5th Ed. 1937) states the rule as follows:

"Under the law as hitherto administered by the British and American Prize Courts, although the use of the enemy flag is conclusive against the vessel, yet the use of the neutral flag, even where a vessel is legally entitled to fly it, is not conclusive in her favour. This arises from the fact that under the Anglo-American doctrine the primary test of hostile connection as regards maritime capture is found in the domicile of the owner. Hence, if a vessel, even though flying the neutral flag, is found to be really owned, either in whole or part, by a person domiciled and carrying on trade in the enemy country, his interest therein is deemed to be confiscable, as being in fact the property of an enemy. This is

Mr. Arthur H. Backus - 3/6/44 - 11

Based on the ground that, otherwise, it would be open to persons domiciled and trading in the enemy country to carry on the enemy trade without risk by registering their vessels under the neutral flag. A vessel is also deemed to be of an enemy character, even though flying the neutral flag, if any of its crew are incorporated in the enemy navigation or trade; or if, pending an actual outbreak of hostilities, she is found to be engaged in a trade deemed to be of an enemy character.

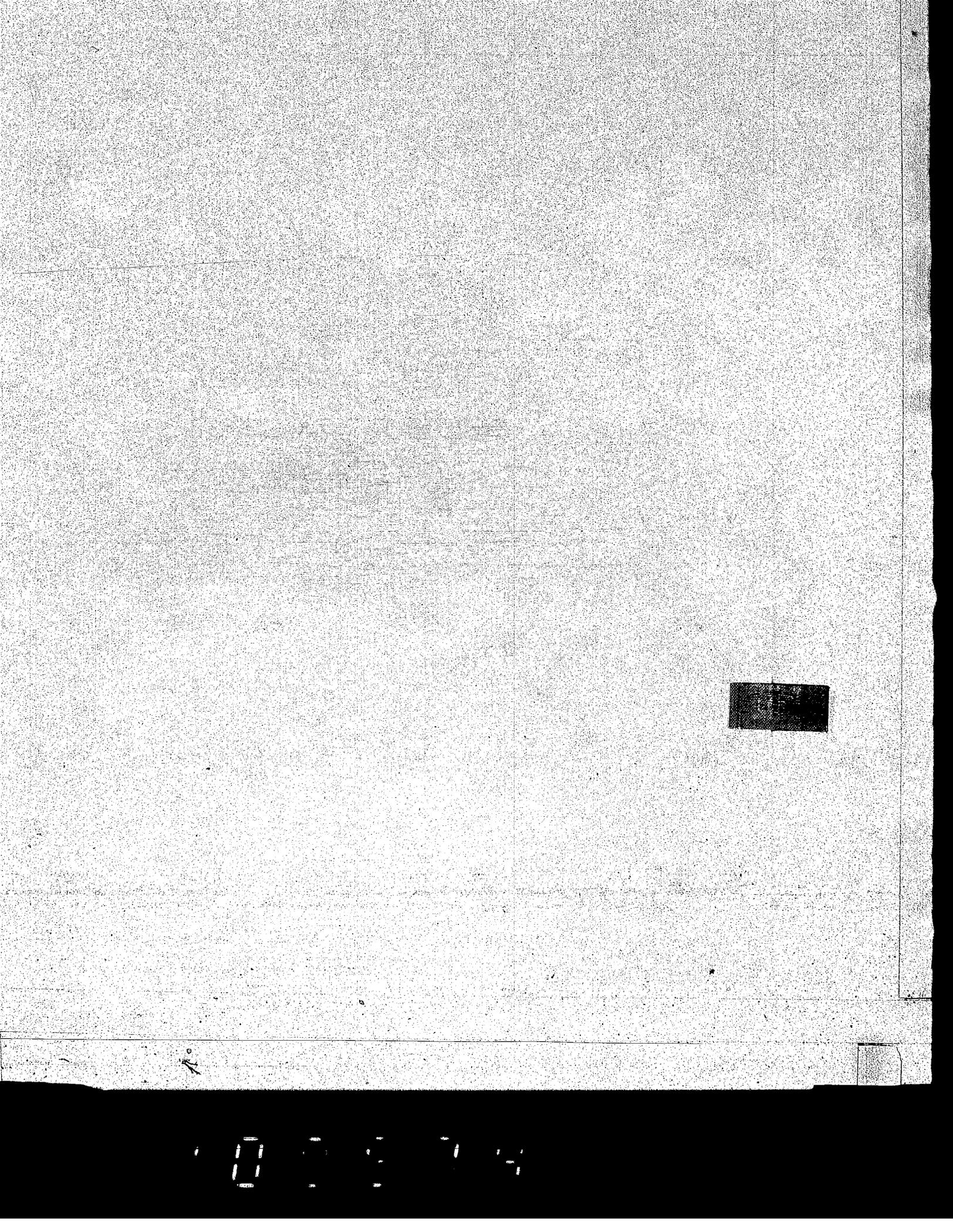
The above is an accurate statement of the rule. Thus, a ship's domicile is determined by satisfying both the test of the flag and the test of the crew. The term domicile is defined in Pitt Cobbett, supra, as being determined by a person's being "so far from his own country as to reside and trade as to share its

character." It appears that a vessel transferred to a neutral country prior to or after the outbreak of hostilities, will not be captured if it satisfies the provisions of the Declaration of London as to the domicile of the owner.

The rule applies only to private ships and not to public ships. The distinction is made between private and public ships in the Declaration of London. Whether or not the vessel is built for war, but in the event of a declaration of war, the possibility that all ships, whether private or public, might be considered as public ships, and the transfer of a public ship, although the case cited by Hyde appears to involve a situation where the vessel was in imminent danger of being captured upon its leaving a neutral port.

Assuming that a transferred ship would not be subject to capture as a public ship on account of the domicile of the transferee, the test would seem to be whether or not the transfer was made to avoid the consequences to which the vessel is exposed by its enemy status. Hyde apparently construes this test as applying to the state of mind of the vendor, See 707. Thus, if the transfer were made to avoid the consequences of the war upon the vendor's personal interests, it would be invalid. This, of course, is a motivating cause in all but exceptional cases. The language of the Declaration itself would seem to make the test the effect of the transfer upon the consequences to the vessel itself. Obviously this test, literally applied, would be incapable of satisfaction except where the ownership was transferred by operation of law. The mere statement of the rule indicates that some transfers will be recognized. Thus, there must be some middle ground within the transfer would be valid even though it would not strictly comply with the above test. Perhaps, if it were shown that the transfer was made for a purpose that would not affect the fortunes of war of either of the belligerents and that neither the vendor nor his government

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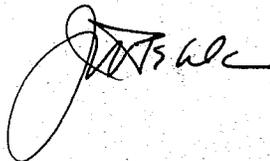


Memorandum for the File

February 16, 1944

I had an appointment with Admiral Leahy today at 2:30 P. M. We talked about twenty minutes, during which I outlined for him the origin, purposes, and method of operation of the War Refugee Board. Admiral Leahy seemed very sympathetic and said he was delighted to see that someone was actually moving forward to do what could be done on this problem. He said he knew how the Jews were being treated because of his experiences when he was Ambassador to Vichy, France. Admiral Leahy said he doubted whether the Germans would be willing to let any Jews out, but he felt very strongly that it was well worth trying. He did not seem overly awed by the problem of difficulty with the Arabs.

Admiral Leahy said that if there was any point at which he could be helpful on the matter not to hesitate to call him. I told him that if matters came up involving the War Refugee Board in which he did not understand our position I would appreciate it if he would get in touch with me. He promised to do this.



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CROSS REFERENCE ON

FOR:

- Amendment to this License
- Extension of this License
- Renewal of this License
- Correspondence concerning this application .
- Other (Specify)

For all material concerning Declaration by the President

SEE: MEASURES DIRECTED TOWARD HALTING PERSECUTION
(Presidential Statement Al)

IMMEDIATE RELEASE

March 24, 1944

STATEMENT BY THE PRESIDENT

The United Nations are fighting to make a world in which tyranny and aggression can not exist; a world based upon freedom, equality and justice; a world in which all persons regardless of race, color or creed may live in peace, honor and dignity.

In the meantime in most of Europe and in parts of Asia the systematic torture and murder of civilians -- men, women and children -- by the Nazis and the Japanese continue unabated. In areas subjugated by the aggressors innocent Poles, Czechs, Norwegians, Dutch, Danes, French, Greeks, Russians, Chinese, Filipinos -- and many others -- are being starved or frozen to death or murdered in cold blood in a campaign of savagery.

The slaughters of Warsaw, Lidice, Kharkov and Nanking -- the brutal torture and murder by the Japanese, not only of civilians but of our own gallant American soldiers and fliers -- these are startling examples of what goes on day by day, year in and year out, wherever the Nazis and the Japs are in military control -- free to follow their barbaric purpose.

In one of the blackest crimes of all history -- begun by the Nazis in the day of peace and multiplied by them a hundred times in time of war -- the wholesale systematic murder of the Jews of Europe goes on unabated every hour. As a result of the events of the last few days hundreds of thousands of Jews, who while living under persecution have at least found a haven from death in Hungary and the Balkans, are now threatened with annihilation as Hitler's forces descend more heavily upon these lands. That these innocent people, who have already survived a decade of Hitler's fury, should perish on the very eve of triumph over the barbarism which their persecution symbolizes, would be a major tragedy.

It is therefore fitting that we should again proclaim our determination that none who participate in these acts of savagery shall go unpunished. The United Nations have made it clear that they will pursue the guilty and deliver them up in order that Justice be done. That warning applies not only to the leaders but also to their functionaries and subordinates in Germany and in the satellite countries. All who knowingly take part in the deportation of Jews to their death in Poland or Norwegians and French to their death in Germany are equally guilty with the executioner. All who share the guilt shall share the punishment.

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Hitler is committing these crimes against humanity in the name of the German people. I ask every German and every man everywhere under Nazi domination to show the world by his action that in his heart he does not share these insane criminal desires. Let him hide these pursued victims, help them to get over their borders, and do what he can to save them from the Nazi hangman. I ask him also to keep watch, and to record the evidence that will one day be used to convict the guilty.

In the meantime, and until the victory that is now assured is won, the United States will persevere in its efforts to rescue the victims of brutality of the Nazis and the Japs. In so far as the necessity of military operations permit this Government will use all means at its command to aid the escape of all intended victims of the Nazi and Jap executioner — regardless of race or religion or color. We call upon the free peoples of Europe and Asia temporarily to open their frontiers to all victims of oppression. We shall find havens of refuge for them, and we shall find the means for their maintenance and support until the tyrant is driven from their homelands and they may return.

In the name of justice and humanity let all freedom loving people rally to this righteous undertaking.

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March 9, 1944

MEMORANDUM FOR THE FILES:

I discussed with Mr. Stettinius this morning the developments in connection with the proposed declaration.

Stettinius said that he had been discussing the matter with the President and that the whole matter was "off the track". He said that he had explained to the President that the proposed declaration was a very carefully drafted document which had the approval of the three top cabinet officials who had studied the matter very carefully and had had several changes made at their request. Stettinius said that nevertheless the President felt the declaration referred to the atrocities against the Jews in too pointed a manner and further that it would not be proper for him to issue a declaration, that he issued statements and not declarations. I told Stettinius about my discussion with Judge Rosenman yesterday. Stettinius agreed that there was nothing we could do about the declaration problem at this point and that he was not sure that any statement would be issued.

During the course of our discussion Stettinius read over the new statement.

At 11:30 I discussed the new declaration with Secretary Stimson. He read the new statement over carefully and said that he felt the new statement was much stronger than the old one regardless of the reasons why the changes in it had been made.

(Signed) J.W. Pehle

JWPehle:lhk 3/9/44

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E. A. Tamm
March 6, 1944

MEMORANDUM FOR THE FILES:

The attached draft of a declaration by the President of the United States with an accompanying memorandum signed by Stettinius and Stinson and to be signed by Secretary Morgenthau was sent to the Secretary at his home on Sunday, March 5. The memorandum was signed by the Secretary and given to Stettinius to present to the White House.

(Signed) J. W. Pehle

JWPehle:lhk 3/6/44

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DECLARATION BY THE PRESIDENT OF THE UNITED STATES

One of the blackest crimes in history, the systematic murder of the Jews of Europe, continues unabated.

The Nazi leaders have made it clear that they have not abandoned the plan to exterminate all the Jews within their grasp. More than two million men, women and children already have been put to death solely because they were Jews.

The world will not forget the Japanese torture of our soldiers nor the slaughters of Lidice, Kharkov and Nanking. The world will not forget the murder of the Jews.

Our youth is fighting and dying on the battlefronts to make a world in which tyranny and barbarity can not exist; a world based upon freedom, equality, and justice; a world in which all persons regardless of race, color or creed may live in peace, honor and dignity.

It is, therefore, fitting that we should again proclaim our determination that none who participate in such acts of savagery shall go unpunished. The United Nations have made it clear that they will pursue the guilty and deliver them up in order that justice be done. Let that warning now be repeated so that no one shall fail to hear and understand. Let it be clearly understood that this applies not only to the leaders but also to their functionaries and subordinates, whether they be in Germany or in the satellite countries. All who knowingly take part in the deportation of Jews to their death in Poland are equally guilty with the executioner. All who share the guilt shall share the punishment.

The Hitlerite forces are committing these crimes against humanity in the name of the German people. Let every German and every man everywhere under Nazi domination by his actions demonstrate to the world that in his heart he does not share these insane desires. Let him hide these victims, help them to get over the borders, and do what he can to save them from the Nazi hangman. Let him also keep watch, and record the evidence that can one day soon be used to convict the guilty and acquit the innocent.

In the meantime, and until the victory that is now assured is won, we shall persevere in our efforts to rescue the victims of Hitler's brutality. In so far as the necessities of military operations permit, this Government will use all means at its command to aid the escape of Jews and other intended victims of the Nazi executioner. We call

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upon all the peoples of Europe to lend assistance to this task. We call upon the free peoples of Europe to open their frontiers to the victims of oppression. We shall find havens of refuge for them, and we shall find the means to assure their maintenance and support until the tyrant is driven from their homelands.

In the name of justice and humanity let all freedom loving nations rally to this righteous undertaking.

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NAZI DISCRIMINATORY ACTIONS

Introductory Note

All of the information contained in this memorandum unless otherwise noted was extracted from the American Jewish Year Book. Most of the laws and acts described concerned Jews and no other groups. Although other minority groups were plagued from time to time, detailed information is lacking concerning such discrimination. This memorandum, therefore, is concerned almost exclusively with anti-Jewish activities by the German Nazis.

Germany.

Although National Socialism as a political party was founded in 1920, it did not obtain any great significance until 1932 when 330 Nazis were elected to the Reichstag. This election represented a marked increase but was not yet a majority. The campaigning by the Nazis during this period had consisted of attacks on Socialists, Communists and Jews but with the emphasis on Communists and Socialists. In November, 1932, a new election was held, largely due to the political turmoil created by the Nazis. The election, however, resulted in a net loss in membership in the Reichstag. Nevertheless, although still a minority, Hitler was made Chancellor in January of 1933, because no other person had been able to maintain a government. Hitler dissolved the Reichstag soon after becoming Chancellor and called a new election for March 5, 1933. During this period Communists, Socialists and Jews were strenuously attacked in the press and otherwise. Press attacks on the government were forbidden and several newspapers of Socialist, Communist and Catholic persuasion were suppressed. The Nazis seemed to be proceeding cautiously, testing out popular support for such discriminations while building up such support by intensive propaganda. This activity, however, was not aimed as much at the Jews as at Communists and liberals. Many Communists were arrested and many musicians, actors and professors of liberal tendencies were dismissed, some of these were Jews. The Reichstag fire served as a pretext for many arrests but mostly of Communists. Nevertheless, during this period--particularly toward the end of March--acts of violence against Jews by members of the Nazi party occurred. At the end of a lively campaign, the Nazis obtained a substantial majority of seats in the Reichstag and by the simple expedient of arresting all Communist members, this majority was converted into the two-thirds majority necessary to amend the constitution. Thereupon the Reichstag transferred its powers to the government for a term of 4 years (March 23, 1933). Following the March 5th election, persecution of the Jews really got under way. Apparently considerable violence took place during this period. The alleged spreading by the Jews of false reports concerning this violence furnished the pretext for an official boycott of Jewish business enterprises on April 1, 1933. On April 7, 1933, a decree was passed ordering the retirement of non-Aryans from the Civil Service except those who had served at the front during the World War, fathers or children of soldiers killed at the front and persons who were civil servants on August 1, 1914. The decree further provided that "officials who, judged from their previous political activity, do not warrant that they will always unreservedly stand for their national state, may be dismissed". (Reichsgesetzblatt, Berlin Reichsministerium des Innern. I, 34, 1933 p. 75). Another law issued the same day provided that

100585

non-Aryan lawyers may be excluded from practice. On April 23, 1933, a series of decrees excluded physicians and dentists from practice with state social insurance institutions and excluded patent lawyers, lay assessors, jurors and commercial judges, tax consultants and others from practice. A decree of April 11, 1933, defined the term "non-aryan" as including any person having one or more non-aryan grand parent. On May 6, 1933, a decree provided that teachers in schools and universities who were dismissed under the law of April 7, lost their licenses to teach. On April 26, 1933, the proportion of non-Aryans to Aryan students admissible to schools was established at 1.5% until the proportion throughout Germany was reduced to 5%. Those at that time in school would be permitted to remain. By administrative action in various states and cities Jews and Communists were excluded from obtaining any government contracts and existing contracts with non-Aryan doctors, lawyers, dentists, etc., were cancelled. On October 4, 1933, all non-Aryans and spouses of non-Aryans were ordered dismissed from editorial positions with newspapers. Pressure was applied to corporations to dismiss Jewish officers and employees. During this period also a drive was conducted to terminate all political activity by the Catholic church and at the same time to consolidate Protestant churches into a single organization dominated by the State. The resistance to these acts which immediately appeared was crushed forthwith.

From July of 1933, multitudes of orders, laws and decrees designed gradually to segregate non-Aryans as an inferior group were issued from time to time by various states and cities all over Germany. For example, a curfew was placed upon non-Aryans in East Prussia. Jewish lawyers were excluded from the courts in Koenigsberg and Berlin. University degrees were denied to Jews in Prussia and Breslau. Bank accounts of German-Jewish relief agencies were blocked. Jewish shops were picketed and forced out of business. On August 16, mail deliveries to Jews in East Prussia were stopped. Various trade organizations with relatively large numbers of Jewish members were ordered dissolved. In August, Jewish foreign periodicals were suppressed. Other decrees and orders were issued which are too numerous and varied to mention.

The Federal government likewise issued a steady stream of laws with like purpose. On November 18, a statute prohibited the adoption of non-Aryan children by Aryans and vice versa, this act was expressly retroactive. On January 9, non-Aryan students were excluded from examinations anywhere in Germany. On April 20, Jewish nurses were in effect deprived of employment in hospitals or in the homes of Aryans. On July 29, 1933, the Citizenship of Eastern European Jews was revoked leaving them "Stateless". For veterans and certain outstanding individuals were excepted. By a cabinet order in 1934, all Jews who had been naturalized since November, 1918, were automatically denaturalized.

By April 22, it was estimated that more than 40% of non-Aryan lawyers and notaries had been wholly denied the right to practice. By the summer of 1934, enough legislation was on the books to eliminate non-Aryans from the professions and to prevent any non-Aryans from subsequently entering the practice of a profession. During this period an emigration tax of 25% of all possessions was levied on wealthy Jews desiring to leave Germany and officially they were not permitted to take the remaining 75% out. All property of persons illegally leaving Germany was sequestered. Resistance to these various measures was ruthlessly punished. Thus in the case of resistance of "coordination" of the church with the State, 400 Protestant Pastors including Dr. Niemoller and Bishop Meiser.

100586

From the Spring of 1933, anti-Jewish propaganda was poured out in torrents. In order further to increase its effectiveness riots were staged, raids on Jewish property conducted and physical violence inflicted upon Jews. However, care was taken not to proceed so fast as to dislocate the German economy. For this reason, non-Aryan business enterprises were expressly permitted to operate.

As of January 1, 1935, it was estimated that 60,000 German Jews and between 15,000 and 30,000 non-German Jews had emigrated. 2,000 Civil Service employees had been discharged, 4,000 Jewish lawyers had been prevented from practicing, 4,000 Jewish doctors had been excluded from the health insurance system (which was the source of the bulk of the income of 90% of all German doctors), 10,500 Jews had been discharged from the public health and social service agencies, 800 professors had been discharged, 1,200 writers and journalists had been discharged and 2,000 actors had lost their livelihood. It was estimated that upwards of 30,000 non-Aryans had been discharged from business firms in spite of the specific orders that business enterprises were not to be interfered with. As of July, 1935, the report of the League High Commissioner on Refugees Coming From Germany stated that of the 475,000 Jews in Germany and the 300,000 non-Jewish non-Aryans, 80,000 had emigrated from Germany.

During the first two and one-half years of Nazi rule, non-Aryans were being excluded from professions and segregated as social outcasts. In the summer of 1935, a campaign was launched completely to eliminate them from German economic cultural and social life. Anti-Semitic propaganda was intensified. Popular support of this purpose was further increased by renewed anti-Jewish demonstrations including beating of individuals and destruction of property. On September 15, 1935, the Nuremberg Laws were passed. The Law for the Protection of German Blood and Honor prohibited marriage and even "extra marital relations" between Jews and non-Jews. The Reich Citizenship Law deprived Jews of citizenship. This deprivation was defined in a decree of November 14, 1935, as including the right to vote and to hold public office. The term "Jew" was defined as a person descended from at least three Jewish grandparents and one descended from two Jewish grandparents if also of the Jewish faith, married to a Jew or the offspring of a mixed marriage since September 15, 1935.

From the promulgation of the Nuremberg laws to the Anschluss on March 13, 1938, there was a comparative lull in anti-Jewish legislation. During 1936, and 1937, the period of the Olympic Games the Nazis were on their best behavior. Nevertheless, a large number of decrees and ordinances of limited scope were passed from time to time. Thus in July, 1936, non-Aryans were dispossessed of theatres owned by them. Jewish rag pickers and junk dealers were forbidden to do business. In August, Jewish and Catholic employment bureaus were ordered to liquidate and in October art dealers were ordered to liquidate. In October all Jewish wholesalers were required to submit a list of their customers. In October also all mortgages given by non-Aryans were ordered paid off or foreclosed. During these two years Jewish retail establishments were gradually being "Aryanized". In July of 1936, export of Jewish capital was permitted at a fee of 7%. For amounts of less than 8,000 marks the fee was but 50% provided that the person so exporting promised to leave Germany within two months never to return. During this period B'nai B'rith was ordered to dissolve and all its property was confiscated.

100587

During 1937 and 1938, discriminatory economic decrees continued to issue--gradually tightening the restrictions imposed upon Jews. In December of 1936, tax exceptions were removed from Jewish charitable institutions which were defined to include any institutions administering to German non-Aryans. A 50% surtax was levied on the incomes of all persons exempt from military service, Jews had been barred from military service. In February, 1938, income tax exemptions for children and for employee maternity benefits were removed from Jews.

By a decree of April 26, 1938, every Jew, as defined in the decree of November 17, 1935, was required to report and assess his entire domestic and foreign property. Foreign Jews were required to report their property located in Germany. (See "Jewish Emancipation Under Attack" Bernard Dov Rainryb, American Jewish Committee 1947).

In June of 1938, Jewish stock brokers were excluded from the exchanges and at the same time all Jewish firms were required to be listed in a special register.

In May of 1938, a series of raids were conducted on non-Aryan households. In Berlin alone more than 2,000 persons had been arrested by the middle of June. On July 6, 1938, with few exceptions non-Aryans were prohibited from engaging in the occupations of commercial agent, and salesman, real estate broker, property manager, advisor on financial and personal affairs and some other occupations. On July 25, all doctors were excluded from practice and on July 27, all lawyers were likewise excluded from practice. Revocation of the licenses of dentists, nurses and other professional classes followed soon afterwards.

On November 10, 1938, Ernst vom Rath was assassinated in Paris by a young Polish Jew. This act set off the third and final phase of the discrimination against the Jews, namely a drive to annihilate them. Immediately after the assassination there broke out a series of pogroms in which thousands of Jews were arrested and many were killed. More than 400 synagogues were looted and destroyed. In addition an "atonement" fine of one billion marks was levied on all Jews owning property in excess of 5,000 marks and on all proceeds resulting from claims on insurance policies for property damaged during the riots and disturbances. A decree of November 12, 1938, forbade Jews "to own retail stores, mail order houses, or commission houses and to engage independently in a trade". They were also forbidden "to offer for sale, goods or trade services" at markets. (Reichsgesetzblatt, Berlin Reichsministerium des Innern: 63 1938, P. 414 in Jewish Emancipation Under Attack supra, P. 53). On November 23, 1938, a decree ordered the liquidation of retail stores, mail order houses or commission houses except for those necessary to supply the needs of the population. Such necessary houses were to be transferred to non-Jewish ownership. In addition, licenses of Jewish owners of handicraft shops were to be confiscated. On November 16, 1938, a decree was issued diminishing from schools those Jewish children remaining therein. On December 3, 1938, a decree provided that the owner of a Jewish enterprise or Jewish real estate might be ordered to sell or liquidate it. The same decree ordered Jews to deposit all securities with a foreign exchange bank. It also forbade Jews to acquire or sell any jewels, objects of art or precious metals. (See "Jewish Emancipation Under Attack" supra, Page 55). On February 21, 1939, they were ordered to surrender all jewelry, precious and semi-precious stones and metals together with objects of art. They were to be compensated for this property at a rate fixed by the Ministry of Economics.

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On November 30, 1938, a decree had authorized state and local governments to regulate the actions and activities of Jews within their jurisdiction. Pursuant to this decree many local ordinances and decrees were issued excluding Jews from such places as theatres, parks, certain streets and certain stores forbidding Aryans to associate with Jews and otherwise tending to isolate Jews from all personal contact with Aryans.

According to a report by Sir Herbert Emerson, during 1938 between 120,000 and 140,000 Jews left Germany. In the first four months of 1939, approximately 30,000 more emigrated. By the end of 1938 it was estimated that 25,000 refugees from Germany were in France, 22,000 in the Netherlands and approximately 28,000 in Great Britain. During the fiscal year, 1938-1939, 27,000 Jews entered the United States and others immigrated to Palestine, Central and South America, Shanghai and Cuba.

The spread of the war resulted in mixed treatment of the Jews in Germany. On the one hand the Jews were a convenient scapegoat on whom to blame the entire war and all discomforts resulting therefrom. At the same time a severe manpower shortage began to develop so that it was necessary to make use of non-Aryan brains and labor. Accordingly a Decree of March 4, 1939, stated that the "working power of employable and unemployed Jews" should be utilized to release German workers for urgent projects. Public and private enterprises were therefore urged to employ Jews (separately from Aryans) in such occupations as "construction, soil amelioration etc." (Jewish Emancipation Under Attack, supra, P. 38). On September 7, 1939, all male Jews between the ages of 16 and 35 were conscripted for labor.

During all this time anti-Jewish propaganda was being pured forth. Many nuisance decrees were passed from time to time as well as regulations discriminating against non-Aryans with respect to rationed goods. In addition, Aryanization of Jewish concerns was proceeding rapidly. A report dated February 29, 1940, states that 25,000 Jewish concerns had been liquidated and that 87% of Jewish artisans had been deprived of the right to work at their trades. Simultaneously mass deportations to Poland particularly of Jews over working age were being effected.

During 1940 and 1941, with the labor shortage becoming increasingly acute the harshness of treatment of able bodied Jews was relaxed. Many Jews were released from concentration camps and prisons for the purpose of being hired in various industries. At the same time the press blamed the Jews for British bombings of Germany, which were increasing in intensity, and for the entry of the Soviet Union into the war. Demonstrations involving physical violence resulted from such press campaigns.

The same situation obtained in 1942. Emigration of male and female Jews between the ages of 18 and 45 was stopped in August of 1941, and the age limit was raised in November, 1941 to 60 years. A few months later all emigration was stopped. The acuteness of the manpower shortage is indicated by the fact that men with one Jewish parent or those married to a half-blooded Jew were drafted into the army. Such persons were segregated from other troops but persons with only 1/4 non-Aryan blood were treated as Aryans. In January, 1942, Jews were forced to deliver up all warm clothing and vacate their homes in order that Aryans whose homes had been bombed could find shelter. In January, 1942, mass deportations to Polish ghettos was resumed. Jewish workers came to be more closely controlled. By 1942, they no

100589

longer had any choice of place of employment but were ordered from place to place as military necessity required.

By the end of 1943, it was reported that there were only 40,000 Jews left in Germany and that Frankfurt-am-Main and Berlin were "judenrein". It was reported in February, 1943, that a total of \$4,000,000,000 of Jewish property had been confiscated. There is reason to believe, however, that this is a conservative estimate.

After September, 1936, all the then existing anti-Jewish legislation was extended to the East. From that time, new legislation applied ab initio.

Austria.

Since Hitler's accession to power in Germany, Austria had been subjected to a barrage of anti-Jewish propaganda and agitation by Nazi sympathizers. Dollfus had succeeded in resisting this pressure. After his assassination on July 5, 1934, however, the Schuschnigg government adopted a middle course relative to anti-Semitism. No overt discriminatory laws were passed but a certain amount of discrimination occurred with respect to government service as well as private industry. For example, after 1934, virtually no Jews were appointed to government positions. In addition, several laws had an indirect anti-Jewish effect. Thus a decree of July 1, 1937, prohibited practice by physicians except after having had one year's hospital service and no Jews had been appointed to hospitals since 1933. Again, non-Catholic students were segregated in special schools.

The Anschluss of March 12, 1938, was immediately followed by anti-Jewish demonstrations, physical violence and destruction of property. These preliminaries in turn were followed by legislation which accomplished in five weeks what Germany had been doing during the last five years. The order of discriminatory decrees was similar to that which appeared in Germany. The first decrees excluded Jews from the Civil Service and the professions. On May 20, 1938, the Nuremberg race laws were applied to Austria. Soon afterwards the flight tax of 25% was applied retroactively to January 1st. With respect to other laws, the "Führer's Ordinance Concerning the Introduction into Austria of the Laws of the Reich", issued March 15, 1938, provided that German laws promulgated after March 13 were valid in Austria. The timing of the introduction of such laws, however, varied somewhat from the order in which they were issued in Germany. Thus the decree for registration of Jewish property was not introduced until July 16, nearly two months after it was promulgated in Germany. On the other hand, laws excluding Jews from certain stores, theatres and parts of the city, were issued on July 3, 1938 and thereafter--several months before such laws appeared in the old Reich. In general the effect of this discriminatory legislation was the same, however, except that it was more sudden. During this period Jewish property was confiscated and businesses were Aryanized. It was estimated that by the end of March, 1939, 7,856 Jewish businesses had been Aryanized and more than 5,000 had become insolvent. B'nai B'rith was dissolved and its property confiscated.

Arrests and deportations occurred on a larger relative scale than in Germany. It was estimated that by the end of April, 1938, 12,000 Jews had been arrested and thousands more were arrested in May. Many of those arrested were sent to concentration camps at Dachau and Styria. A German news report of May 15, 1939,

000590

stated that 100,000 of the 180,000 Austrian Jews had emigrated. By the summer of 1942, there were but 40,000 Jews still in Austria. Between 1939, and 1943, the Jews had been expelled from most of the towns in Austria, first being concentrated in Vienna and from there sent to concentration or labor camps in Poland or elsewhere. It was estimated that by the middle of 1943, 120,000 Jews had been deported to Poland leaving but 7,000 in Vienna of the original 180,000 who had been concentrated there.

Czechoslovakia.

On October 1, 1938, two days after the Munich Pact was signed, Germany occupied the Sudeten land and the same process of elimination of Jews from the economy proceeded rapidly. By this time a standard form of procedure had been developed whereby Jews were first eliminated from practicing professions and from government positions thereafter Jewish businesses were Aryanized and Jews were discharged from positions in private enterprises. Simultaneously, Jews were excluded from association with Aryans.

Following the Munich Pact, and the occupation of the Sudeten area, Czechoslovakia was partitioned into three supposedly independent entities, Slovakia, Czechia and Carpatho-Ukraine. On March 15, 1939, Germany seized Czechia and converted it into the protectorate of Bohemia-Moravia. Carpatho-Ukraine was annexed by Hungary and Slovakia remained technically independent although actually dominated by a Nazi military government.

Immediately after the establishment of the Protectorate of Bohemia-Moravia anti-Jewish activities commenced following the by now familiar pattern. Within a week all Jewish municipal employees had been dismissed and Jewish physicians had been ordered dismissed from hospitals and public administration. At the same time the frontiers were closed and the anti-Jewish demonstrations were perpetrated on those thus trapped. The first step toward confiscation was taken June 21, 1939, by a decree forbidding Jewish enterprises to acquire or sell real estate, business enterprises or any interests therein, precious stones or metals and objects of art without permission. In addition, they were required to report any interests in such property. Thereafter, Jewish property was rapidly liquidated and confiscated.

On July 2, 1939, personal persecution got under way with anti-Jewish demonstrations, beatings. The usual nuisance decrees were passed from time to time designed to segregate Jews from Aryans. On July 31, 1939, 70,000 Jews, being 50% of the entire Jewish population, were ordered expelled from Bohemia-Moravia. Emigrants were required to "deposit" about 75% of their capital in addition to paying a flight tax. On August 11, 1939, all Jews were ordered to leave the provinces and to be concentrated in Prague. From there, by January 1, 1940, 25,000 Jews were deported mostly to the Jewish reservation at Lublin, Poland. In November, 1940, Jews were required to deposit in savings banks all cash in excess of 3,000 kronen. The bank books were then turned into a blocked account.

In spite of the apparent broadness of the decrees thus far enacted life was still tolerable in Bohemia-Moravia. However, in September, 1941, the Elias government was replaced by the Haseha government whereupon a more strenuous anti-Jewish campaign was commenced. On September 17, 1941, all Jews were required to wear yellow arm bands and non-Jews were forbidden to associate with them. Other decrees restricted Jewish shopping to certain designated hours of the day.

100591

There was a notable lack of cooperation, however, among the native population. Instead of obeying the prohibition against mixed marriages these actually increased and demonstrations broke out against anti-Semitism. Accordingly, Heydrich was made "acting protector" of Bohemia-Moravia. He immediately ordered conscription of male Jews between the ages of 18 and 46 for forced labor. He ordered all synagogues to close and intensified the concentration of Jews in the cities. In addition he resumed deportations to Poland which had ceased early in 1940 due to a transportation shortage.

When Heydrich was assassinated a reign of terror broke out in which thousands of Jews were arrested and many were shot. It was estimated that by the end of 1942, 77% of the Jewish population of Bohemia-Moravia had been deported, mostly to Polish ghettos. However, as Jews were deported to Poland others were imported from Germany and Eastern Europe to concentration camps from which some were sent to work in the mines at Moravaka-Ostrava and Karvina. For this labor they received wages in food at exorbitant prices and in government bonds redeemable after the war.

In Slovakia the Fascist movement was launched on March 9, 1939, by bombing and looting of Jewish shops, homes and synagogues. It was reported that Jews had already been excluded from the teaching profession and disenfranchised. (See Jewish Emancipation Under Attack, supra, P. 67). On April 26, 1939, a decree excluded them also from employment by the state, any government corporations, or public institutions. About the same time, the number of Jewish lawyers permitted to practice was limited to 4% of the total number of lawyers. On May 26, it was announced that this quota was to be gradually reduced to 1% by 1941. Jews in other occupations were also being dismissed or losing licenses.

Meanwhile acts of physical violence and arrests were occurring. At the same time discriminatory nuisance decrees were issuing. On August 2, 1940, Jews were excluded from restaurants, theatres, etc. Jewish children were segregated in primary schools and totally excluded from all higher education.

Conscription of all Jewish property was announced in August, 1940. On September 7, 1940, a decree was passed authorizing the government to issue Aryanization orders in its discretion. Immediately thereafter a decree ordered all property which had been acquired by Jews by foreclosure of mortgages or after a tax sale to be returned to the owner at 50% of the price for which it had been required. On September 15, 1940, Jews were deprived of passports and radios. In November, 1940, Jewish doctors and lawyers were entirely excluded from practice. By January 1, 1941, it was estimated that 50% of Jewish retail businesses had been Aryanized.

On May 18, 1942, it was announced that 90,000 Jews would be sent to slave labor camps in Eastern Galicia all before September 1, 1942. It is unknown, however, how many were so deported. By December, 1941, it was stated that nearly 10,000 out of 12,000 Jewish businesses had been either liquidated or Aryanized. On September 1, 1941, a capital levy of 25% was imposed on Jewish property. On September 18, an additional levy of 20% was made on Jewish general property and 40% on bank accounts. On October 9, 1941, a maximum income for Jews was established at \$50 per month. On September 17, a Jewish code was issued sufficiently broad to exclude Jews from practically all political, official, economic and cultural life in the country. Later in September, all Jews were ordered expelled from cities having a population in excess of 5,000. By the middle of May, 1942, it was decreed that all Jewish property in excess of 2,000 kronen was confiscated by the State. By July,

000592

1942, it was estimated that 20,000 Jews remained in Slovakia out of the 90,000 originally dwelling in that area and that most of the 70,000 which had been deported had been sent to Poland. In Slovakia, as in other Nazi dominated areas, there were the usual nuisance decrees restricting the choice of location of Jews forcing them to wear distinctive arm bands and discriminating against them with respect to rationed articles.

Poland.

Before the German invasion of Poland there had been considerable anti-Semitism. Economically Poland had been extremely low. The somewhat fascist government had made use of anti-Semitism to improve its political position. Thus although no overt anti-Jewish legislation had been passed, the government had permitted and even sponsored occasional boycotts and anti-Jewish demonstrations. On September 1, 1939, Germany took over Poland and its Jewish population of 3,000,000. With such a large Jewish population, German anti-Semitic activities in Poland were on a much larger scale than elsewhere in Europe. The basic purpose to eliminate Jews was, of course, the same but the technique was different. Immediately after Poland had been pacified, the Nazis undertook to expel Jews entirely from towns and cities wherever possible without disrupting necessary industries. Centered on Lublin, a tract of land sixty miles long and fifty miles wide was designated as a Jewish reservation. Into this super-ghetto were sent thousands of Jews not only from cities and towns in Poland but also from all over occupied Europe. It was estimated that within four months after its establishment, 30,000 Jews had been sent to the Lublin reservation. In addition to the Lublin reservation, concentration camps were immediately established. By April 1, 1940, an estimated one and one-half million Jews had been confined therein. At the same time, able bodied Jews were being exported to Germany to perform forced labor. It was estimated that within six weeks of invasion, 57,000 Jews had been so deported.

The Nazis proceeded to the economic liquidation of Jews with equal enthusiasm and despatch. Large fines were imposed on individuals and whole Jewish communities for offenses trivial, invented and real. Thus in October the community at Bloskawek was fined the equivalent of \$2,000 for allegedly burning its synagogue. In December, a fine equal to \$200,000 was imposed on the deposits in a Jewish bank in Warsaw for the alleged shooting of a Polish policeman. In Lodz where 50,000 persons had been ordered to be expelled, the Jewish community was permitted to buy off this order for \$1,800,000. In many cases, however, the Nazis did not bother with providing color of legality for confiscation. Thus, in October, 1939, all Jewish owned textile factories in Lodz, Tomaszow and Bielsko-Biala were confiscated outright. Jewish stores and commercial enterprises in large numbers were either liquidated or Aryanized. By April 15, 1940, all Jewish businesses in Krakow had been placed under supervision. Finally the last stage before confiscation of all Jewish property was reached on January 24, 1940, with the issuance of a decree requiring the registration of all Jewish property. In February, all immovable property in the Western provinces belonging to Jews and Poles was confiscated by decree. Early in 1940 it was found that it was not possible to expel all Jews from all cities without seriously dislocating the economic life of these cities. At the same time it was found that the Lublin reservation was unable to maintain itself. Accordingly, the notion of concentrating all Jews in that area was abandoned. It was replaced by a scheme to concentrate Jews in ghettos in the larger cities. In the Spring of 1940, walls were constructed around an area in Warsaw comprising about 100 square blocks. All Jews were ordered to move into this area by October, 1940, and all non-Jews were ordered out. Other ghettos were established early in 1941 at Lublin, Kielce, Lodz, Radom and other cities.

000593

During the latter part of 1941, the first half of 1942, Jews were transported from place to place in Poland at short notice apparently with no particular reason. In some cases after being moved about they arrived at the point of original departure. The trend, however, was to clear all Jews out of the smaller towns and cities and concentrate them in the larger cities. When Germany occupied the Russian part of Poland the Jews there who had been unable to escape were also placed in ghettos. In 1942, it was estimated that 1,100,000 Jews had been forced to live in ghettos. Clearly, the ghettos could not be self-supporting. However, cooperatives were formed for the purpose of doing work for persons on the outside.

In addition to economic measures, the usual nuisance decrees were issuing from time to time. On July 24, 1940, the Nuremberg race laws were adopted and in addition mixed marriages were dissolved retroactively so that issue of such marriages were declared bastards. On February 20, 1941, a decree excluded Jews from use of any inter-city transportation facilities and within cities special sections of buses and street cars were reserved for Jews. There were many other decrees issued for the purpose of setting apart from "Aryans" those Jews still at large. By the Spring of 1942, Jews had been deprived of civil rights and almost entirely eliminated from Polish economic life. In addition, in the Spring of 1942, the Nazis undertook to exterminate those who could not be useful in enforced labor camps. According to reports which have filtered out of Poland, this undertaking commenced with mass shootings. By July, it was reported that 700,000 had been thus executed. Subsequently massacres increased. October reports indicate that Jews were being killed by gas in sealed trucks and cars. During the winter of 1942-1943, it was reported that trainloads of Jews were simply left on sidings to die of hunger, disease and exposure. In January, 1943, in response to Jewish pleas, arms were obtained through the Polish Underground movement by residents of Warsaw's ghetto and resistance was made to German depredations. During April and May of 1943, pitched battles occurred between Jews and Germans resulting in the death of approximately 1,000 German troops. When resistance was finally overcome it was reported on April 21, 1943, that the remaining 35,000 Jews in the Warsaw ghetto had been condemned to death. In the meantime, all able bodied Jews had been put to work at forced labor in Poland and in other parts of Europe. On October 26, and November 14, 1942, decrees were issued naming 13 ghettos and 42 townships as places of residence for Jews and excluding them from all other places in Poland. Concerning the Baltic countries of Estonia, Latvia and Lithuania very little information is available however since the German occupation apparently Jews have been slaughtered in large numbers and confined to ghettos. Estonia was reported to be Judenrein as of October, 1943. The majority of the 100,000 Jews in Latvia were reported executed and reports from Estonia indicate a similar situation.

Denmark.

In Denmark apparently no anti-Jewish legislation or administrative orders have issued. An intensive propaganda campaign has been carried out by the Germans but King Christian has been adamant in blocking any legislation. In October, 1942, von Hennekin was appointed Military Governor and issued an order on October 16, prohibiting emigration of Jews but was unable to secure the passage of anti-Jewish legislation. However, a decree was issued on August 22, 1941, prohibiting communist agitation or other activity and outlawing communist associations and confiscating their property.

100594

Norway.

On April 23, 1940, twelve days after the invasion all Jewish shops in Oslo were closed. In August, 1940, all Jewish property in excess of a certain amount was confiscated. On October 3, 1940, Jews were excluded from public office and from practicing their professions. In addition, all Jewish shops were required to be labeled as such. On May 18, 1941, all Jews were excluded from state and municipal institutions and the usual decrees of ostracism were passed. In July, 1941, all commercial establishments were ordered to file a list of their employees. In November, 1941, a decree ordered the registration of all Jewish property and incomes. This included half-Jews. In June, 1942, commissioners were ordered to be installed in all Jewish enterprises. On September 15, 1942, it was announced that all Jews would be arrested and deported. Within one month, it was reported that half of the 1,300 Norwegian Jews had been interned. On October 23, following the assassination of a frontier guard all Jewish property was ordered confiscated. By March, 1943, it was reported that half the Jews had been sent to slave labor mostly in Upper Silesia and Eastern Europe. The usual nuisance decrees were passed from time to time such as marking identity cards and passports with respect to all persons having a Jewish ancestor within three generations and those having a Jewish spouse or fiancé.

The study of War Laws of Norway by Mr. R. D. Scott of the General Counsel's Office, United States Treasury Department, states on Page 126 et. seq. that anti-Jewish discrimination was very slow to start. Jews were apparently excluded from public office and practice of professions but without any legislation. Mr. Scott found only two laws and one constitutional amendment concerning discrimination against minorities. The latter reinstated a provision repealed in 1851 denying to Jews admission into Norway. One decree passed on October 25, 1942, confiscated all property of Jews who were citizens or residents of Norway, and of the spouses of such Jews. Property exempt by law from judicial execution was also exempt from this decree. The other law was issued November 17, 1942, and provided that all full, half or quarter Jews must register with the local authorities. Thereafter all able bodied male Jews were conscripted for labor service in Northern Norway and Eastern Germany. On November 26, 1942, 532 Jewish men, women and children were deported to Germany for eventual deportation to Poland. In December, 1942, there were 200 Jews still in Norway.

Belgium.

In Belgium persecution of the Jews followed the by now customary procedure. In May, 1940, shortly after the fall of Belgium, Jews were required to register. Meanwhile, arrests were proceeding and on January 29, 1940, it was estimated that 40,000 Jews from Antwerp and Flanders alone had been interned in the Mauthausen camp. On November 7, 1940, Jews were excluded from professions, educational institutions and news agencies. On December 31, 1940, they were excluded from all public offices. In July, 1941, the remaining 7,000 Jewish firms were ordered liquidated. Thereafter in the Fall of 1941, special labor camps were established. By the Spring of 1942, decrees had been issued ordering Jews to accept any job offered by the employment exchange. In the meantime the usual nuisance decrees had been passed. In December, 1941, the Commissariat Juive was set up in the Ministry of Interior to handle orderly emigration and education of Jews. It is not reported how effective this agency was. In 1942, mass deportations occurred as in other parts of Europe. It was estimated that by May, 1942, in the two years of occupa-

100595

tion 30,000 Jews had been deported and between July and November, 1942, 25,000 more were shipped out of Belgium mostly into Polish ghetto and to labor camps in occupied Russia as well as to build fortifications on the channel coast.

Netherlands.

On May 20, 1940, ten days after the invasion all Jewish communal organizations were closed. Soon afterwards about 20,000 German Jewish refugees were repatriated to Germany to stand trial on charges of evading taxes and spreading propaganda. In October 3, 1940, a decree ousted all Jews from public office including state educational institutions. On October 21, 1940, registration of Jewish organizations was ordered. On January 11, 1941, an order required all Jews to be discharged from private firms. On January 14, 1941, all Jewish individuals were ordered to register. On March 3, 1941, a decree prohibited the sale or lease without permission of any Jewish real estate and ordered the appointment of administrators of Jewish businesses. By June, 1941, it was estimated that 20,000 Jewish enterprises had become Aryanized. On May 3, 1941, Jews were excluded from the stock exchange. In October, 1940, Jews in the Hague were fined \$10,000 for helping two British flyers to escape and in March, 1941, 1/3 of a \$3,000,000 fine imposed on Amsterdam was required to be paid by Jews. Early in 1941, a ghetto was established in Amsterdam and by April of that year Jews were being moved into it from other communities. During the Spring of 1942, various decrees were passed excluding Jews from various occupations. On May 13, 1942, all Jewish real estate was confiscated. Beginning in January, 1942, mass arrests were commenced leading to many executions. In July, 1942, a decree was issued ordering the deportation of all Jews between the ages of 18 and 40. By June 22, 1943, it was reported that Amsterdam was Judenrein with the exception of a few who were retained in concentration camps because of the need for them in the German war effort. A dispatch in the New York Times dated February 17, 1944, states that of the 180,000 Jews in Holland when it was invaded with the exception of 10,000 fugitives in hiding, all but 20,000 Jews have been executed or deported. The usual nuisance decrees had been passed from time to time and were in effect.

Luxemburg.

The Germans after subduing Luxemburg on May 14, 1940, did not stop to eliminate Jews gradually. One sweeping decree on September 7, 1940, prohibited mixed marriages, called for registration of Jews and excluded Jews from practicing professions. On September 11, 1940, all Jews were ordered to leave Luxemburg within two weeks taking with them a maximum of \$30 and six pounds of luggage. In July, 1941, it was reported that of the original Jewish population of 3,144 according to the 1935 census 870 Jews remained in Luxemburg. Of this number 300, being the aged and infirmed, were permitted to remain after having been placed in concentration camps. Apparently the other 570 were deported to Lodz.

Occupied France.

Immediately after the fall of France on June 22, 1940, an intensive anti-Jewish campaign was launched--with a notable lack of success. The first discriminatory decree, however, was not issued until September 30, 1940, requiring all Jews to register and all Jewish enterprises to label themselves as such. A Jew was defined as a person of the Jewish faith or having more than two Jewish grandparents. On October 18, all Jewish enterprises were required to register (defined as Jewish owned or of which the president of the board, managing officer or more than one-

1100596

third of the directors were Jews). It was further provided that a trustee might be appointed for any such enterprise. In addition, Jewish individuals, associates thereof and non-business corporations of which one-third of the members or managers were Jews were required to register their holdings of securities or other obligations of business enterprises and all their interests in any real estate. By September, 1941, it was estimated that more than 4,500 trustees had been installed in Jewish enterprises.

Other economic decrees soon followed with the announced purpose of wholly eliminating Jews from the economy of occupied France. The Jewish lawyers were expelled from the bar association and Jewish peddlers were forbidden to do business. Jews were also forbidden to withdraw more than 1,000 francs from bank accounts without special permission. On January 1, 1941, all Jewish businesses in excess of 25,000 francs were required to be liquidated. On May 20, 1941, Jews were excluded from the occupations of wholesale and retail trade, travelling salesmen, restaurant and hotel keeper, insurance, shipping, banking, publishing and others.

During this period various extra-legal and local anti-Jewish activities were occurring. Hundreds of Jews were reported dismissed from public institutions in Paris and various small Jewish businesses were ordered to liquidate without legislative authority. There were also outbreaks of violence and raids on Jewish institutions--mostly synagogues, colleges and schools. In Alsace-Lorraine, anti-Jewish activities were particularly violent. In July, 1940, all Jewish shops in Strasbourg were taken over by the Gestapo. In August, all property of Jews who had settled in Alsace since 1918 was confiscated. Near the end of 1940 a riot was organized resulting in extensive damage to Jewish property. This riot was used as a pretext for the expulsion of all Jews from Alsace-Lorraine.

Unoccupied France.

Anti-Semitism commenced with the repeal on August 26, 1940, of a law which had been passed in April of 1939, forbidding press attacks on persons on account of their race or religion. This repeal was immediately followed by a vigorous anti-Jewish propaganda campaign. Anti-Jewish legislation soon followed. In October, 1940, the "Statute for Israelites" was passed excluding Jews from editorial positions on newspapers, news agencies and periodicals. It also excluded them from public office and later, from holding any commissions with the exception of veterans of the World War and persons who served with distinction during 1939 and 1940. A Jew was defined as a person with three Jewish grandparents or one with two Jewish grandparents if married to a Jew. A decree issued the same day rendered foreign Jews liable to incarceration in concentration camps in the discretion of the prefect of the department in which they live.

On March 29, 1941, a Commissariat General for Jewish questions was set up for the entire national territory. The commissioner's duties were to prepare legislation, to determine the date of liquidation of Jewish property in cases prescribed by law "keeping in mind the needs of the national economy", and to designate and control sequestration administrators. (See report on the laws of France by J. R. Johnston, Part 3). After the creation of this office the legal status of Jews in Occupied and in Unoccupied France was the same although enforcement of those decrees differed widely.

000597

With respect to Algeria, Syria and the French colonies and protectorates, anti-Semitic activities also took place. Thus on October 11, 1940, the 110,000 Jews in Algeria were deprived of French citizenship. Anti-Jewish demonstrations were stimulated in Algeria and the other French controlled territories. Jews were dismissed from government posts. After the law of March 29, 1941, most of the subsequent anti-Jewish laws issued by the Pétain government applied by their terms to these territories.

On June 2, 1941, a sweeping decree was passed superseding the Statute for Israelites. This decree excluded Jews from nearly all professions, from all public offices, from brokerage, advertising, real estate, banking, and news gathering enterprises and from the theatre. This law expressly applied to Algeria, Syria, Lebanon and the colonies and protectorates. In June 15, 1941, a census was taken and all Jews were required to register. On September 8, as punishment for flight from France, all property of fourteen prominent persons including five Rothschilds was confiscated. This amounted to \$25,000 francs. On July 30, 1941, census of Jews and registration of their property was extended to Algeria and subsequently to other colonies.

Economic decrees continued to pour forth, forcing Jews further and further out of French economic life. On July 22, a decree was issued granting to the Commissioner General broad powers to appoint temporary administrators for any enterprise or real or personal property owned or controlled by Jews. On July 16, 1941, the number of Jewish attorneys, court officers and notaries permitted to hold office was limited. Although this decree applied only to continental France, similar decrees were subsequently applied to Algeria. On November 2, 1941, a decree was issued limiting real estate which could be owned by Jews to dwellings for themselves, their ascendants or descendants and that which was used exclusively in pursuit of their occupation. Other real estate was to be taken over by temporary administrators. This decree was extended to the colonies on March 12, 1942, and to Algeria on March 20, 1942. On October 13, 1941, the categories of occupations from which Jews were excluded was extended to include cattle breeding, trading in grain and farming unless special permission were obtained. On November 17, the list of occupations closed to Jews was further extended and Jews formerly in such occupations were forbidden to transfer any property used by them in such occupations. Another decree issued on the same day extended the Commissioner General's powers. By this time he had authority to place under temporary administration all property real or personal "when all or some of those who own or control it are Jews". Exempt from this law were securities issued by the French government, bonds issued by companies or public corporations organized in France or in the French protectorates or mandates. In addition a persons dwelling and household goods were exempt. Apparently this "Temporary administration" was a process of liquidation the proceeds of which were placed in blocked accounts. On November 29, 1941, a decree dissolved all Jewish organizations except religious organizations and their property transferred to a "General Union of Jews of France" created therewith. This Union was under the Commissioner General for Jewish Questions. All Jews were automatically members. The Union was to be governed by an executive council of eighteen French Jews and financed by assessments on the members and from the property transferred to it. Its purpose was to represent the Jews relative to questions of relief social work and retraining. (See Report on Laws of France by J. B. Johnston, Part 3). By March, 1942, all firms owned by Jews and by half-Jews had been placed under temporary administrators and all other Jewish property was placed under administration of April 5, 1942. On May 29, 1942, all Jews were ordered out of "all positions which they hold in the colonies' economy".

100598

In semi-autonomous Morocco after some resistance to pressure for anti-Jewish legislation in October, 1941, Jews were placed under the same restrictions as obtained in France although they were still permitted to do business. However, on October 5, 1941, they were excluded from all professions and Jewish property was ordered to be transferred to non-Jews. On August 6, 1942, it was announced that 35,000 Jewish businesses had been Aryanized by sale to Aryans and the proceeds placed in blocked accounts.

In addition to purely economic laws arrests, shootings, beatings and other acts of violence occurred from time to time. After the assassination of a Nazi Colonel on August 21, 1941, more than 10,000 Jews were arrested and placed in concentration camps in France within four days. Subsequently, in September and October, 1941, in reprisal for various anti-Nazi acts more arrests were made, and in December, a fine of one billion francs was imposed on all Jews. In November, 1942, Germans occupied the thus far Unoccupied France and proceeded to enforce all the decrees which thus far had not been strenuously enforced. After November 15, 1942, a series of orders were issued compelling male Jews between the ages of 18 and 55, first those unmarried and thereafter all others, to perform conscript labor duty. In the last ten days of 1942, 10,000 Jews were deported to Poland others were sent to forced labor camps in various parts of Europe. By the first of January, 1943, it was estimated that 65,000 Jews had been sent to such camps.

There was considerable popular resistance to anti-Jewish acts. Church officials both Catholic and Protestant wrote letters of protest to Nazi officials and at the same time did much to assist persecuted Jews. It was reported early in 1943 that forty police officers were shot and 308 arrested for refusal to arrest Jews. Other assistance was given to Jews by other people. During this time the usual nuisance decrees were passed from time to time excluding Jews from various places such as theatres, stores, certain streets, parks, etc..

Greece.

It is reported that when Greece was finally subdued by the Germans there was a Jewish population of 75,000. As of May, 1942, it was estimated that 10% of these had died of starvation and that 45,000 had been deported to Poland and Crete. A telegram dated November 9, 1943, to the World Jewish Congress of America from the Chief Rabbi of Jerusalem states that 52,000 Jews had been deported to Poland from Salonico. No other information is available.

Yugoslavia.

Yugoslavia retained nominal independence until 1941. However, it was subjected to intensive propaganda from Germany relative to eliminating Jews. On the whole the Yugoslav government was inclined to be dilatory relative to putting anti-Jewish measures into effect. But pressure increased to such an extent that in September, 1940, Yugoslavia initiated an anti-Semitic campaign. On September 20, those who had acquired citizenship by naturalization after December 8, 1918, or who were not baptized Christians were excluded from trading in food stuffs. One of the other decrees in 1940 established a maximum number of Jews admissible to the public school system. When Yugoslavia was taken over by the Germans in March, 1941, wholesale arrests were made of Communists and Jews, many of these were shot. By the end of 1942, it was stated that no able bodied male Jew remained in any city of Serbia except those who were engaged in forced labor. In general, Jewish property was first registered and blocked then on October 29, 1941, it was confiscated. In December, 1942, it was announced that Serbia was judenrein and that 99% of the 80,000

Yugoslavian Jews in Serbia and Croatia together with 6,000 Jewish refugees from other countries had been shot or deported to forced labor camps.

Italy.

Anti-Semitism got under way with an intensive propaganda campaign starting in July, 1938. On August 3, 1938, a decree excluded foreign Jews from the universities. On September 1, 1938, immigration of Jews was prohibited and all foreign Jews together with those naturalized subsequent to January 1, 1919, were ordered to leave the country within six months. This order, however, applied to full blooded Jews. On September 3, 1938, all Jewish teachers and students were excluded from schools and universities. On October 13, 1938, a decree ordered that no licenses to open any business be granted to a Jew after that date. On November 17, 1938, Jews were barred from the Fascist party, from military service and from owning or managing business enterprises employing more than 100 people and, in addition, Jews were prohibited from owning land appraised at more than 5,000 lire or urban buildings valued at more than 20,000 lire. These decrees defined a Jew as a person having one Jewish parent and one unknown or a foreigner provided the person was of Jewish faith. A full blooded Jew was classed as such regardless of religion. This decree further excluded Jews from employment by public and semi-public institutions and enterprises as well as subsidiaries and affiliates of such. (Royal Decree Law of November 17, 1938, No. 1728 in Ackerman's report on Italian Laws, p. 20). Certain Jews, exempt from this decree were soldiers wounded or decorated in the Syrian, Spanish or World Wars and their families and members of the Fascist party on certain specified dates. In addition, the Minister of the Interior was authorized to grant this "favorable discrimination" to persons who "have acquired exceptional merits". Private organizations were urged to discharge Jews. On December 11, 1938, the 20,000 Jews in Libya were deprived of Italian citizenship. On December 16, 1938, all Jews were required to declare their real estate holdings and their industrial property. A decree of February 9, 1939, provided that real estate in excess of the allowed maximum was to be sold to the government for "special 30-year certificates bearing interest at 4%". It further ordered that all Jewish commercial and business enterprises employing more than one hundred persons be registered and thereafter be liquidated. (See Ackerman's Report).

The order expelling foreign Jews was not universally obeyed. When the six months period had expired in February, 1939, 6,000 persons covered by that decree were still in Italy. Of these, 2,000 were forcibly expelled. But in April, 1939, the government relaxed its former policy in order to secure for the army and navy the services of a number of noted Jews. This did not end discriminations for on July 8, 1939, firms dealing with the government were forbidden to hire Jews. A decree issued June 29, 1939, restricted the practice by professional Jews to act on behalf of other Jews except in cases of urgency or necessity. The list of professions covered included lawyers, doctors, chemists, engineers, commercial, agricultural and industrial experts, public accountants, journalists and others.

Very little public support was given to this anti-Jewish campaign and, compared to Germany and the countries absorbed by it, very little was accomplished. However, when Italy entered the war on June 10, 1940, anti-Semitism again flared up. There were mass arrests on July 1, 1940, in Trieste, Fiume and Abbassia. In September, several other occupations were added to the list of those from which Jews were excluded. Such additional occupations were brokerage, and scrap iron dealing. Additional occupations were added to the list by decrees of December 11, 1940, "Commercial Agencies" and of January 11, and 14, 1941. Thereafter the anti-Jewish

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campaign subsided somewhat and even peddlers' licenses which had been revoked were renewed on January 28, 1941. Nevertheless, by June of 1941, it was estimated that 75% of Jews in Italy had lost their gainful employment and that the only occupation still open to a Jew was that of small shopkeeper. At the same time, however, Jews of the privileged class were called into the army and in the case of doctors called into army hospitals.

During all this time there was very little destruction of Jewish synagogues and other properties and virtually no looting. Furthermore, there were no records of any Jews being tortured.

In 1942, it had become evident that the Italian anti-Jewish campaign was not a success so that Hitler was called to "suppress unrest". Resistance to anti-Semitism, however, was so great that only minor measures could be taken. On September 11, 1942, a census of Jews was taken but it was announced that this was only part of the general conscription of all labor. In December, 1942, however, all movable property of Jews was confiscated for the purpose of compensating Italian troops returning from the Russian front. According to a German broadcast on November 30, 1943, all Jews even of the privileged class were confined in concentration camps and all of their property was requisitioned in order to compensate Italians for damage resulting from enemy activity. In addition, the children of mixed marriages were placed under police surveillance.

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- Other (Specify) _____

For relative material

SEE: MEASURES TOWARD HALTING PERSECUTION

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COPY

~~CONFIDENTIAL~~
OFFICE OF WAR INFORMATION
Overseas Operations Branch
Washington

CENTRAL DIRECTIVE

Week of February 24 - March 2, 1944

Copy No. 82

WAR REFUGEE BOARD

1. Background

On January 22 President Roosevelt set up a War Refugee Board consisting of the Secretaries of State, War and Treasury, and issued an Executive Order stating: "It is the policy of this Government to take all measures within its power to rescue the victims of enemy oppression who are in imminent danger of death, and otherwise such victims all possible relief and assistance consonant with the successful prosecution of the war." A White House statement issued the same day said that "it was urgent that action be taken at once to forestall the plan of the Nazis to exterminate all the Jews and other persecuted minorities in Europe."

2. Propaganda Treatment

- (a) We should use all available news pegs to emphasize, especially to the satellites, that the rescue of the Jews and other "persecuted minorities" now under Nazi rule is a part of the policy of the United States Government.
- (b) In news commentary we must remind the satellites such as Hungary, whose large Jewish population includes many refugees, that we shall judge them in part by the manner in which they treat the Jews and other helpless minorities in their midst.
- (c) We should make clear that all those who participate in any way in crimes against helpless minorities share in the guilt of the executioners, and will be judged and punished in accord with our solemn pledges. We should point out that this was enunciated as agreed United Nations policy in the declaration of December 17, 1942.
- (d) In our output to Sweden, Switzerland, and Portugal, as well as to the satellites, we should pay tribute to the humanitarian work these three neutral countries have already done in helping refugees to escape from Nazi control and in giving them refuge, food and shelter. In this way we can use the power of example to influence our listeners in enemy-occupied countries to show humanity toward helpless minorities.

DECLASSIFIED
State Dept. Letter, 1-11-72
By R. H. Parks Date SEP 13 1972

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FEB 10 1944

Dear Mr. Stettinius:

As I view the question of the practical measures which should be taken at once to make effective the President's policy of rescuing Jews and other persecuted minorities from the Nazis, opportunity exists now for a forceful attack on one of the very roots of the problem, namely, collaboration by the Axis satellite governments in the Nazi extermination program.

It is apparent that allied successes in the war have shaken to its foundations the resolution of Nazi collaborators outside of Germany and have implanted in their minds a fearful apprehension of the fate which will be theirs in the day of Allied victory. There are also indications that perhaps the least whole-hearted collaboration given to Germany by her satellites have been the measures designed to assist Hitler in his organized massacre of Jews, e.g., forced deportations to Poland and the prevention of escape to neutral countries.

In view of the foregoing, I think that it is of utmost importance for this Government to commence at once an organized and concentrated effort to make clear, by all appropriate means, to all Axis satellites, including the Vichy Government, that this Government views in the most serious light their assistance in any form to Hitler's program to exterminate the Jews and other similar groups, regarding all such action as criminal participation in organized murder. This Government's determination to do everything in its power to rescue such unfortunates who are in danger of death should also be brought home to the satellites with special force in order not only to give them a clear view of our attitude in the matter but also to make apparent to them the opportunities which exist for assisting in the execution of our policy. The object of this attack is, of course, two-fold: (1) To get the satellites to desist from aiding Hitler's campaign, and (2) By clearly stating our own policy in the matter to offer the occasion for actual assistance to us if they care to give it. Needless to say, a campaign of this character should not be limited to the making of formal representations but should be carried out through all appropriate means, now or hereafter available. Moreover, such representations should be constantly repeated at every available opportunity.

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It is, of course, desirable that other Allied Governments participate in this effort. However, our Government's action alone in the matter may be of the greatest significance, and it should not, I believe, be delayed pending the collaboration of others. Rather they should be informed of our action and invited to take parallel action.

I am not unmindful of the fact that our Government may already have taken some action along the lines indicated. However, I feel that it is extremely urgent that a new and perhaps more concerted effort should be undertaken at once, using as a starting point the President's new and unequivocal statement of policy.

I would greatly appreciate having as soon as possible a full statement of all action of this kind heretofore taken and being kept informed of such new efforts as are made.

Very truly yours,

(Signed) J. S. Finkle

J. S. FINKLE
Acting Executive Director

Mr. F. B. Stebbins, Jr.,
Under Secretary of State,
Washington, D. C.

JBF:PL:dkk - 8/10/44

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Draft of cable on satellites to Bern--dictated over
the phone by Warren, 2/28/44

You are instructed to request the Swiss government to ask its ministers in Bucharest, Budapest, and Sofia, in charge of American interests to say to the governments of Roumania, Hungary, and Bulgaria, that the United States Government is currently aware that these governments are engaged in programs of persecuting their Jewish minorities and refugees of other nationalities who have escaped into their territories. Among other forms, this persecution consists in sending such refugees beyond the borders of their own countries into Poland, there to undergo various forms of cruelty and even death, dictated by Nazi degeneracy. Another form of persecution consists in the prevention of the escape of refugees to neutral countries where their lives might be preserved. The Swiss government should also be requested to say to these governments that the United States Government is determined to do everything in its power to rescue such unfortunates who are in danger of death and to find havens of refuge for them. It should be made clear that this Government views with great seriousness and will keep in mind in the future, any continuation on the part of these governments of the execution of these policies of Hitlerite persecutions. The position of the United States Government in this matter has recently been restated unequivocally by the President in establishing the War Refugee Board. (Department's cable to Bern No. 201, January 25). In the view of the United States government, these governments, as well as their subordinates and functionaries, are fully responsible for the actions of persecution committed on their territories, and should desist therefrom immediately in the interest of humanity. Further, they should be informed that they will be well advised in their own interests to take advantage of such opportunities as may be available to them in the future to permit refugees to depart across their borders into territories of any neutral countries which may be prepared to receive them. Kindly express again to the Swiss Government the appreciation of the United States Government for the humanitarian work of rescue which the Swiss Government has carried on and request that the results of these proposed representations be reported to you.

Cleared with Warren

2/29/44 - He will try to get this
through Dept. and let me know.

JBF

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(COPY)

February 4, 1944

STATEMENT OF ACTING EXECUTIVE DIRECTOR
WAR REFUGEE BOARD

OBVIOUSLY I AM PLEASED to have been designated as Acting Executive Director of the War Refugee Board. It goes without saying that I will do everything within my power to produce results.

In establishing the War Refugee Board and directing it to use all of the powers of this Government to rescue the victims of enemy oppression who are in imminent danger of death, the President reflected the will of a nation profoundly shocked with Axis bestiality. His action was that of a nation deeply conscious that its free citizens today are descendants of yesterday's victims of persecution. It is measures of this character that symbolize for the whole world America's identity with the concepts of human freedom and dignity.

Time is short. The Board's task is difficult. The measure of its success will be not the words it speaks -- but the lives it saves.

There is one further point upon which I want to comment. There has been some tendency for people to say that the task of the War Refugee Board is an impossible one, that it is too late to save more than a handful of Jews and other persecuted minorities in Europe from Nazi extermination; and that the Board at best will have to content itself with moral gestures.

I do not share these views.

I have been interested in this problem long enough to recognize the difficulties and to measure their magnitude. But what I have seen to date convinces me that Jews and other persecuted minorities can be saved if those charged with the task think they can be saved and are determined to drive toward that end.

Only the reckless would attempt today to predict how many can be saved. We are dealing in human lives in this task and workable program having as its objective the saving of lives -- no matter how-modest -- will be ignored.

John W. Pehle

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February 2, 1944

MEMORANDUM FOR THE FILES:

With regard to the attached telegram of February 1 addressed to the Secretary by representatives of the United Jewish Appeal, the Secretary called Rabbi Jonah B. Wise by telephone at 11:15 this morning. He told Rabbi Jonah B. Wise that it would be difficult to call the Board together to talk to representatives of the United Jewish Appeal and that it would probably be unwise to attempt to do so. Instead, the Secretary suggested that the United Jewish Appeal confer with the Executive Director as soon as he is designated. Rabbi Wise said he would talk to William Rosenwald on the matter and consider the Secretary's suggestions.

JWP

JWPehle:1hh

Handwritten notes:
6/19/44
Jewish Appeal
Office

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ZG NEWYORK NY FEB 1 1944 622P

The Honorable Henry Morgenthau Jr

SECRETARY OF THE TREASURY

AS THE THREE NATIONAL CHAIPMAN OF THE UNITED JEWISH APPEAL FOR
REFUGEES OVERSEAS NEEDS AND PALESTINE, LARGEST FUND RAISING
AGENCY THROUGH WHICH AMERICAN JEWS PROVIDE FOR THE RELIEF AND
REHABILITATION OF REFUGEES IN EUROPEAN AND OTHER LANDS,
PALESTINE AND OTHER LANDS, PALESTINE AND THE UNITED STATES,
WE ARE MOST ANXIOUS TO MEET WITH YOU AND YOUR ASSOCIATE
MEMBERS FOR THE WAR REFUGEE BOARD IN CONFORMITY WITH THE BOARDS
DESIRE TO ACCEPT THE SERVICES OF PRIVATE ORGANIZATIONS AND
AGENCIES. THE UNITED JEWISH APPEAL FOR REFUGEES, OVERSEAS
NEEDS AND PALESTINE PROVIDES FUNDS FOR THE PROGRAMS OF THE
AMERICAN JEWISH JOINT DISTRIBUTION COMMITTEE. THE UNITED
PALESTINE APPEAL, AND THE NATIONAL REFUGEE SERVICE, WHICH ARE
THE MAJOR AGENCIES CONCERNED WITH REFUGEE PROBLEMS IN EUROPE,
PALESTINE, AND THE UNITED STATES, RESPECTIVELY. WE WOULD
APPRECIATE OPPORTUNITY OF MEETING WITH YOU OR YOUR APPOINTED
REPRESENTATIVES AT YOUR EARLIEST CONVENIENCE. IDENTICAL
MESSAGES HAVE BEEN SENT TO THE HONORABLE CORDELL HULL AND
THE HONORABLE HENRY L. STIMSON RESPECTFULLY.

UNITED JEWISH APPEAL FOR REFUGEES OVERSEAS NEEDS AND
PALESTINE RABBI JAMES G HELLER MR WILLIAM ROSENWALD
RABBI JONAH B WISE NATIONAL CHAIPMAN 342 MADSON
AVENUE NEW YORK CITY.
825AM FEB2.

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Mr. Pehle
L. S. Lesser

February 2, 1944

Nazi persecution and the threat of extermination is not limited to Jews. By word and by deed, the Nazis have indicated the existence of a deliberate program to exterminate the Poles and Ukrainians and, perhaps, other Slavs as being members of what the Nazis call a "sub-human race". There are indications, however, that the slaughter of the Slavs is not quite so indiscriminate as that of the Jews. In the case of the Slavs, the Nazis are apparently singling out the educated or upper classes for annihilation. Thus, it has been reported that the Nazis are making every effort to "eliminate" from the Polish population all physicians, lawyers, teachers, bankers, Army officers and other members of the educated classes from which it is feared new Polish leaders might arise. On the other hand, it seems from the fragmentary reports available that the Germans have some thought of assimilating the Polish lower classes with their own. The same sort of thing may be in contemplation for Norway if the recent deportation of Norwegian students is anything more than a transitory disciplinary move. That the Germans are also bent on hastening the depopulation of France seems evident from their treatment and retention of French war prisoners and the transportation and virtual enslavement of a large number of French working men.

Notwithstanding the almost universality of the persecution and threat of annihilation to the conquered peoples of Europe, it would seem that the Jews constitute a special problem necessarily requiring the special consideration of the Board. This is so for a number of reasons. Thus, each of the conquered nations of Europe, with the exception of France, has a de jure government-in-exile, and France has its de facto Comite. These governments, with the financial backing of Great Britain, and perhaps of the United States, have been able to work with the

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underground movements in their respective countries and to aid in the relief and rescue of their citizens. A large proportion of the Jews, however, are stateless and do not receive even such protection as a government-in-exile can extend. Moreover, even Jews who are not stateless are for the most part beyond the aid of the governments to which they owe allegiance because they have been displaced and transported to or have sought refuge in countries other than their own. In addition, many of the Jews facing annihilation are citizens, subjects or nationals of Germany's satellites and have no possible claim to the protection of any government-in-exile.

Thus, although from an over-all point of view, the problem of bringing relief and rescue to the persecuted peoples of Europe facing annihilation is not limited to the Jews, from a practical point of view the Jews in Europe are, as a group, more in need of the Board's attention than any other. This is so not only for the reasons above set forth, but also because of the special treatment which the Nazis have meted out to Jews throughout Europe. Thus, while a French Jew in France, a Dutch Jew in Holland or a Polish Jew in Poland may justly claim the protection of his national underground and his government on free soil, such protection is often not available to the Jew to the extent that it is available to his non-Jewish fellow citizen. This is so because of the special marks of identification that are not only superimposed upon a Jew's papers, but upon his clothing as well. Thus, while a non-Jewish Frenchman may have difficulties in traveling across France to freedom, it nevertheless is possible for him to do so. The difficulties, however, which he would encounter if he were a Jew or if he were accompanied by a Jew would be multiplied many times unless, of course, the Jew were supplied with false identification papers. So, too, non-Jews may feign cooperation with the Nazis or merely disinterest in any movement against them, and in that manner facilitate escape. Stories of Pullman-car escapes are too numerous to be sheer fabrication, and the recent arrival in Spain of Prince Elie of Belgium witnesses the possibilities that dissimulation may afford. But no such avenue of escape is open to the Jew: He is per se an enemy of the Nazis; neither dissimulation of cooperation nor feigning of acquiescence will avail him anything.

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It is not the purpose of this memorandum to urge or even suggest that the Board should limit its activities to the relief and rescue of Jews. On the contrary, the Board should be urged to lend without stint its aid and assistance, wherever needed, in the rescue and relief of all persecuted persons in Europe facing annihilation, whoever they may be and wherever they may be found. On the other hand, it must be borne in mind that for the reasons aforesaid, the Jews of Europe constitute a special problem and the purpose of this memorandum is to answer those who may in the future criticize the Board because its activities may seem to be concerned chiefly with Jews.

LSLesser:als 2/2/44

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February 1, 1944

Secretary Morgenthau

J. W. Pehle

I think you will want to look at the attached statement of Congressman Celler in which he comments at length on Brockbridge Long's testimony before the House Committee on Foreign Affairs.

/s/ J. W. Pehle

JWP:mgf 1/31/44

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Entrance of Refugees Into the
United States

SPEECH

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 24, 1944

Mr. CELLER. Mr. Speaker, Mr. Breckenridge Long, Assistant Secretary of State, appeared before the House Foreign Affairs Committee on November 26, 1943, and testified concerning House Resolution 350 and House Resolution 352. His testimony has been printed, and in reading that testimony I find therein so many faults and errors with reference to the subject matter of the resolutions in question that I deem it incumbent to point them out and highlight them. They indicate a culpability that cannot go by unnoticed. They must be corrected, because they caused grave and erroneous impressions in the minds of the committee members, and false notions in the minds of the public generally. They seem to indicate not only a lack of appreciation of the subject matter of the resolutions but seem to indicate that the gentleman, in questions in his testimony, went pretty far afield in

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his desire to bolster his forced and false conclusions. A little research would have told him of his blunders. He deserves condign criticism. It indicates that he is no longer entitled to hold sway over refugees and visas. For example, he said, in his testimony as it appears on page 32, as follows:

We have been interested in refugees, and I think there has been some indisposition on the part of some officers to accept a thought that the American Government ought to specialize and make it particularly direct that we are interested only in the Jews. We have felt from the start that we could not exclude other persons from our governmental and official activities.

On page 45 appears the following as Mr. Long's testimony:

The State Department's policy, I think, must be that we cannot exclude persons from our sympathy and our sympathetic attention if they are not Jews.

No one asked Mr. Long or anyone connected with the State Department to exclude non-Jews. I think it is degrading and shameful that an official of our administration should imply, much less aver, that we intend to withhold aid from non-Jews. We are in favor of aid to all persons, but beyond that, and not as a substitute, we want a special and an extraordinary aid concomitant with special and extraordinarily cruel treatment of Jews and all others threatened with death. No minority people are treated as cruelly as the Jew. All others are in a prison, but the Jew is in a death chamber. All others may with victory ultimately breathe free, but the Jew is in a charnel house—most of them already are in a sepulcher.

The gentleman from California [Mr. ROGERS], who is present in the Chamber, has offered one of the aforesaid resolutions providing extraordinary treatments for those who are being extraordinarily and cruelly treated. It calls for the establishment of a special board appointed by the President to find havens and refuge for the victims of Nazi tyranny. The President in his wisdom Saturday last, by Executive directive, set up the War Refuge Board, similar to the authority the gentleman from California [Mr. ROGERS] advocated, and the President stressed in an accompanying statement to his directive the very details that are embodied in the so-called Rogers resolution, and he asked directly and by inference that special treatment be accorded the Jews, who are being heinously tortured and pillaged and plundered by Hitler and his Quislings.

Further, on page 22 of the testimony of Mr. Long we find the specific statement:

The point is made that the historic attitude of the United States in providing a haven to the oppressed has not been stopped. The State Department has kept the door open. It is perfectly screened. The door is open. . . . There are vacancies on the list of quotas.

That is an astonishing statement and does not square with the facts. The "door is not open." It is on a tiny, a very tiny crack. For example, fewer immigrants entered during the past fiscal year than entered during the last 30

years. Not since 1863 have less immigrants come to our country. At a time when mass murders in Festung Europa were greatest, in 1943, when the doors of refuge should have been kept open, they were deliberately, practically closed. Only 5.9 percent of all immigrants admissible came in in that year. Nobody is asking for any change in the immigration statutes. We are asking changes in the impossible conditions and cruel, cold-blooded regulations that are laid down as to "screening" by the Department of State, and particularly by Mr. Long.

However, because of the richly deserved criticisms brought against Mr. Long, I am happy to state that those in authority in the Department of State are about to decree that Mr. Long shall no longer be in charge of refugees and visas. As proof positive of the blunder made by Mr. Long when he undertook to state what he thought was the attitude of the State Department with reference to refugees, we find a member of the Cabinet in a different Department, Mr. Biddle, the Attorney General, taking issue with him. Mr. Biddle emphatically and scorchingly took issue with Mr. Long. You can see how serious was the mischief. It is rare that a Cabinet officer challenges the statement of any Assistant Secretary. It is only done when a serious and dreadful error has been made.

Mr. Long has sought to give the impression that we had received in 10 years 580,000 immigrants and that most were Jewish refugees. The 580,000 mentioned by Long include visas authorized for quota, nonquota persons, and those in transit. Often a visa authorized is not issued. One issued is frequently not even used. Mr. Long, without even so much as "by your leave," bunched transients, visitors, and nonquota entrants and ordinary immigrants with refugees. He thus gave the impression that we gave sanctuary to 580,000. That was utterly false. Mr. Biddle explained that within the last 10 fiscal years the average number of quota and nonquota immigrants was only 26,647, although the annual quota was 153,774, and that in the year ending June 30, 1943, only 23,725 persons entered the country, 13,000 of them being nonquota. Mr. Biddle added:

During the same 10-year period the annual average number of persons emigrating from the United States was 24,000, leaving a net increase of 23,287 immigrants. Moreover, while in 1920 the aliens constituted 0.9 percent of the population in the United States, at the present time they comprise little more than 3 percent of the population.

In contrast to Mr. Long, Mr. Biddle gives facts, not fancy.

It is one thing for the Congress to pass acts with reference to immigration, and it is another thing for those in charge of the administration of the statute so to administer it as to deny the intent of Congress as embodied in the statute. Mr. Long, for example, set up all manner and kinds of conditions and restraints with reference to the applications for entering of immigrants, and among them he said that no one

shall be permitted entrance if the person intending to enter has relatives in Axis-controlled Europe, and he laid down as a condition precedent to entrance that the Interdepartmental Visa and Control Committee cannot permit entry if the intended immigrant has such a relative in Nazi-controlled Europe. Ipso facto, that regulation cut off well-nigh 90 percent of all potential refugees from Europe. He advised that most refugees have some relatives in Axis-controlled Europe. That regulation in and of itself cut down immigration to the bone. Mr. Long had the hardihood to say that he was still adhering to the historic attitude of the United States as a haven for the oppressed. Frankly, the Statue of Liberty in New York Harbor is supposed to hold up a light beside a golden door to welcome the tempest-tossed of all lands. If Mr. Long has his way, that light will have to be blotted out and the Statue of Liberty can no longer welcome in immigrants to this country.

Mr. Long ruled that the Interdepartmental Visa Control Committee could not give a reason for rejection of an application for a visa for a refugee. It takes months for applications to be acted upon. Five departments must report on each sponsor and each immigrant, whether the latter be in Europe or in this country or wherever he may be. The Departments involved are the State, War, Navy, and Justice Departments, and the F. B. I. Each Interdepartmental Visa Committee is composed of representatives from each of these five entities. It takes at least 6 months before the investigation is completed. A hearing is held. The sponsor for the immigrant or his lawyer appears and pleads. It takes months for a decision to be reached. Then no reason is given for a rejection of the application. If national security is involved, of course, no reason should be given, but if that is not in the case, why should not a reason for the turn-down be set forth so that, if possible, the causes of refusal of entrance might upon a renewed application be removed.

Further, no application can be renewed until 6 months have elapsed. If finally, in many instances the application, after all these vicissitudes, is granted, it is granted for a corpse. In every court a reason is given for an adverse decision. But before Mr. Long and his set-up everybody is kept in complete darkness. Furthermore, 50 percent of the judgments of the Interdepartmental Committees, the visa-control committees, have been reversed by the Presidential Board of Appeals, clearly indicating that in at least 50 percent of the cases which were controlled by Mr. Long, he was wrong, and that the application should have been granted and not turned down. These appeals consume more valuable time. Meanwhile Hitler's hangmen do not wait.

Mr. Long testified as follows, also on page 22:

Mr. Long. In December 1941 most neutral shipping disappeared from the seas. Prior to that there had been neutral shipping, and

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some American ships have been running; but as of that time there was practically nothing. There are today a few little Spanish and a few little Portuguese vessels which are coming in here, and the State Department continues to issue visas to refugees. We are issuing visas to the extent of about 100 a week.

Mr. MURPHY. The limitation of 100 per week is now imposed by the shipping limitations rather than by any limitations of the State Department as to the number of visas available?

Mr. LONG. The movement of the people has stopped.

That statement does not square with the facts. Mr. Long is wrong when he says that visas were being issued to the extent of about 100 a week, which would make 400 a month. In truth and in fact, visas were issued at the rate of only about 200 a month. Now as to shipping space, or ships, Spanish and Portuguese vessels are now calling regularly at ports all along the Atlantic coast and there are many others. I went to the trouble of examining Lloyds Register of Ships and I also have before me an excellent report of the World Jewish Congress, entitled "Neutral Shipping Facilities" by Avram A. Juditch, member of the Yugoslav Jewish Representative Committee. I gather, therefrom, that aside from ships coming from Argentina and to the United States and going from the United States to the Argentine, and the same with Chile, I find that there were 25 passenger ships of various tonnages available, plying across the Atlantic between the United States and Spain, 16 Swedish ships, 11 Portuguese ships, and 12 Turkish ships. Those ships could have carried thousands of refugees into the United States if they were otherwise admissible, so that when Mr. Long says there was no shipping space, he does not know what he is talking about or deliberately did not deal with the truth, in either of which events it is a sad commentary on affairs as conducted by Mr. Long as head of the Visa and Refugee Division of the State Department. That is not all. I went to the trouble of examining Lloyds Register of Shipping with reference to cargo ships. Mr. Juditch likewise presents interesting data on cargo ships. The ships that I spoke of before, 16 Swedish ships, the 25 Spanish ships, and the 11 Portuguese ships, were passenger-bearing vessels. There were several hundred cargo vessels that were plying the Atlantic during the time in question, owned by Argentina, Chile, Portugal, Spain, Sweden, Switzerland, and Turkey—a veritable bridge of ships in the registry of neutral countries, and those intended immigrants would have been only too happy to sleep even on a board on a cargo vessel. Many cargo vessels carry passengers or can be made to do so. So that there could have been thousands more of refugees brought into this fair land of ours, even on cargo ships. The Long attitude said "No." The Long gates are down. The Long door is closed.

Remember this is the same Mr. Long who called the Italian conquest of Ethiopia, "the fruitable harvest of Mussolini enterprise."

STATEMENT BY THE COMMISSION ON RESCUE OF THE AMERICAN JEWISH CONFERENCE

In presenting statistics on the number of refugees admitted into the United States, Mr. Long gave the State Department's total—580,000 in a 10-year period—of visas issued, quota, nonquota, and even transit. Let us dwell a bit, again, on these figures. I must set the record completely straight.

To whom were these visas issued? Mr. Long's testimony tended to create the erroneous impression that all 580,000 were Jews. Of the 580,000 visas issued, only 476,930 were used by immigrants. Of the latter, about 250,000 were refugees from Hitlerism, and not all of them were Jews. Furthermore, it should be pointed out that during the same period, 87,634 aliens were deported from this country, thus reducing further the total number of immigrants accrued in the 10 years under consideration.

The official figures of the Immigration and Naturalization Service reveal that in the period between January 1, 1933, and June 30, 1943, the number of Jews who came in under national quotas totaled 166,843. The total number of Jews admitted on emergency visas was 43,089, but some of these were included in the 166,843, since they later reentered under the national quotas. These totals include Jewish immigrants from all over the world, some of whom were not refugees from Hitler.

The restrictions on immigration imposed by the State Department are a definite hindrance to the rescue program. In the past year, only 5.9 percent of the immigrants permitted under the quota law were admitted. This is due, in part to the elaborate "screening" process established by the State Department. We agree that every precaution must be taken in the interests of security to prevent the admission of enemy agents, but existing procedure is needlessly cumbersome. In other countries refugees are admitted, interned, and released after complete investigation. A harsh and unjustifiable rule of the Visa Division weighs very heavily against the admission of persons with near relatives in Axis Europe. This serves to bar admission to many people in need of a haven.

Mr. Long has released the text of the mandate of the Intergovernmental Committee now functioning in London, and declared that according to this mandate, the Committee was given "plenary authority to do whatever they can within and without Germany and the occupied territories." This statement has been widely interpreted to mean that the Committee is empowered to deal with all phases of the problem of rescue, including direct negotiations with Germany for the release of Jews and other persecuted peoples.

But Mr. Long's interpretation has now been termed "absolutely incorrect" by the headquarters of the Intergovernmental Committee in London, according to cable dispatches. Patrick Malin, American vice-director of the Intergovernmental Committee, denied that the Committee mandate can be interpreted to mean, as Mr. Long said, that the Intergovernmental Committee has been given "the authority to do whatever it can within and without Germany and the occupied territories." Mr. Malin pointed out that the mandate was extended specifically with respect to persons and not countries.

In view of these contradictory interpretations, we urge immediate clarification of the situation. Confusion and conflict of opinion at this late date are inexcusable.

The failure to rescue Jews from the Balkan countries was not attributable entirely to the opposition of the Nazis, as Mr. Long's testimony has indicated. It is known that red tape and delay on the part of the British authorities were responsible for the fact that full advantage was not taken of all the opportunities presented.

Mr. Speaker, at this point I desire to offer the Aide-Memoire of the American Jewish Conference, which I adverted to heretofore, and for which I have received unanimous consent to include in the RECORD as my own remarks:

AMERICAN JEWISH CONFERENCE—RESEARCH DEPARTMENT—AIDE-MEMOIRE ON JEWISH REFUGEES, 1933-43

CONTENTS

I. Displacement of Jewish population in Europe

What happened to the 8,250,000 Jews who in September 1939 lived in the countries now dominated by the Axis? Refugees, evacuees, and deportees. Countries of immigration which admitted refugees and evacuees. Countries to which Jews have been deported by the Nazis.

II. Jewish immigration into the United States

General immigration, quota and non-quota. Jewish immigration, number of refugees. Unfilled quotas. Emigration from the United States. Ratio of Jewish immigrants to Jewish population.

III. United States visa procedure in wartime

Application for visas (Form BC). Consideration of applications by Government agencies. Criteria for admission of aliens in wartime. Preparation of application. Primary committee. Advisory approval, period of validity. Review of application by inter-departmental visa review committee. Board of appeals. Application of aliens of enemy nationality. Suspended cases. Quota year.

IV. Comments on visa procedure

Filing of application often delayed on account of difficulty in obtaining information from applicant abroad. Latest changes in BC form complicate procedure. "Hostage angle" handicaps approval. Occupational experience interpreted as "useful to war effort." Applicants from Spain and Portugal have to account for the manner in which they reached those countries. Refugees not in "acute danger" denied visas. Internees in camps cannot obtain visa unless they reach consulate, but cannot be freed unless they obtain visa.

AMERICAN JEWISH CONFERENCE—AIDE-MEMOIRE ON JEWISH REFUGEES, 1933-1943

I. DISPLACEMENT OF THE JEWISH POPULATION IN EUROPE

Since the advent of Hitler in 1933, and particularly since the outbreak of war in 1939, the Jewish population in every European country has been displaced from its original habitation by voluntary emigration, evacuation, or deportation. For purposes of our present analysis, all those who have escaped the Nazi dominated and occupied countries, are classified as refugees (including evacuees); all others are deportees. The latter category embraces those who have been deported from one country to another (in Nazi Europe) or from one place to another within the limits of the same country. It should further be noted that the classification of "refugees" does not include the Jewish immigrants from eastern Europe or other countries prior to the Nazi occupation of these countries.

The following table gives the country of origin of refugees and deportees:

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TABLE I.—*Jewish refugees and deportees, 1933-43, classified by category and country of origin¹*

Country	Refugees (including evacuees)	Deportees		Total
		From one country to another	Within the limits of the same country	
All countries	2,391,600	955,600	2,305,000	5,201,600
Poland	525,000		2,000,000	2,525,000
Union of Soviet Socialist Republics	1,299,000			1,299,000
Germany	285,000	170,000		455,000
Austria	109,000	20,000		129,000
Rumania	109,000	185,000		294,000
France	30,000	70,000	100,000	200,000
Protectorate	25,000	20,000	40,000	85,000
Slovakia	10,000	60,000	20,000	90,000
Lithuania	10,000	30,000	40,000	80,000
Latvia	15,000	15,000	20,000	50,000
Belgium	25,000	50,000	78,000	128,000
Holland	25,000	80,000	105,000	155,000
Yugoslavia	8,000	25,000	33,000	46,000
Greece	3,000	10,000	13,000	19,000
Bulgaria		10,000	10,000	20,000
Other European countries	30,000	5,000		35,000

¹ From Jewish Refugee, by Kurt R. Grossman and Arich Tartakower (in manuscript) to be published by the Institute of Jewish Affairs, American and World Jewish Congress, ch. X, table 1.

It appears from this table that 5,261,000 Jews, out of a total of 8,250,000 Jewish population in the same area in 1939, have been uprooted from their original homes. The refugees who escaped Nazi dominated and occupied European countries have found their way to various parts of the world to countries of immigration overseas, to the interior of U. S. S. R. and to neutral countries in Europe.

The following table gives the distribution of these refugees (and evacuees) in the various free countries:

TABLE II.—*Jewish refugees, 1933-43, classified by country of immigration (and asylum)*

All countries:	2,421,000
U. S. S. R.	1,800,000
United States	190,000
Palestine	120,000
England	65,000
Switzerland	16,000
Spain	12,000
Argentina	60,000
Brazil	25,000
Chile	14,000
Bolivia	12,000
Uruguay	7,000
Other Latin American countries	20,000
China	25,000
South Africa	8,000
Australia	9,000
Canada	8,000
Other countries	40,000

¹ Tables II and III are compiled on the basis of data in Jewish Refugee, ch. X.

² It is estimated that only some 2,300 Jewish refugees have remained in Spain, as of Jan. 12, 1944 (JTA News Jan. 13, 1944).

The number of Jewish refugees in the U. S. S. R. comprises 1,200,000 Soviet citizens of White Russia, the Ukraine, and parts of other previously occupied territories, and 600,000 from eastern Poland and the Baltic States which were occupied by the Red Army in 1939. Those refugees were evacuated by the Soviet authorities into the interiors of Asiatic Russia.

The number of refugees admitted to the United States (190,000) is calculated on the basis of the total Jewish immigration to this country less that which came from Canada, Poland, Rumania, Lithuania, and Hungary

prior to the war. (The figure 190,000 includes some 25,000 nonimmigrants who came in on temporary visas, as visitors, etc.)

The number of refugees who entered Palestine (120,000) is only part of the total Jewish immigration into that country during the same period, which was about 300,000.

Sweden should be added as a country of refuge, as it is giving asylum now to some 12,000 Jewish refugees from Denmark and other parts of Europe.

In Portugal many Jewish refugees are in transit, leaving there some 500 to 600 at a time.

Hungary has recently admitted several thousand Jewish refugees who escaped from Poland through the "underground."

TABLE III.—*Jewish deportees (including refugees trapped in occupied territories), according to country of deportation (including deportees within the limits of their own country)*

All countries:	2,840,000
Poland	2,600,000
Occupied Soviet territory	150,000
France	55,000
Belgium	50,000
Holland	35,000
Other European countries	70,000

¹ This figure is indeterminate, as it may vary in tens of thousands.

With the exception of Poland and the occupied parts of the U. S. S. R., to which deportees from all countries were taken, the countries mentioned in this table harbored refugees from central, eastern, and western Europe who were trapped by the Nazi occupation.

II. JEWISH IMMIGRATION INTO THE UNITED STATES, 1933-43¹

1. General immigration

The total number of alien immigrants entering this country from June 30, 1933, to June 30, 1943 (10 years) was 476,930. Of these, 292,882 were quota immigrants. The total quota for the same period was 1,537,740. This means that less than one-fifth of the quota was actually admitted to this country. (Quota immigrants are classified according to country of birth.) It should be pointed out, that of the total annual quota allotted to all countries, 55 percent is allocated to Great Britain, Northern Ireland, and the Irish Free State, and about 16 percent to Germany and Austria. Poland receives 4 percent; Italy, 3.7 percent; France and Sweden, 2.1 percent each; the other countries, 1 percent or less each.

2. Jewish immigration

The total number of Jewish immigrants entering the United States during the same 10-year period was 165,756. To this may be added 43,089 nonimmigrants who were admitted on temporary visas. (Some of these nonimmigrants changed their status as immigrants after reentering the country on permanent visas.) Out of this total of 208,845, about 190,000 were refugees. (See previous section, table II and explanation.)

3. Unfilled quotas

Unfilled quotas for all countries in the past 10 years totaled 1,244,858. Unfilled quotas during the same period for 20 countries now Axis dominated or occupied, totaled 341,567.

From June 1933 to June 1939, when emigration from Germany and Austria was still possible on a large scale, the United States admitted from those countries only 78,009 quota immigrants (of which 55,550 were Jews), i. e., less than half of the admissible quota. The admissible quota for the same

¹ Sources: Jewish refugee; National Refugee Service; Interpreter releases, published by Common Council for American Unity.

period for Germany and Austria was 27,370 per year, or a total of 154,220 for the 6-year period.

In 1943, the total quota immigration into the United States was 9,045, or 5.9 percent of an admissible quota of 153,774. Even counting all immigrants—quota and nonquota—admitted to this country in 1943, the total was only 23,725, which was the lowest number since 1862.

4. Emigration from the United States

During the same period (1933-43) 243,965 legal alien residents of the United States left the country. Of these, 2161 were Jews. Thus, the total net immigration (quota and nonquota) to this country for the past 10 years was 232,965, while the net Jewish immigration (immigrants and nonimmigrants) was 208,684.

5. Ratio of Jewish Immigrant to Jewish population

The Jewish immigrants who entered the United States in the past decade (208,845) constituted only 4.1 percent of the Jewish population in this country (estimated at 5,600,000) and about 2.5 percent of the total Jewish population (8,250,000) that lived in 1939 in the European countries of emigration, now dominated by the Axis. Compared with other countries of immigration and refuge, this is the lowest ratio. England, for example, having admitted 65,000 Jewish refugees, increased its Jewish population by 21.7 percent. Similarly, the 16,000 Jewish refugees in Switzerland constitute 8.6 percent of the local Jewish population; in Argentina, 23.2 percent; Australia, 37.5 percent; South Africa, 8.8 percent; Canada, 5.2 percent.

The following table presents an analysis of the annual quota for each country of emigration, the number of quota immigrants admitted to the United States, and the number of registered applicants for visas.

TABLE IV.—*General and Jewish quota immigration into the United States, June 30, 1933-June 30, 1943*

SELECTED COUNTRIES NOW UNDER AXIS DOMINATION

Country of birth	10-year quota	Total general Jewish, 1933-43	Total Jewish, 1933-43	Registered applicants of Jan. 1, 1943
All countries	1,537,740	292,882	165,756	314,528
Total 20 countries	571,070	223,503	139,231	157,273
Belgium	13,000	3,488	1,471	2,760
Bulgaria	1,000	616		1,418
Czechoslovakia	28,740	13,749	7,052	26,888
Danzig	1,000	503		407
Denmark	11,810	1,580	58	3,327
Estonia	1,000	481		1,828
France	30,840	7,402	7,065	4,774
Germany	293,570	121,454	67,321	210,778
Austria	14,130	1,819		3,796
Greece	3,050	3,041	117	3,796
Hungary	8,640	6,374	1,117	21,817
Italy	88,020	21,189	973	1,617
Latvia	2,360	1,120		296
Lithuania	3,800	2,217	1,190	3,006
Luxembourg	1,000	364		1,100
Netherlands	31,530	1,541	1,189	1,110
Norway	23,770	2,979	31	13,736
Poland	63,210	29,151	27,710	78,464
Rumania	3,770	3,330	2,719	16,677
Yugoslavia	8,450	3,971	375	6,961
Other countries, Jewish immigration, 1921				

¹ Source: Releases of the Immigration and Naturalization Service, U. S. Department of Justice. (Information supplied by the National Refugee Service.)

² Includes quota and nonquota alien immigrants (by country of birth).

³ Registered applicants for visas at the United States consulates abroad. Information supplied by Bureau, according to United States Consular Service reports.

⁴ Source: Jewish Refugee, ch. X, table IV

III. UNITED STATES VISA PROCEDURE IN WAR TIME*

(a) Application for visas

Alien applicants desiring visas to the United States—whether for permanent immigration, preference quota, temporary, or transit—must have BC forms filed in their behalf with the Visa Division of the United States Department in Washington, D. C.

Form BC, issued by the Visa Division (second revision, July 1, 1943), is 50 inches in length (four legal-size sheets printed on both sides) and contains all questions pertinent to information required by the State Department regarding the alien applicant.

(There are some categories of aliens for whom no BC form may be required, such as native-born citizens of independent countries of the Western Hemisphere, British native-born subjects, citizens of Canada or Newfoundland, persons entitled to nonquota status except enemy aliens, etc.)

Part B of Form BC is to be filled out by the alien applicant or by an American sponsor who is most familiar with his personal history and background. Each applicant over 18 years of age must fill out a separate form (B). Part C is to be filled out by the managerial sponsor. Each alien must have two sponsors. If the sponsors, or the alien applicant (if he happens to be in this country), wish to appear for a hearing before the Interdepartmental Visa Review Committee, they must file an application for such a hearing (Form IVRC-1) together with the BC form. Witnesses (may be citizens or aliens) who know the applicant's life history may also appear for a hearing, upon filing a notice of appearance at the same time as the sponsors.

(b) Administrative procedure in the Visa Division

1. Consideration of Applications by Four Bodies Possible

Under the authority vested in the Secretary of State by the President's proclamation of November 14, 1941, restricting entry into and departure from the United States of all persons, the Visa Division has set up a series of steps by which applications of aliens are given careful consideration and review, to insure the interests of the United States during this national emergency.

Applications may be considered by four instances: First by a primary committee, next by an interdepartmental visa review committee, then by the board of appeals, and last by the Secretary of State, who has final authority.

2. Criteria for Admission of Aliens in Wartime

Among the classes of aliens deemed prejudicial to public interest, there is one group of aliens having close relatives in enemy countries. It is considered that since the relatives are kept as hostages by the enemy, the alien immigrant might be forced to engage in activities in the United States of America which might be detrimental to our country. However, the regulations make it clear that this factor is to be considered along with other evidence and should not be cause for denial to enter.

Emphasis is now placed on the probability of the alien being of benefit to our country, especially in defense work.

Close relatives—parents, husband, wife, children—in this country are also considered as factors favorable for admission of aliens, since the reunion of families is regarded as beneficial to the morale of the American citizens, or residents, involved.

* According to Interpreter Releases, published by Common Council for American Unity, volume XX, No. 40, October 29, 1943. A Summary of Visa Procedure in Wartime, by Cecilia Razovsky Davidson.

3. Preparation of Application for Primary Committee

Form BC must be filed in six copies with the Visa Division of the State Department. After ascertaining the sponsor's financial adequacy, a copy of the form is sent to the investigating agencies: The Immigration and Naturalization Service, R. B. I., Military Intelligence, Naval Intelligence, and the State Department. It usually takes from 3 to 6 weeks for the reports to come from these agencies. An examiner then prepares the material for the Interdepartmental Visa Committee, known also as the Primary Committee.

4. Action by the Primary Committee

The Primary Committee consists of one representative from each of the departments mentioned in the preceding paragraph. If the case is approved—i. e., advisory approval is granted—it is forwarded to the consul abroad for action. If the consul—who has final decision in granting a visa—is satisfied as to the applicant's eligibility, he requests a quota number from the State Department in Washington. The latter cables a quota number, or sends it air mail, if one is available. If the consul disapproves, the case is referred back by him to the State Department for further consideration.

5. Period of Validity of Advisory Approval

An advisory approval is valid for 6 months. If the applicant did not obtain his visa by that time, for whatever reason, the sponsor has to apply for an extension, indicating his continued interest in the applicant and ability to support him.

6. Interdepartmental Visa Review Committee

This committee, consisting of representatives of the same departments as those of the Primary Committee, reviews the cases of applicants rejected by the Primary Committee. It conducts hearings, at which the sponsors or other witnesses may appear. The decision is made on the basis of the information in the record and the testimony of the witness. If this committee disapproves the case, it goes automatically to the Board of Appeals. (No appeal to the Board is necessary.)

7. President's Board of Appeals

The Board of Appeals consists of two members appointed by the President, who are not supposed to represent any branch or agency of the Government. Their decision is based on the evidence of the record and witness submitted by the previous two committees. The board may ask these committees for additional investigation and data. The approval of the Board may be reversed by the Secretary of State, who has final authority. If the application is denied by the Board of Appeals, it may be renewed by the same or different sponsors after 6 months. The entire original procedure has to be started over again, as if it were a new case.

8. Applications of Aliens of Enemy Nationality

All applications for aliens of enemy nationality, whether natives, citizens, subjects, or denizens of enemy countries, must be considered by the Primary Committee, the Interdepartmental Visa Review Committee, and even if approved by these two bodies, they must also be considered by the Board of Appeals. (Enemy countries are Germany, Italy, Japan, Bulgaria, Hungary, and Rumania.)

9. Suspended Cases

Visa applications of aliens now residing in enemy territory—where there is no American

Italy, having been recognized by the United States of America, Great Britain, and Soviet Russia, as a cobelligerent, is no longer regarded as an enemy alien for purposes of selective service in this country. However, the State Department has not yet issued any statement with regard to immigration from Italy.

consular service—are held in suspense in the State Department or at American consulates abroad. After the territories are freed the applications will have to be renewed. If, however, the applicant can reach an American consul before the 6 months of validity expire, he may obtain his visa.

10. Annual Quota

The annual quota for a given country extends only for 1 fiscal year and may not be carried over to a succeeding year. If an applicant who has received a visa, having been assigned a quota number, is unable to sail within the fiscal year of his quota number, he forfeits his visa and has to apply to the consul for a new one. It should be noted that the quota number is assigned to the applicant upon the issuance of the visa.

IV. COMMENTS ON VISA PROCEDURE*

1. Filing of application

Since the BC form must be filed with the Visa Division in Washington (and not with the consulate abroad), much precious time may be lost in obtaining the necessary information from an alien applicant who is abroad. Very often the American sponsor who files the application is not familiar with the numerous details of the alien's life history required to be filled out in form BC. In some cases, due to communication difficulties, such information may never be obtained.

2. Changes in Form BC (made July 1, 1943)[†]

When the BC form was revised by the State Department on July 1, 1943, the following important changes were made, which complicate the procedure:

(a) The question (No. 15, part B) as to the applicant's "places of previous residence (city and country)" requires "giving approximate dates since age of 14 years." In the former BC form only a 10-year period was requested.

(b) The sponsor must now indicate his occupation and his residence for the past 10 years instead of 5 years. The sponsor is required to give more specific information in regard to his American citizenship and must answer questions (Nos. 25 to 28, part B) about his own political thinking and attachment to the United States Constitution.

3. Hostage angle

Section 7 of this application deals with "close relatives in countries other than the United States." This section has proved to be a serious handicap in the consideration of many cases because the Visa Division still takes into consideration the so-called hostage clause. This means that the applications of people who have relatives in any one of the Nazi-occupied countries are usually refused. Quite frequently this is the only cause for refusal.

4. Occupational experience

Question No. 9 (part B) dealing with "occupational experience" is frequently interpreted by the Visa Division as requiring such occupational experience as may be regarded "useful to the war effort of the United States." Such an interpretation is, of course, not professed publicly, but numerous inquiries along these lines lead to the conclusion that this is a criterion frequently employed in determining the fitness of an applicant for admission into the country. It serves to disqualify many applicants who are either professionals or have been merchants in Europe.

5. Refugees in Spain and Portugal

There was a time when applications submitted on behalf of people in Spain and Portugal were given preferred consideration. This policy has changed completely in the

* Source: American Jewish Congress.

† Source: National Refugee Service.

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past 3 months. Relatives who now appear at hearings before the Interdepartmental Visa Review Committee are now questioned in detail as to "how the applicants got to Spain," although members of the committee know what is common knowledge to everybody that these people succeeded in getting into Spain from France by escaping over the Pyrenees. In this connection another question put by the committee is with regard to the applicant's stay in Spain. Again it is common knowledge that people who escape into Spain are arrested and interned at Camp Miranda or put into prisons. Many of them are released afterward as the result of persistent efforts on the part of friendly governments and private relief organizations. Nevertheless, the committee insists on asking the sponsors details concerning the release of the applicant. Inevitably most of these questions must go unanswered, since the people who appear at the hearings usually know nothing or very little about the efforts in Spain. The failure, however, to answer these questions produces an unfavorable impression on the committee, resulting very often in a refusal of the application.

6. Refugees not in "acute danger"

Two other considerations militate against the granting of visas. The first is a criterion entitled "Not Being in Acute Danger." This applies to people in such countries as Spain, Portugal, Tangier, Jamaica, Cuba, and other Latin-American countries. It is, of course, true that such people may not be in danger of extermination. Many of them, however, have relatives in the United States whom they naturally wish to join, or generally are anxious to begin life anew in America as contrasted with the rather hopeless existence that most of them lead in places like Jamaica, Tangier, etc. In most instances these people have no possibility of earning a living in these places, since many of them are detained in camps. Furthermore, if these refugees could leave for the United States, they would make room in these places for others to come in, yet their applications for visas are in most cases refused.

7. Internees cannot reach consulates

The second consideration is that the Department of State refuses to consider visa applications for refugees who are interned in camps in Mauritius, Cyprus, etc., which are under British rule. The attitude of the Visa Division is that it cannot act on these applications so long as these people are not released unconditionally from their internment so that they may appear at the consulates in person. On the other hand, the British Government will not release these people unless they show valid visas for another country. The result is a vicious circle. It should be noted that the Jewish refugees in Mauritius were deported there in 1940, after they had tried to enter Palestine without certificates. Many of them have families in the United States who are anxious to bring them to this country. To date their applications have not been acted upon for the reasons indicated.

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MEMORANDUM FOR MR. STETTINIUS

Pursuant to your suggestion, there follows a brief summary of those problems relating to the work of the War Refugee Board, in connection with which I feel that you can, while you are in London, help our cause a great deal.

As you will note these problems are of major importance and are directly related to the question as to the extent to which the British Government is prepared to give us its wholehearted cooperation in this task. For this reason, may I suggest that a frank discussion of the whole matter by you with Mr. Eden might well result in a tremendous contribution to our efforts.

(1) Convincing the British that we really mean business.

There is good reason to believe that the British are not yet convinced that there has been a real change in this Government's attitude toward this matter - rather that they feel that the creation of the War Refugee Board was primarily a political move in an election year.

It is most important that we convince the British Government, as well as other governments, of our sincerity. In this connection, a citation of some of the significant steps which we have actually taken may be most helpful. I am attaching a resume of the highlights of our action to date, and we are keeping our Embassy in London informed of developments.

(2) Cooperation with the British.

Our position on this was best expressed in our cable to Winant of February 29 (1503). As we pointed

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out, it is our policy to encourage and participate in effective cooperative efforts with other governments in taking all possible measures for the speedy rescue and relief of the Jews of Europe and other victims of Hitler's persecution. We hope that our actions will not be unilateral and that the British Government will actively cooperate in concrete measures designed to carry out this policy.

Whether there will be wholehearted cooperation between this Government and the British Government is not dependent as much upon the expressions of policy made by each Government as it is upon the actual steps which are taken by each Government to put these policies into effect.

In brief, are the British prepared to take the same kind of measures we have taken?

(3) Relations with the Intergovernmental Committee.

As in the case of our relations with the British, I think that it is most important to convince the Intergovernmental Committee that we really mean business. Once they realize that our purpose is not to outshine them, or to cast aspersions on what they are doing, but to get the job done and get it done quickly, there will be a better basis for cooperation.

In connection with your discussions on the relationship between the War Refugee Board and the Intergovernmental Committee, I would like to make the following points:

(a) The War Refugee Board is an American organization set up to carry out the policy of the American Government. The Intergovernmental Committee is an international organization, representative of over thirty nations, and therefore obviously in no position to carry out effectively and promptly the policy of any one individual nation.

(b) The War Refugee Board is prepared to lend every assistance to any and all projects which the Intergovernmental Committee has undertaken or undertakes in the future, designed to bring about the speedy rescue of victims of enemy oppression. In so far as financing such projects is concerned, the Board has already paid out \$200,000 towards operating expenses of the Committee.

(c) The War Refugee Board is determined to carry out the policy of this Government as announced by the President. In doing this the Board is not anxious to take on any job which can be done just as quickly and effectively by any other organization, whether such organization be domestic, foreign or international. If the Intergovernmental Committee is in a better position than the Board to carry out with speed any particular project designed to save the lives of refugees, the Board will gladly look to and support the Committee in the execution of such project.

(d) On the other hand, the Board has no intention of referring to or clearing with the Intergovernmental Committee any project which is necessary to carry out this Government's policy, unless such action would facilitate the speedy effectuation of such project. In the less than two months it has been in existence, the Board has already taken many steps designed to save people from death. A mere examination of these steps, in the light of the record of the Intergovernmental Committee to date, will reveal that most of these steps would not have been taken in this short time had they been referred to that Committee.

(4) Palastine issue.

The War Refugee Board has not taken and has no intention of taking a position supporting the establishment of a Jewish national state in Palastine.

The Board's sole interest in Palastine lies simply in the question as to what extent Jewish refugees can be brought into Palastine, even if only on a temporary basis.

From the standpoint, with which we are concerned, of saving the Jews in Europe from death, bringing them into Palestine and placing them in camps, to be returned to their homelands at the end of the war, is just as effective as admitting them to Palestine on a permanent basis.

(5) Cyrenaica and Tripolitania.

We have no intention of turning down any project for the rescue of refugees facing death solely because of the problems which may be involved in finding a temporary place to put these people once they escape from Hitler.

However, the fact that we do not now have a place where we can assure that these people can go, at least temporarily, in as large numbers as possible is actually interfering to a great extent with our efforts to bring these people out of enemy territory.

As you know, one of the specific recommendations made at the Berauda Conference was that the British Government consider the question of admitting refugees to Cyrenaica. Moreover, in July 1943, at the time the President and Prime Minister Churchill agreed to the establishment of a refugee camp in North Africa, the President expressed a definite interest in the possibility of establishing refugee havens in Cyrenaica and Tripolitania. As recently as January of this year, Mr. Long informally presented the matter to Sir Ronald Campbell. Despite this long standing interest in the matter, no agreement has been reached between the two Governments.

In my letter to you of March 2 it was recommended that a definite proposal be made at once to the British Government. We pointed out that once an agreement has been concluded with the British the matter can then be cleared with the Combined Chiefs of Staff.

In discussing this urgent matter with the British they might be advised that this Government is prepared to share with the British Government the responsibility for

100629

arranging to finance the establishment and maintenance of refugee camps in Tripolitania and Cyrenaica, including the costs of transferring refugees to such camps; and that this Government is also prepared to handle the transportation problem on a cooperative basis with the British. Thus, a division of obligations and responsibilities between the two Governments could be made in this case as in the case of the transfer of refugees from Spain to Camp Lyautey in French North Africa.

The importance of establishing refugee camps in Tripolitania and Cyrenaica can not be overestimated. The War Refugee Board is convinced that there is a real opportunity for actually bringing many people out of German controlled territory, particularly from areas adjacent to Turkey and the Black Sea. The Board is determined to do what it can to bring these people out in as large numbers as possible. Once these people are evacuated to Turkey, it is essential that areas be found to which they can be removed without delay. Camps in Tripolitania and Cyrenaica could be used for this purpose.

Attachment.

JEDuBois:ecr
2/10/44

000630

January 31, 1944

MEMORANDUM FOR THE FILES:

I had a conference with Under Secretary Stettinius today at 11:15 a.m. I gave him a copy of the attached cable to Ambassador Winant in London. Stettinius was in agreement with the cable but thought that the language urging the British Foreign Office to send instructions to British diplomatic and consular representatives comparable to our own instructions was very strong. He called Sir Ronald Campbell to see whether he would take the matter up with the British here and have them handle it with London. Campbell said it would be better to cable London and let the British here have a copy of the cable so that they could cable London urging prompt action.

*not at all
was not
clear*

Stettinius said he would have to clear this cable with Hull because he had gotten into trouble with Hull on the other cable which Hull had not particularly liked.

I showed Stettinius a copy of the Secretary's memorandum to McCloy of January 28 suggesting that the War Department send out instructions to Theater Commanders.

I asked Stettinius what had been done about the Island of Rab matter. He said he had written a memorandum to Hull but apparently Hull had taken no action on it. Stettinius suggested that it be brought up at the next meeting of the Board or that the Secretary speak to Stimson about the matter.

Stettinius said that O. Max Gardner might be a good candidate for executive director and that he was tough and able and would be sympathetic. He said he had some doubts as to how much drive Frank Graham had.

Stettinius said that Hull was going away on February 10 for about three weeks and that Stettinius was going to England about the middle of March for a several weeks' period. While in London Stettinius could push this matter with the British if necessary.

J. W. Paul

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(s) J. W. Pehle

JWPehle:lh 1/31/44

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FEB 21 1944

TO: Mr. Stettinius

FROM: Mr. Pehle

Attention: Mr. Warren

Attached hereto are proposed cables to Ambassador Wilson in Algiers and to Mr. Michael L. Hoffman, Senior United States Treasury Representative in Algiers, designating Mr. Leonard E. Ackermann, United States Treasury Representative in French Africa, as Special Representative of the War Refugee Board. You will note that this designation has been made with the approval of the Treasury Department.

You will note that we are not requesting at this time that Mr. Ackermann be accorded diplomatic status as Special Attache. For the present he will retain his status as United States Treasury Representative under assignment of the War Refugee Board. It is planned he will continue with his duties as Treasury Representative in so far as they do not interfere with his work for the Board.

(Signed) J.W. Pehle

Enclosures.

JEDuBois:ecr
2/18/44

000634

C A B L E

CABLE TO AMBASSADOR WILSON, ALGIERS, FROM THE STATE DEPARTMENT

Please refer to Department's airmail of January 26 in regard to the establishment of the War Refugee Board.

The Acting Director of the Board, John W. Pehle, and the Treasury Department have worked out an arrangement whereby Leonard B. Ackermann, United States Treasury representative in French Africa, has been designated as Special Representative of the Board. It is understood that he will continue with his duties as United States Treasury representative in so far as they do not interfere with his work as Special Representative of the Board.

You should advise Ackermann that as representative of the War Refugee Board -

- (a) he is charged with the duty and responsibility of carrying out the Board's policies and progress in French North Africa;
- (b) he is responsible to you and should discuss his activities and problems with you regularly and fully;
- (c) you should provide him with the necessary communications facilities in carrying on his official duties;
- (d) he shall extend all possible assistance to you in carrying out the instructions contained in the Department's reference communications;
- (e) he shall work with and give all possible assistance to public and private agencies operating in French Africa in this field regardless of whether such organizations are American, foreign, or international;
- (f) he shall develop and assist in the development of programs and implementation of measures for the rescue, transportation, maintenance and relief of refugees;
- (g) he shall forward to the Board recommendations and frequent reports of progress of work and difficulties encountered;
- (h) in so far as the Trading with the enemy Act is concerned, the Secretary of the Treasury has vested in the War Refugee Board and its representatives in the field full authority to communicate with enemy territory to carry out the purposes of the Order. The Secretary of

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- 2 -

the Treasury has also delegated to the War Refugee Board and its representatives the power to authorize any public or private agencies, who may be subject to the provisions of our Trading with the enemy Act, to communicate with enemy territory for the purpose of carrying out the Order. Ackermann is authorized to act accordingly.

Further instructions will follow from time to time. Meanwhile it is suggested that Ackermann immediately contact the UNRRA representative in the North African area with a view toward familiarizing himself thoroughly with the program under which it is contemplated that certain refugees in Spain will be transported to Camp Marechal Lyautey near Casablanca.

JED:ecr
2/18/44

000636

C A B L E

CABLE TO AMBASSADOR WILSON, ALGIERS, FOR HOFFMAN FROM THE SECRETARY OF THE TREASURY.

FOR WILSON FOR HOFFMAN FROM SECRETARY MORGENTHAU.

Reference is made to Telegram No. 320 of January 29, your No. 432 of February 10, and Department's Airgram of January 26. State Department's cable of (take in number, etc. of cable to Ambassador Wilson, Algiers, designating Ackermann) designates Leonard M. Ackermann, United States Treasury representative in French Africa as Special Representative of the War Refugee Board. This designation has my full approval. It is understood that Ackermann may continue his duties as United States Treasury representative in French North Africa in so far as they will not interfere with his work as representative of the Board.

As Senior Treasury Representative you will of course cooperate fully with Ackermann in the important task which has been assigned to him.

JMD:Holsteer
2/18/44

000637

Algiers

TELEGRAM SENT

RA
This telegram must be
paraphrased before being
communicated to anyone
other than a Governmental
agency. (BB)

January 29, 1944

9 p.m.

AMREP

ALGIERS

320

FOR L'HEDREUX FOR HOFFMAN FROM SECRETARY
MORGENTHAU.

State Department's airmgram of January 28 describes the action which the President has taken for the immediate rescue and relief of the Jews of Europe and other victims of enemy persecution. It discusses the functions of the newly created War Refugee Board composed of the Secretaries of State, Treasury and War, and requests our diplomatic and consular officers to do everything possible to carry out the policy expressed in the President's Executive Order. Please familiarize yourself thoroughly with this airmgram and the text of the Executive Order, and with all aspects of this matter.

As representative of the Treasury, you are requested to do everything possible to assist Ambassador Wilson in this important task. The Treasury Department is determined to do everything in its power to aid the President's War Refugee Board in its efforts to rescue and bring relief to victims of enemy oppression who are in imminent danger of death.

You should keep me informed through Ambassador Wilson of any way by which the existing facilities and powers of the Treasury Department may be employed to furnish aid to Axis victims to the fullest extent possible.

HULL
(AMB)

840.49 Refugees/

VD:AMM

Miss Chauncey (for the Sec'y), Messrs. Paul,
H. D. White, Pehle, Luxford, DuBois, EN. Bernstein,
Stewart, Lesser, Friedman, Hodel, Pollak, Abrahamson,
Miss Laughlin, Mrs. Cohn

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CROSS REFERENCE ON

FOR:

- Amendment to this License
- Extension of this License
- Renewal of this License
- Correspondence concerning this application
- Other (Specify)

For initialed copies of letters and additional material

SEE:

COOPERATION WITH OTHER AGENCIES; OTHER GOVERNMENT AGENCIES
(WAR DEPARTMENT)

(COPY)

WAR DEPARTMENT

Washington D. C.

FEB 6 1944

The Honorable,
The Secretary of the Treasury.

Dear Mr. Secretary:

The proposal contained in your letter of January 28, 1944, regarding War Department cooperation with the War Refugee Board has been referred to the Joint Chiefs of Staff at my request for consideration and necessary recommendations to the Combined Chiefs of Staff. Instructions to the theater commanders primarily concerned can be given only by the latter body. I will inform you as to the decision of the Combined Chiefs of Staff on this matter.

However, in order to insure the continuing cooperation of the War Department with the War Refugee Board, I would suggest that the War Department be informed in the event any specific cases become known in which the theater commander might be in a position to provide relief. The matter will then be presented, through proper channels, to the appropriate theater commander for such action as may be necessary and in the light of the existing military situation and available resources at his disposal.

/s/ John J. McCloy

Assistant Secretary of War.

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P
Y

~~CONFIDENTIAL~~

5 March 1944

Mr. John W. Fahie
Acting Executive Director
War Refugee Board
Treasury Department
Washington, D. C.

Dear Mr. Fahie:

In a letter dated January 29, 1944, the Secretary of the Treasury suggested that the appropriate Theater Commanders be informed of the establishment and responsibilities of the War Refugee Board. Mr. Morgenthau's letter, containing a proposed message to be dispatched to the Theater Commanders, was referred to the Joint Chiefs of Staff for their consideration.

As a result of their study on this matter, a message similar to that proposed by Mr. Morgenthau has been dispatched to the appropriate U.S. Army Commanders. I have been informed that the Navy Department has taken the necessary action to inform the U. S. Navy Commander concerned.

Assistant Secretary of War.

- CC - Mr. Fahie
- Mr. Luskford
- Mr. Dulois
- Mr. Lesser
- Mr. Friedman
- Miss Hodol
- Mr. Pollak

~~CONFIDENTIAL~~

CONF

January 28, 1944

TO: Assistant Secretary McCloy

FROM: Secretary Morgenthau

In accordance with your timely suggestion it would be very helpful if instructions along the following lines were sent to the appropriate Theater Commanders:

"The President has instructed the Secretaries of State, Treasury and War to take action for the immediate rescue and relief of the Jews of Europe and other victims of enemy persecution. In an Executive Order issued January 22, 1944, the President declared 'it is the policy of this Government to take all measures within its power to rescue the victims of enemy oppression who are in imminent danger of death and otherwise to afford such victims all possible relief and assistance consistent with the successful prosecution of the war.' The order establishes special governmental machinery for executing this policy. It creates a War Refugee Board consisting of the Secretaries of State, Treasury and War. The Board is charged with direct responsibility to the President in seeing that the announced policy is carried out. The President indicated that while he would look directly to the Board for the execution of this policy, the Board would cooperate with the Intergovernmental Committee, UNRRA, and other interested international organizations. The President stated that he expected the cooperation of all members of the United Nations and other governments in carrying out this difficult but important task. He stated that the existing facilities of the State, Treasury and War Departments would be employed to furnish aid to Axis victims to the fullest extent possible. He stressed that it was urgent that action be taken to forestall the plot of the Nazis to exterminate the Jews and other persecuted minorities in Europe.

*Included copy in file
"Cooperation with other
agencies: War, State, Army, Navy, etc."*

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You should do everything possible, consistent with the successful prosecution of the war in your theater, to effectuate this policy of this Government. You should cooperate as closely as possible with all public and established private agencies who are active in your theater in this field in this matter. Consistent with your needs and military security considerations, you should make communication facilities available to these private agencies for appropriate messages for carrying out the policy of this Government herein stated, keeping the War Refugee Board advised through the Department. You should report to the Department any recommendations which you may have as to what you feel this Department can do to effectuate with all possible speed the rescue and relief of the victims of enemy oppression.

Foreign representatives of the Department of State and of other Government Departments are being similarly instructed and you should give them any possible assistance."

I would appreciate your bringing this to the attention of Secretary Stimson.

/s/ Henry Morgenthau, Jr.
January 28, 1944

(Secret Service Agent carried this to McCloy at 5:40 p.m.)

JBF:JWF:1hh 1/28/44

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